

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**APPLICATION FOR REZONING ORDINANCE 2018-0055****FEBRUARY 22, 2018**

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 Ordinance **2018-0055**.

Location: 2710 Edgewood Avenue North; on the west side of Edgewood Avenue between Rio Grande Avenue and Wacissa Avenue

Real Estate Numbers: 083864-0010 (a portion of)

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Commercial Community General-1 (CCG-1)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

Owners/Agent: Michael and Cynthia Shoda Trust
Michael Shoda
2710 Edgewood Avenue N.
Jacksonville, Florida 32254

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Ordinance **2018-0055** seeks to rezone roughly three acres of a 3.31 acre parcel of land from Commercial Office (CO) to Commercial Community General-1 (CCG-1) for the purpose of permitting a materials storage building on the site. Redevelopment of the site requires the properties to conform to current zoning code including; landscape buffers, parking and allowed uses. The site is located in the Community General Commercial (CGC) functional land use category of the *2030 Comprehensive Plan* within the Suburban Development Area of the City. The site has frontage on Edgewood Avenue North, a 4-lane divided Arterial roadway; on the west side of Edgewood Avenue between Rio Grande Avenue and Wacissa Avenue.

The western $\frac{3}{4}$ of the property is currently zoned CO, with the eastern $\frac{1}{4}$ portion fronting Edgewood Avenue zoned CCG-2. The parcel has been used as a grandfathered legal non-conforming auto sales lot for at least the last 30 years. The owner would like to construct a tenant storage building on the site on the portion to become CCG-1.

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. In accordance with Section 656.129 *Advisory recommendation on amendment to Zoning Code or rezoning of land*, the Planning and Development Department finds that the subject property is located in the CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the *2030 Comprehensive Plan*. The CGC land use category is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Therefore the proposed use is generally consistent with the current land use designation of the subject property.

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

Yes. This proposed rezoning to Planned Unit Development has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.3.6 Access to new and redeveloped non-residential parcels with frontage along two or more roadways shall be limited to one access point per

roadway. Access from the higher functional class roadway, or roadway with the higher average daily traffic inclusive of development traffic for roadways of the same functional class, shall be limited to right-turn-in/right-turn-out only, unless 1) it can be demonstrated in a traffic study submitted to the JPDD, that such access restrictions would present a safety hazard, would cause undue congestion or delay on adjacent road facilities, would cause environmental degradation, or would hinder adequate traffic circulation, or 2) there already exists more than one full access point on the roadway, and at least one full access points is eliminated.

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. Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

Policy 3.2.2 The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The subject site is currently utilized as an auto storage and sales lot since at least 1987. The owner would like to construct an unrelated storage/warehousing building on site. This additional development of the subject site would promote and sustain the viability of this existing commercial node.

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 to CCG-1 will not be in conflict with any portion of the City's land use regulations. The proposed CCG-1 Zoning District would be compatible with the surrounding area, as properties along Edgewood Avenue for the most part consists of Commercial CCG-1 and CCG-2 Zoning Districts as well as Industrial Light (IL).

SURROUNDING LAND USE AND ZONING

The surrounding land use categories, zoning districts, and uses are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR/CGC	RLD-60/CCG-2	SF homes/restaurant/commercial
South	LI	IL	Open storage lot/industrial use
East	LI	IL	Semi-truck storage lot/industrial use
West	LI	IL	Office/open storage lot/industrial use

It is the opinion of the Planning & Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses. The rezoning will allow the western portion of the property to be used in a similar fashion to that of surrounding properties in the immediate area.

