

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

August 19, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-434**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

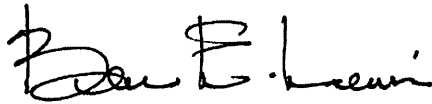
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
Alex Moldovan	Aye
Jason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING 2021-0434

AUGUST 19, 2021

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning 2021-0434

Location: 7435 Merrill Road;
Between Lansdowne Drive & Wycombe Drive West

Real Estate Numbers: 119668-0000

Current Zoning: Planned Unit Development (PUD 2007-0682-E)

Proposed Zoning: Commercial Office (CO)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: Greater Arlington Beaches, District 2

Owner/Applicant: LaVonia & Aaron Gipson
Hair Formations Inc.
7435 Merrill Road
Jacksonville, FL 32277

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning 2021-0434 seeks to rezone approximately 0.19 acres of property from Planned Unit Development (PUD 2007-0682-E) to Commercial Office (CO). The property is developed with a 1,296 square foot store front which serves as a hair salon. The building was built in 1959. In 2007, the current property owners bought the property to open their hair salon. At that time the property was in the Commercial Office (CO) zoning district. The PUD was sought to reduce setbacks, driveway aisle width, parking requirements, and landscaping requirements. as well as ad the salon use to the CO uses. In 2007, cosmetology was not an allowed use in CO. The CO Zoning District has been revised several times since 2007 and now includes cosmetology as an allowed use.

The applicant is requesting to rezone the subject property back to CO because the property owners never brought the property into compliance with the PUD site plan. The subject property is located within the Renew Arlington CRA which makes them eligible for exterior improvement grants, but the property must be in compliance with the Zoning District. Development Services and the

RADAR team suggested that the property be reverted to the CO zoning district in order to achieve compliance.

As previously stated the property is within the Renew Arlington CRA, which means the standards of (re)development are held to the Renew Arlington Overlay (Sec. 656.399.54-Subpart S). The Renew Arlington Advisory Committee met on August 11, 2021 to opine the application. The Committee is supportive of the application.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. The subject site is located at 7435 Merrill Road, a collector roadway, with frontage on Cypress Street, a local roadway and within the LDR land use category and Urban Development Area. RPI in the Urban Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. The maximum gross density in the Urban Area is 30 units/acre. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The proposed RPI land use category is consistent with the proposed CO zoning district.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. This rezoning is supported by the following Objectives and Policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

The request is a rezoning to revert the zoning district back to CO, which was what the property was zoned in 2007. All of the properties fronting on Merrill Road in the 7300 and 7400 block on the northern side are zoned CO.

Objective 3.2

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The rezoning to CO will continue the allowed use of a hair salon.

3. Does the proposed rezoning conflict with any portion of the City's land use regulations?

No. It is the opinion of the Planning and Development Department that the proposed rezoning will not be in conflict with any portion of the City's land use regulations. The proposed zoning district would be compatible with the adjoining properties to the west, east, and south which is general character of the surrounding area. The property owner is working with the Renew Arlington CRA and the Office of Economic Development to improve the exterior appearance of the business.

SURROUNDING LAND USE AND ZONING

The subject property is located on the south side of Cypress Street, just east of Post Street. The surrounding uses, land uses, and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	LDR	RLD-60	Single-Family Dwelling
East	RPI	CO	Single-Family Dwelling
South	NC	PUD 2004-309-E	Vacant School/Daycare
West	RPI	CO	Hair Salon

SUPPLEMENTARY INFORMATION

The owner/applicant provided evidence of the required NOTICE sign posted on the property on July 26, 2021.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2021-0434 be **APPROVED**.

