

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2013-0796**

**JANUARY 30, 2014**

The Planning and Development Department hereby forwards to the Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2013-796.

<b><i>Location:</i></b>	6511 Ramona Boulevard Northwest of the intersection of Lane Avenue South and Ramona Boulevard
<b><i>Real Estate Number:</i></b>	007449 0010
<b><i>Current Zoning District:</i></b>	Commercial Community General-1 (CCG-1)
<b><i>Proposed Zoning District:</i></b>	Commercial Community General-2 (CCG-2)
<b><i>Current Land Use Category:</i></b>	Community Commercial General (CGC)
<b><i>Planning District:</i></b>	Northwest, District 5
<b><i>City Council Representative:</i></b>	The Honorable Reggie Brown, District 10
<b><i>Owner:</i></b>	Nareen Patel Noble Retail Group 6511 Ramona Boulevard Jacksonville, Florida 32205
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2013-796 seeks to rezone approximately 0.71 acres of land from CCG-1 to CCG-2. The subject property is within the CGC functional land use category as defined by the Future Land Use Map (FLUM) series contained in the Future Land Use Element (FLUE) as adopted as part of the 2030 Comprehensive Plan and within the Urban Priority development area. The property is located in the southwest quadrant of the intersection of Ramona Boulevard and Lane Avenue South, and has easy access to the Interstate I-10 and Lane Avenue interchange. Currently, the parcel is developed with a BP fueling station built in 2001. There is an adjacent fueling station, hotel, and restaurant in the intersection surrounding the subject property. A cosmic

bowling alley exists south of the subject property with access on Lane Avenue South and Ramona Boulevard. The Applicant seeks to rezone the property to allow for fruit and vegetable stands that had recently been operating on site. The Applicant was cited by the Municipal Code Compliance Division for this use as it is not permitted by right in the CCG-1 Zoning District, but allowed in the CCG-2 Zoning District. Adjacent Zoning to the east, southeast, and south is CCG-2.

### **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 of Zoning Code or rezoning of land of the Zoning Code, 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 and is consistent therewith. The CCG-2 Zoning District is a primary zoning district within the CGC functional land use category. Intense commercial uses such as commercial retail sales, filling stations, restaurants, small scale wholesaling, and fruit and vegetable, poultry, or fish markets may be permitted within the CGC Land Use category in the Urban Priority Area.

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

No. This rezoning does not further the Goals, Objectives and Policies of the 2030 Comprehensive Plan, including the following:

***FLUE Policy 1.1.20*** As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for the land uses and densities

and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas.

These include: the Central Business District (CDB); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine for each land use plan category as provided in the Operative Provisions of this element.

The proposed rezoning to CCG-2 supports the intent of the Urban Priority Area in the CGC Land Use category.

**FLUE Policy 3.2.13** The City shall encourage commercial uses at interstate interchanges to use site design measures which serve to unify projects by such techniques as cross access and interconnectivity. The site design measure should minimize impact to surrounding areas.

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

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property contains 0.71 acres and will be permitted uses that are allowed by right on the east, southeast, and south of the subject property. The parcel is located at a major intersection and commercial node where existing transportation networks are designed to support high intensity commercial use. There are no immediate adjacent residential, churches, or school uses that will be impacted by the rezoning.

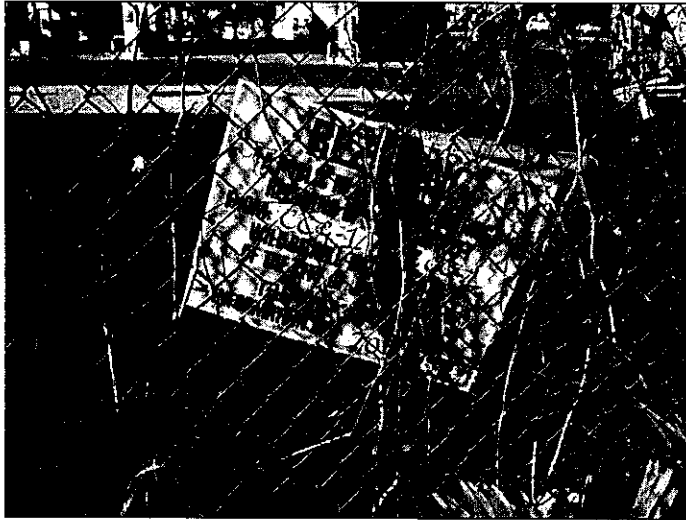
**SURROUNDING LAND USE AND ZONING**

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-1	I-10 Expressway
East	CGC	CCG-2	fueling station, restaurant
South	CGC	CCG-2	Commercial, bowling alley
West	CGC	CCG-1	Hotel

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on the required Notice of Public Hearing sign was posted:



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-796 be **APPROVED**.