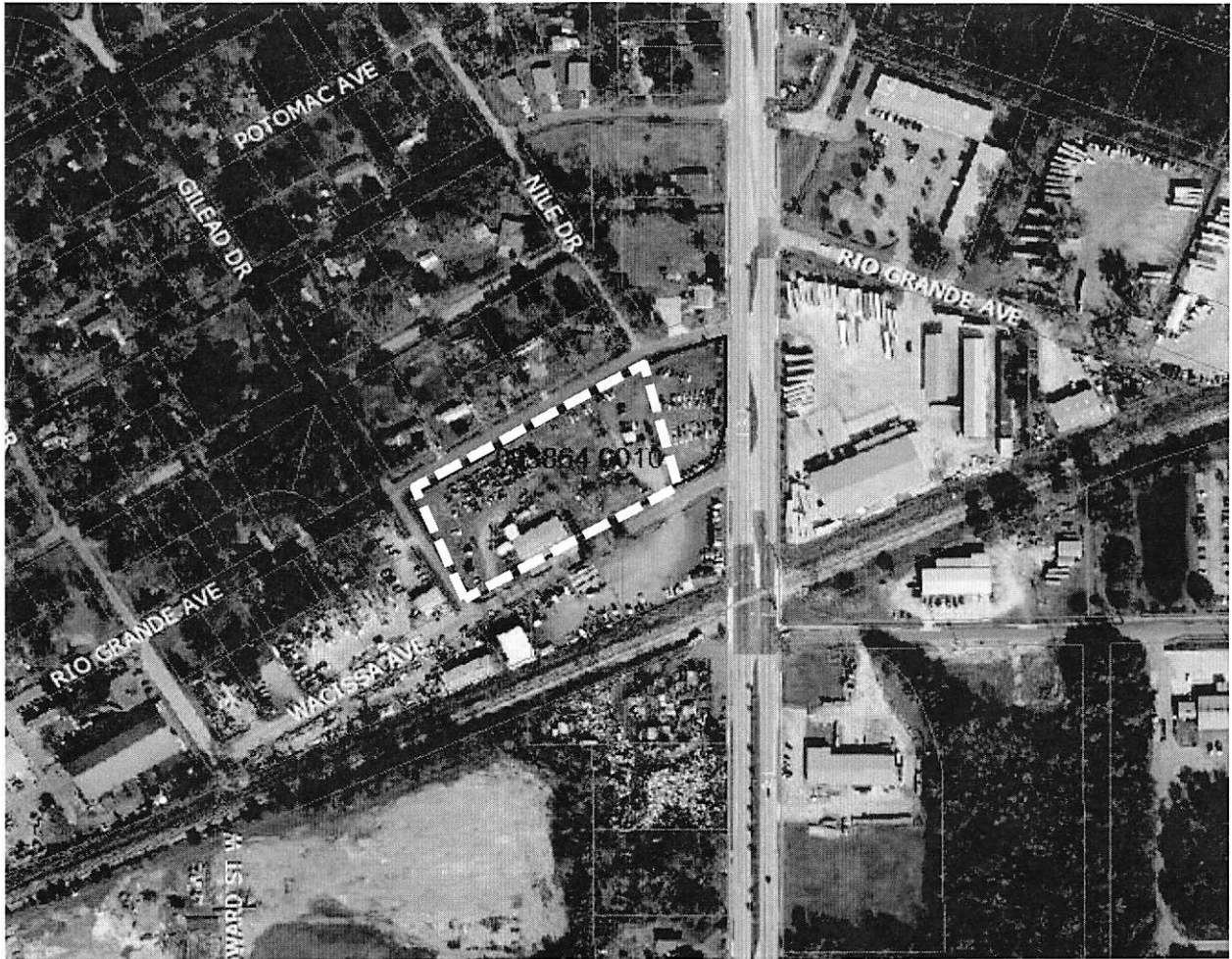
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 13, 2018 the required Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2018-0055** be **APPROVED**.



Aerial view of the subject site facing north



The subject site on the left facing west along Rio Grande Ave.



The subject site on the left facing south along Glead Dr.



The subject site on the left facing northeast from Wacissa Ave.

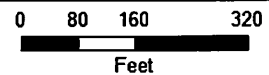
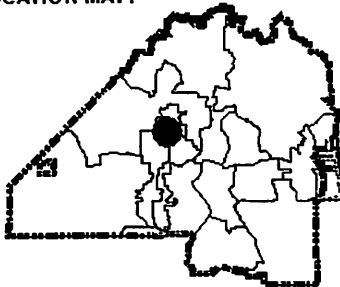


REQUEST SOUGHT:

FROM: CO

TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:

10

APPLICATION NUMBER

2018-0055

PAGE 1 OF 1

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2018-0055 Staff Sign-Off/Date AH / 10/05/2017

Filing Date 01/23/2018 Number of Signs to Post 6

Hearing Dates:

1st City Council 02/27/2018 Planning Commission 02/22/2018

Land Use & Zoning 03/06/2018 2nd City Council N/A

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 1456

Application Status PENDING

Date Started 05/06/2017

Date Submitted 05/16/2017

General Information On Applicant

Last Name	First Name	Middle Name
SHODA	MICHAEL	WAYNE

Company Name
SHODA AUTO SALES LLC

Mailing Address
2710 EDGEWOOD AVE NORTH

City	State	Zip Code
JACKSONVILLE	FL	32254

Phone	Fax	Email
9043765068	9043547391	MWSJAX@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SHODA TRUST	MICHAEL AND CYNTHIA	

Company/Trust Name
SHODA AUTO SALES LLC

Mailing Address
2710 EDGEWOOD AVE NORTH

City	State	Zip Code
JACKSONVILLE	FL	32254

Phone	Fax	Email
9043765068	9043547391	MWSJAX@GMAIL.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	083864 0010	10	5	CO	CCG-1

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

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

3.31

Justification For Rezoning Application

WE WOULD LIKE TO LEASE WAREHOUSE SPACE TO SMALL BUSINESSES.

Location Of Property

General Location

NORTHWEST AREA OF JACKSONVILLE

House #	Street Name, Type and Direction	Zip Code
2710	EDGEWOOD AVE N	32254

Between Streets

RIO GRANDE AVE and WACISSA AVE

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**
 - 3.31 Acres @ \$10.00 /acre: \$40.00**
- 3) Plus Notification Costs Per Addressee**
 - 32 Notifications @ \$7.00 /each: \$224.00**
- 4) Total Rezoning Application Cost: \$2,264.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

5-15-2017

PARCEL A:

Block U of CURTIS BRIGHT Replat of BILTMORE #3 and #4, according to Plat Book 15, page 41. Said portion being the same and identical land recorded as Lots 1 through 20, Blk. 13, BILTMORE #3, according to Plat Book 12, page 26, of the public records of Duval County, Florida, together with the Southwesterly one-half of that portion of Nile Drive lying Northeasterly of and adjacent to the aforesaid Block U, as closed by Resolution of the Duval County Board of County Commissioners, dated January 8, 1952.

PARCEL C:

Lots 21 to 40, Block 13, Section 3, BILTMORE, a subdivision per plat recorded in Plat Book 12, Page 26 of the Public Records of Duval County, Florida, together with the Southwesterly one-half of that portion of Nile Drive lying Northeasterly of and adjacent to the aforesaid Block 13 as closed by Resolution of the Duval Board of County Commissioners, dated January 8, 1952.

Also known as 2710 Edgewood Avenue, Jacksonville, Florida.

EXHIBIT A

Property Ownership Affidavit

Date: 5-15-2017

City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, MICHAEL SHODA hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for REZONING,
submitted to the Jacksonville Planning and Development Department.

Michael Shoda

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 15 day of
May (month), 2017 (year) by Michael Shoda
who is personally known to me or has produced _____
as identification.

Teresa G Johnson
(Notary Signature)



EXHIBIT B

Agent Authorization

Date: 5-15-2017

City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

2710 EDGEWOOD AVE NORTH

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers MATTHEW SHODA to act as agent to file application(s) for REZONING for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Michael Shoda

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 15 day of May (month), 2017 (year) by Michael Shoda, who is personally known to me or has produced _____ as identification.

Teresa G Johnson
(Notary Signature)



Return to:

Mr. Steven W. Conner
Conner, Hubbard & Company, P.A.
Certified Public Accountants
1106 Park Avenue
Orange Park, Florida 32073

WARRANTY DEED

THIS Warranty Deed made this 15th day of October, 2011, between **MICHAEL W. SHODA and DELORES RAULERSON**, the Grantor, and **THE MICHAEL AND CYNTHIA SHODA TRUST**, hereinafter called, Grantee,

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantees and Grantees heirs forever the following described land located in the County of Duval, State of Florida, to-wit:

PARCEL A:

Block U of CURTIS BRIGHT Replat of BILTMORE #3 and #4, according to Plat Book 15, page 41. Said portion being the same and identical land recorded as Lots 1 through 20, Blk. 13, BILTMORE #3, according to Plat Book 12, page 26, of the public records of Duval County, Florida, together with the Southwesterly one-half of that portion of Nile Drive lying Northeasterly of and adjacent to the aforesaid Block U, as closed by Resolution of the Duval County Board of County Commissioners, dated January 8, 1952.