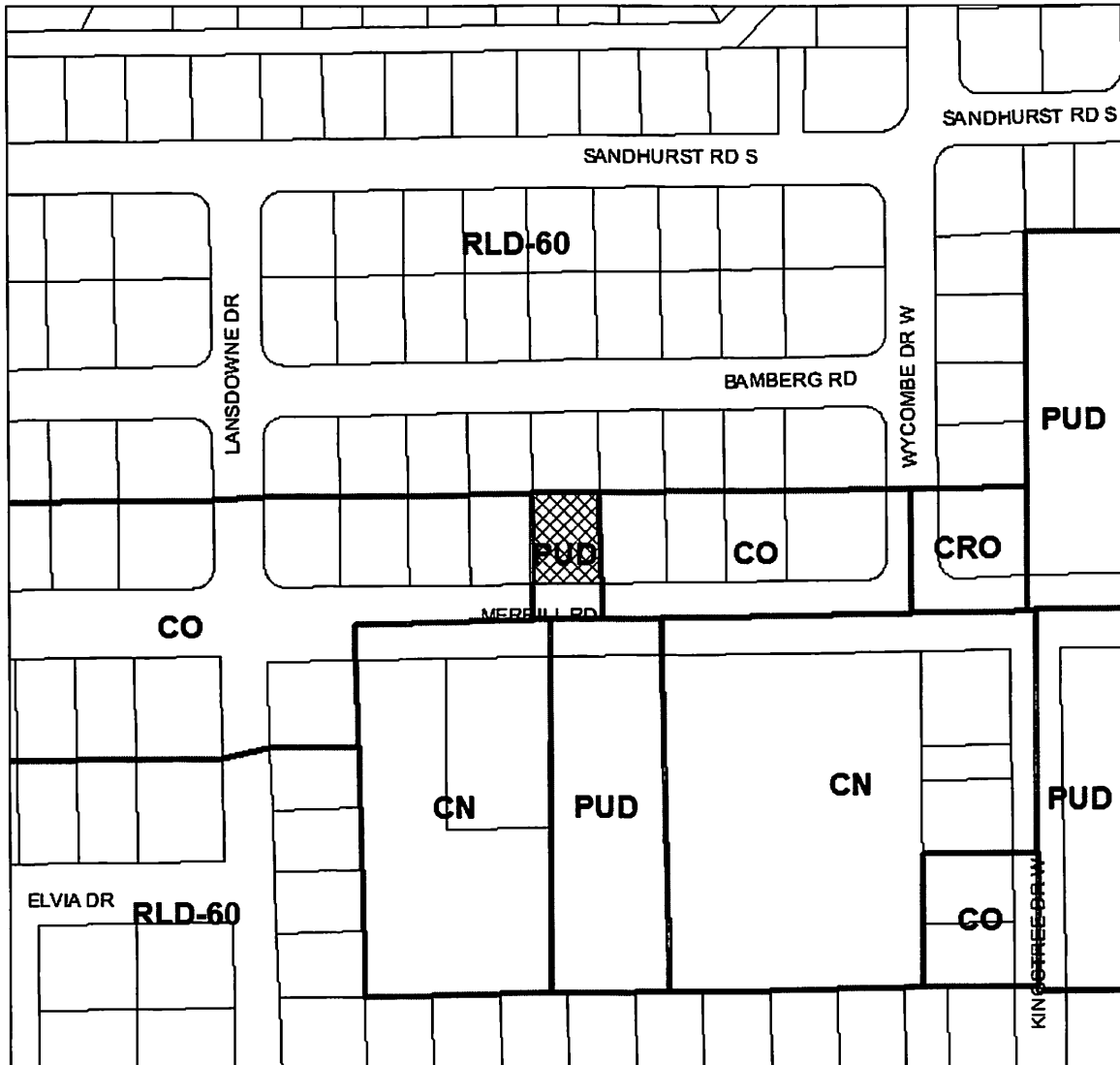


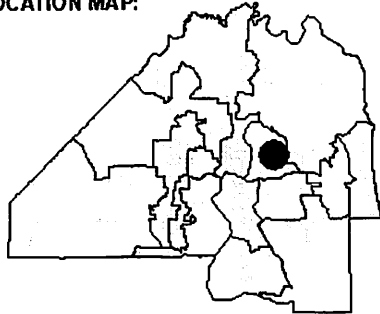

Aerial



Subject Property

Source: Google



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: CO</p>	<p>LOCATION MAP:</p> 	 <p>0 65 130 260 Feet</p> <p>COUNCIL DISTRICT: 1</p>
<p>ORDINANCE NUMBER ORD-2021-0434</p>	<p>TRACKING NUMBER T-2021-3547</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