**Subject property, view from Lane Avenue entry.**

*Source: City of Jacksonville Planning and Development Department  
Date: January 22, 2013*



Shell Gas station east of the property, across Lane Avenue.

*Source: City of Jacksonville Planning and Development Department*  
*Date: January 22, 2013*



Existing stand on site.

*Source: City of Jacksonville Planning and Development Department*  
*Date: January 22, 2013*



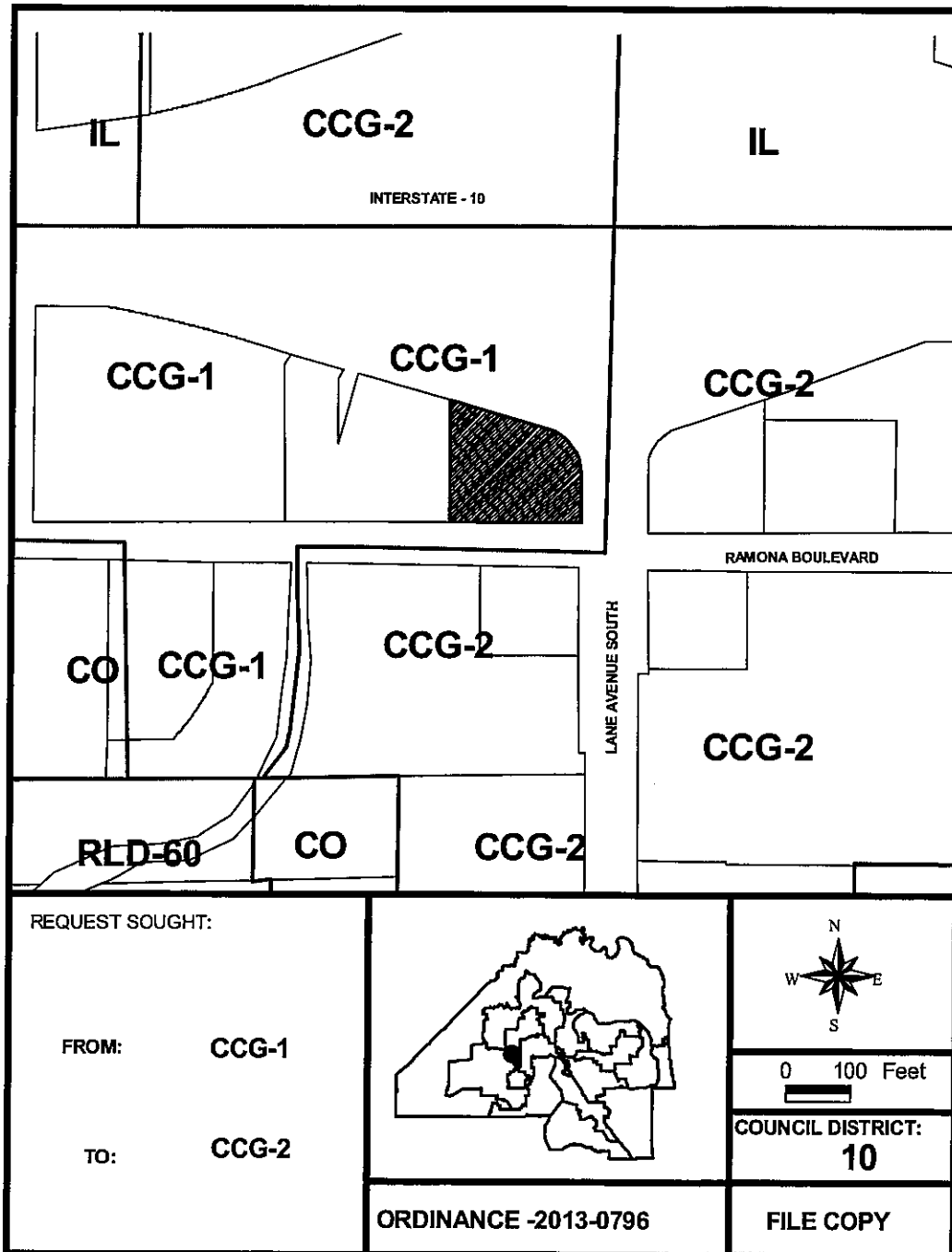
**Bono's Restaurant southeast of the property.**