PARCEL B:

Lots 1 and 2, Block 21, Section 5, BILTMORE, according to Plat Book 14, page 28, of the public records of Duval County, Florida., together with the Northeasterly one-half of that portion of Nile Drive lying Southwesterly of and adjacent to aforesaid Blk. 21, as closed by Resolution of the Duval County Board of County Commissioners, dated January 8, 1952.

PARCEL C:

Lots 21 to 40, Block 13, Section 3, BILTMORE, a subdivision per plat recorded in Plat Book 12, Page 26 of the Public Records of Duval County, Florida, together with the Southwesterly one-half of that portion of Nile Drive lying Northeasterly of and adjacent to the aforesaid Block 13 as closed by Resolution of the Duval Board of County Commissioners, dated January 8, 1952.

Also known as 2710 Edgewood Avenue, Jacksonville, Florida.

SUBJECT TO taxes assessed subsequent to December 31, 2010.

SUBJECT TO covenants, restrictions, and easements of record; however, this reference thereto shall not operate to reimpose the same.

SUBJECT TO recorded and perfected indebtedness and computation of any recording or transfer taxes based on the application of *Kuro v. State of Florida, Department of Revenue*, 713 So.2d 1021.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed the day and year first above written.

Signed, sealed and delivered in our presence:

Martha Adonith
WITNESS

Michael W. Shoda (SEAL)
MICHAEL W. SHODA

Claudia Lavinberg
WITNESS

Martha Adonith
WITNESS

Delores Raulerson (SEAL)
DELORES RAULERSON

Claudia Lavinberg
WITNESS

STATE OF FLORIDA
COUNTY OF CLAY

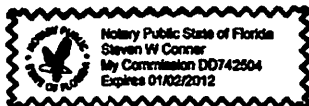
The foregoing instrument was acknowledged before me on this 15th day of October, 2011, by Michael W. Shoda and Delores Raulerson, who are personally known to me or who have produced as identification

Drivers License Number:

Drivers License Number:

My Commission Expires:

Steven W. Corner
Notary Public



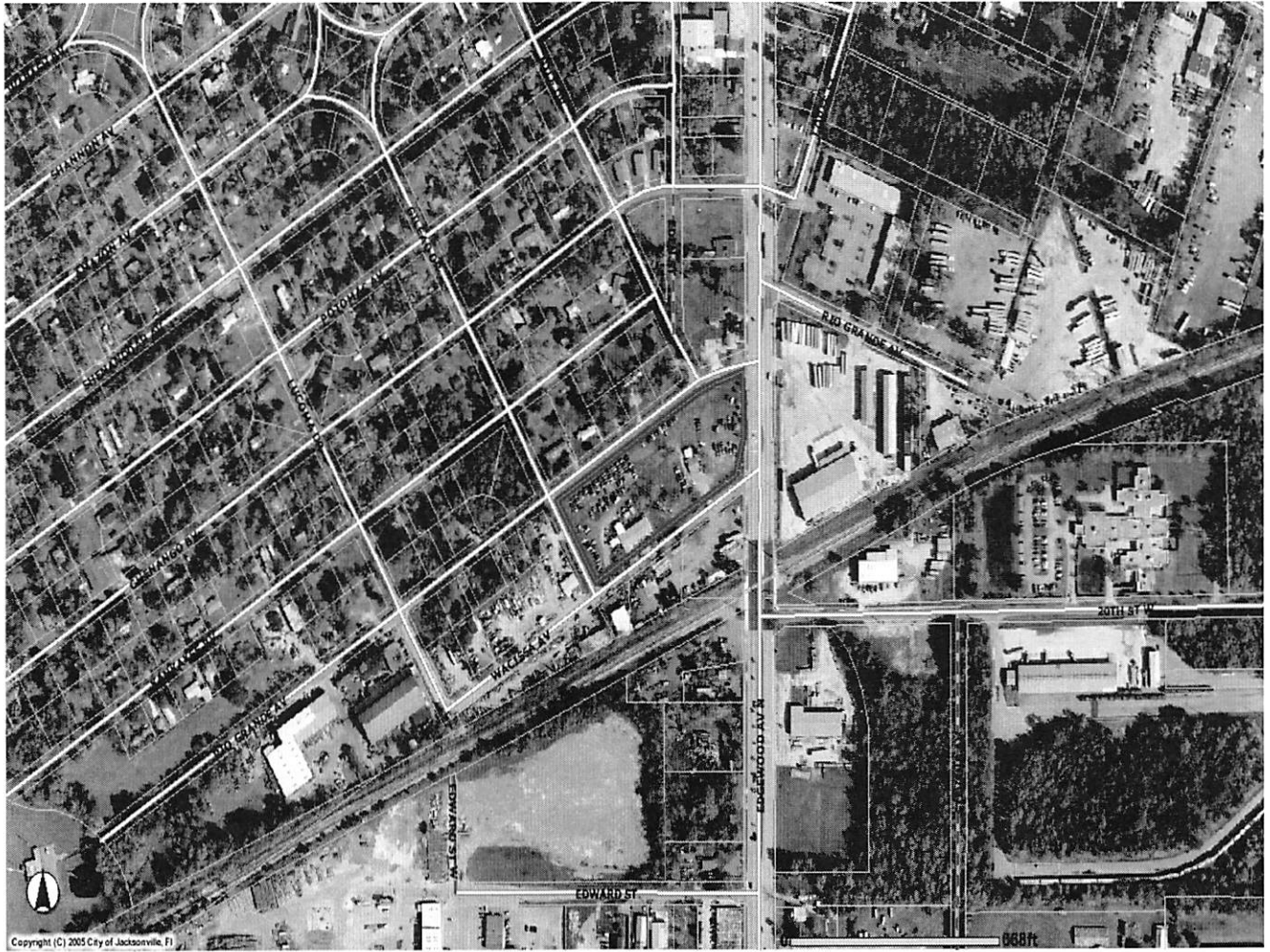
JAXGIS Property Information



Copyright (C) 2005 City of Jacksonville, FL

RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone	AshSite	JEDC Zone
083864 0010	SHODA MICHAEL AND CYNTHIA TRUST	2710 EDGEWOOD AVE JACKSONVILLE 32254	100	3.31	1577100493	6406	12-26 53-2S-26E 3.3 BILTMORE NO 3 LOTS 21 TO 40, BLK 13	NOT IN FLOOD ZONE	Not in AshSite Zone	Not in Enterpris Zone

JAXGIS Property Information



Copyright (C) 2005 City of Jacksonville, FL

RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone	AshSite Zone	JEDC Zone
083864 0010	SHODA MICHAEL AND CYNTHIA TRUST	2710 EDGEWOOD AVE N JACKSONVILLE 32254	100	3.31	1577100493	6406	12-26 53-2S-26E 3.3 BILTMORE NO 3 LOTS 21 TO 40, BLK 13	NOT IN FLOOD ZONE	Not in AshSite Zone	Not in Enterprise Zone



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

MICHAEL SHODA

November 27, 2017

Shoda Auto Sales llc
2710 Edgewood Avenue north
JACKSONVILLE, Florida, 32254

Project Name: Shoda warehouse

Availability#: 2017-2424

Dear Mr/Mrs MICHAEL SHODA,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

Point of Connection:

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on jea.com.

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit www.jea.com
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

Mollie Price
Water/Wastewater System Planning
(904) 665-7710



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2017-2424
 Request Received On: 11/21/2017
 Availability Response: 11/27/2017
 Prepared by: Mollie Price

Project Information

Name: Shoda warehouse
 Type: Warehouse
 Requested Flow: 150 gpd
 Location: 2710 edgewood ave north
 Parcel ID No.: 083864-0010
 Description: new metal building

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Existing 12-in water line on the middle of Edgewood Ave North (see Special Conditions)
 Connection Point #2: NA
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

Sewer Connection

Sewer Treatment Plant: BUCKMAN
 Connection Point #1: Existing 4-in forcemain at the southwest corner of Edgewood Ave North and Rio Grande Ave (see Special Conditions)
 Connection Point #2: NA
 Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

Reclaimed Water Connection

Sewer Region/Plant: North Grid
 Connection Point #1: No reclaim in the foreseeable future
 Connection Point #2: NA
 Special Conditions: No reclaim in the foreseeable future.

General Comments:

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.