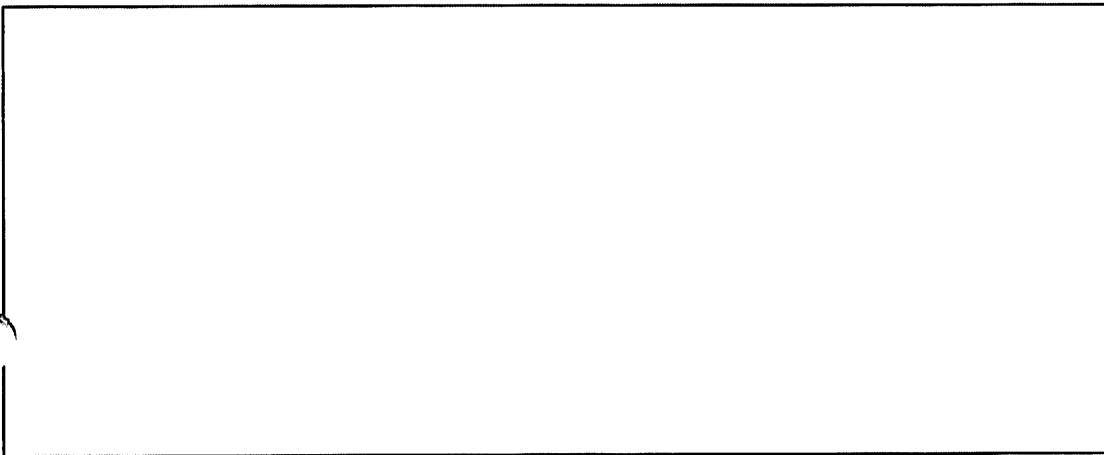
Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0434 **Staff Sign-Off/Date** CMQ / N/A
Filing Date 07/27/2021 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 08/24/2021 **Planning Comission** 08/19/2021
Land Use & Zoning 09/08/2021 **2nd City Council** N/A
Neighborhood Association FREE4LIFE FOUNDATION, INC; OLD ARLINGTON, INC;
 REVITALIZE ARLINGTON, INC
Neighborhood Action Plan/Corridor Study RENEW ARLINGTON CRA OVERLAY

Application Info

Tracking # 3547 **Application Status** PENDING
Date Started 05/13/2021 **Date Submitted** 05/25/2021



General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
GIPSON	LAVONIA	
Company/Trust Name		
HAIR FORMATIONS INC		
Mailing Address		
7435 MERRILL		
City	State	Zip Code
JACKSONVILLE	FL	32277
Phone	Fax	Email
9047443050		

Last Name	First Name	Middle Name
GIPSON	AARON	
Company/Trust Name		
HAIR FORMATIONS INC		
Mailing Address		
7435 MERRILL		
City	State	Zip Code
JACKSONVILLE	FL	32277

Phone 9047443050	Fax	Email HAIRFORMATIONS@BELLSOUTH.NET
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Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2007-0682-E

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	119668 0000	1	2	PUD	CO

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category
RPI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 0.19

Justification For Rezoning Application

RECOMMENDATION BY PLANNING & CRA STAFF TO ALLOW FOR COMPLIANCE WITH CRA OVERLAY ORDINANCE

Location Of Property

General Location
ARLINGTON

House #	Street Name, Type and Direction	Zip Code
7435	MERRILL RD	32277

Between Streets
LANSLOWNE and WYCOMBE

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit - Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