*Source: City of Jacksonville Planning and Development Department  
Date: January 22, 2013*



**I-10/Lane Avenue Interchange.**

*Source: City of Jacksonville Planning and Development Department  
Date: January 22, 2013*



**Application For Rezoning To Conventional Zoning District****Planning and Development Department Info****Ordinance #**      **Staff Sign-Off/Date**      AAG / 11/26/2013**Filing Date**   N/A **Number of Signs to Post** N/A**Hearing Dates:****1st City Council**      N/A **Planning Commission** N/A**Land Use & Zoning** N/A **2nd City Council**      N/A**Neighborhood Association** NONE**Neighborhood Action Plan/Corridor Study** NONE**Application Info****Tracking #**      514**Application Status**      PAID**Date Started**      11/07/2013**Date Submitted**      11/07/2013**General Information On Applicant****Last Name**                      **First Name**                      **Middle Name**

PATEL                              NAREN

**Company Name**

NOBLE RETAIL GROUP

**Mailing Address**

6511 RAMOAN BLVD

**City**                              **State**                      **Zip Code**

JACKSONVILLE              FL                      32205

**Phone**              **Fax**                      **Email**  
9045175117              904                      NAREN0004@YAHOO.COM**General Information On Owner(s)**☐ **Check to fill first Owner with Applicant Info****Last Name**                      **First Name**                      **Middle Name**

PATEL                              NAREN

**Company/Trust Name**

NOBLE RETAIL GROUP

**Mailing Address**

6511 RAMOAN BLVD

**City**                              **State**                      **Zip Code**

JACKSONVILLE              FL                      32205

**Phone**              **Fax**                      **Email**  
9045175117              904                      NAREN0004@YAHOO.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	007449 0010	10	5	CCG-1	CCG-2
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Ensure that RE# is a 10 digit number with a space (##### #)

Land Use Category Proposed? ☐

If Yes, State Land Use Application #

Land Use Category

Community/General Commercial

Total Land Area (Nearest 1/100th of an Acre) 0.71

### Justification For Rezoning Application

#### Location Of Property

##### General Location

LANE AVE & RAMONA BLVD

House #	Street Name, Type and Direction	Zip Code
6511	RAMONA BV	32205

##### Between Streets

LANE AVE and RAMONA BLVD

### 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**  
**0.71 Acres @ \$10.00 /acre:** \$10.00
- 3) Plus Notification Costs Per Addressee**  
**9 Notifications @ \$7.00 /each:** \$63.00
- 4) Total Rezoning Application Cost:** \$2,063.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

# Noble Retail Group Inc.

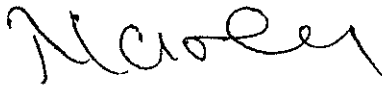
6511 Ramona Blvd  
Jacksonville, FL 32205  
Ph (904) 517-5117  
Fax (888) 502-9390

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To: City Of Jacksonville

This is to certify that I am president of Noble Retail Group Inc. which own the property located at 6511 Ramona Blvd, Jacksonville, FL 32205. Please do not hesitate to contact me at above number if you have any questions.

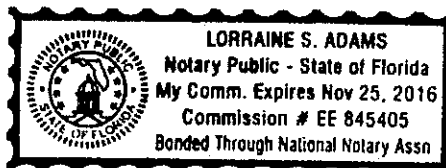
Thank you.



Narendra Patel  
President  
Noble Retail Group Inc.

STATE OF FLORIDA COUNTY OF DUVAL  
The foregoing instrument was acknowledged  
before me this 11/2/13 by  
Narendra Patel who is  
personally known to me and is  
FLDL used  
as ID.