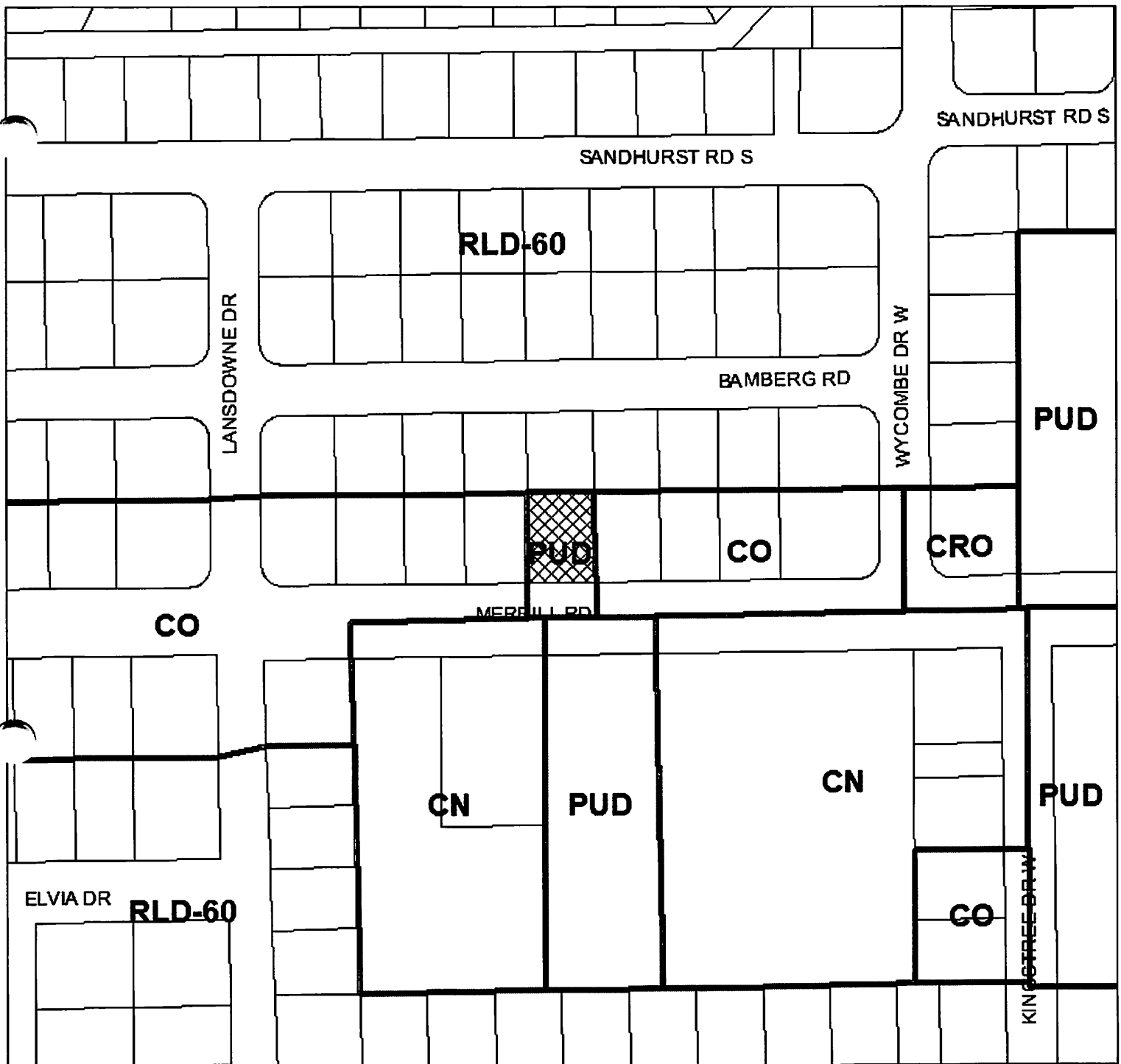
Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
0.19 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
45 Notifications @ \$7.00 /each: \$315.00
- 4) Total Rezoning Application Cost: \$2,325.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

Lot 14 Block 5 Unit 8 Arlington Hills subdivision consisting of .170 acres as recorded in the Public Records of Duval County, Jacksonville, Fl.. Said Property is situated in Section 02; Township 2 South; Range 27 East.

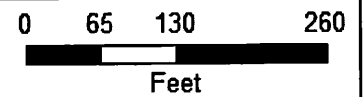
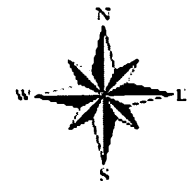
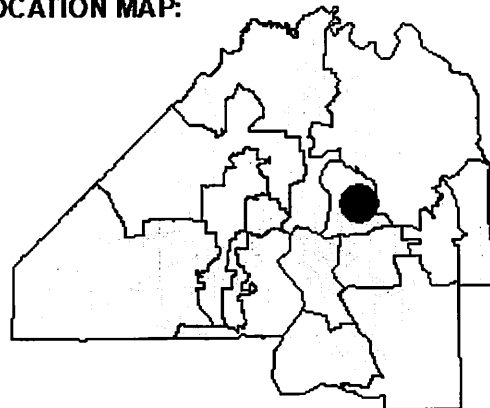


REQUEST SOUGHT:

FROM: PUD

TO: CO

LOCATION MAP:



COUNCIL DISTRICT:

1

TRACKING NUMBER

T-2021-3547

**EXHIBIT 2
PAGE 1 OF 1**