  
Notary Public, State of Florida



# Noble Retail Group Inc.

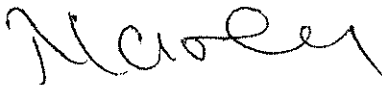
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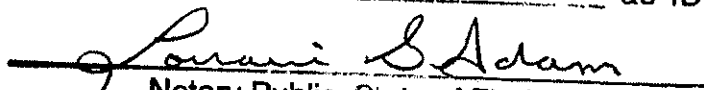
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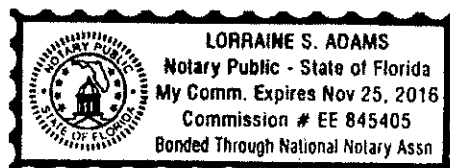
Thank you.



Narendra Patel  
President  
Noble Retail Group Inc.

STATE OF FLORIDA COUNTY OF DUVAL  
The foregoing instrument is acknowledged  
before me this 11/7/13 by  
Narendra Patel who is  
personally known to me. FLDL used  
as ID.

  
Notary Public, State of Florida



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN SECTION 24, TOWNSHIP 2 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA AND ALSO BEING PART OF LOT 5 IN GARDNER'S SUBDIVISION AS RECORDED IN PLAT BOOK 2 PAGE 52 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF RAMONA BOULEVARD (A 60 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED) WITH THE WESTERLY RIGHT OF WAY LINE OF LANE AVENUE SOUTH (STATE ROAD NO. 103, RIGHT OF WAY WIDTH VARIES), RUN THENCE NORTH 00° 11' 18" EAST, 74.84 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A 70.0 FOOT RADIUS, AN ARC LENGTH OF 90.27 FEET, A CHORD BEARING OF NORTH 36°46' 05" WEST AND A CHORD DISTANCE OF 84.15 FEET, TO THE POINT OF TANGENCY (SAID SOUTHWESTERLY RIGHT OF WAY LINE ALSO BEING A CURVE CONCAVE TO THE SOUTHWEST FOR A LIMITED ACCESS EXIT RAMP OF INTERSTATE HIGHWAY NO. 10) THENCE CONTINUING ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE NORTH 73° 42' 27" WEST, 156.54 FEET TO A POINT LYING IN AND BEING COINCIDENT WITH SAID RIGHT OF WAY LINE; THENCE SOUTH 00° 06' 50" EAST, 186.56 FEET TO A POINT; SAID POINT LYING IN AND BEING COINCIDENT WITH SAID NORTHERLY RIGHT OF WAY LINE; THENCE NORTH 89° 53' 10" EAST ALONG AND WITH SAID NORTHERLY RIGHT OF WAY LINE 200.0 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT AGREEMENT FOR INGRESS, EGRESS, UTILITIES, PARKING AND LANDSCAPING BY AND BETWEEN MONICA INVESTMENT GROUP, INC., A FLORIDA CORPORATION AND SHYAM ENTERPRISES, INC., A FLORIDA CORPORATION OVER THE FOLLOWING DESCRIBED PORTION OF THE ABOVE-DESCRIBED PROPERTY:

FOR A POINT OF COMMENCEMENT BEGIN AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE, OF RAMONA BOULEVARD (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE WESTERLY RIGHT OF WAY LINE OF LANE AVENUE SOUTH (STATE ROAD NO. 103, RIGHT OF WAY WIDTH VARIES), THENCE SOUTH 89°53'10" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF RAMONA BOULEVARD, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8231, PAGE 183; THENCE NORTH 00°06'50" WEST, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8231, PAGE 183, A DISTANCE OF 126.56 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°06'50" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 60.00 FEET TO A POINT SITUATE IN THE SOUTHWESTERLY LINE OF A LIMITED ACCESS EXIT RAMP OF INTERSTATE HIGHWAY NO. 10; THENCE SOUTH 73°42'27" EAST, ALONG SAID SOUTHWESTERLY LINE OF A LIMITED ACCESS EXIT RAMP OF INTERSTATE HIGHWAY NO. 10, A DISTANCE OF 130.31 FEET TO A POINT; THENCE SOUTH 00°06'50" EAST, A DISTANCE OF 48.99 FEET TO A POINT; THENCE NORTH 78°27'07" WEST, A DISTANCE OF 127.63 FEET TO THE POINT OF BEGINNING.

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