

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

January 6, 2022

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.: 2021-836**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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**

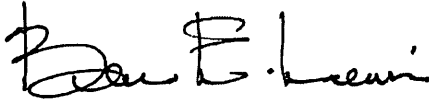
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	5-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Joshua Garrison	Absent
Dawn Motes	Absent
Jason Porter	Absent

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B".

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 ORDINANCE 2021-0836

JANUARY 6, 2022

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 2021-0836.

Location: 9944 103rd Street

Real Estate Number: Portions of 015333-0000; 015334-0000; 015331-0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Residential Medium Density-D (RMD-D)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: District 4—Southwest

Applicant/Agent: William Michaelis
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Robert Simplor
2282 Marcel Drive
Orange Park, Florida 32073

Barbara Rooke
2282 Marcel Drive
Orange Park, Florida 32073

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0836 seeks to rezone 3.86± acres of land from Commercial Office (CO) to Residential Medium Density-D (RMD-D). The subject site is currently split zoned between RMD-D and CO and the applicant is seeking to bring the entire parcel under the common zoning of RMD-D. The three parcels in total are 7.39 +/- acres. The property is located in the Medium Density Residential (MDR) land use category within the Suburban Development

Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow for the development of Multi-Family Residential Complex.

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 on the south side of 103rd Street, a minor arterial roadway, within the MDR land use category' Planning District 5, Council District 12 and the Suburban Development Area. MDR in the Suburban Area is intended to provide compact low to medium density mixed use development. The maximum gross density for MDR in the Suburban Area is 20 units/acre.

The proposed rezoning to RMD-D for multi-family residential use is consistent with the existing MDR land use category description within the Future Land use Element of the 2030 Comprehensive Plan. The property is also included within the boundaries of a 150-foot height restriction zone for Herlong Recreational Airport and Cecil Field.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Medium Density Residential (MDR) in the Suburban Area is intended to provide for medium-density residential development. Multi-family dwellings are a principal use in the MDR land use category. The maximum allowable density for the MDR land use category is twenty (20) units/acre when full urban services are available.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, 2021-0836, the proposed development has access to both centralized services.

Objective 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

The proposed rezoning at the subject site would directly address the projected growth within the given vicinity by providing for a greater variety of housing options for residents.

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

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from CO to RMD-D in order to permit the development of a Multi-Family Development all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located on the south side of 103rd Street just east of the intersection with Connie Jean Road. 103rd Street is developed with a mix of commercial uses, single family, multi-family and mobile home uses. The proposed rezoning to RMD-D would allow for the development of a multi-family complex with a maximum of 20 units per acre. The surrounding Land Use Categories and Zoning Districts are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-2 / CN	Warehouse/Storage; Church
East	MDR	PBF-2	Church
South	MDR	RMD-D	Multi-Family Dwelling

West MDR / CGC RMD-MH / CCG-1 Mobile Homes / Vacant Commercial

It is the opinion of the Planning and Development Department that the requested rezoning to RMD-D will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

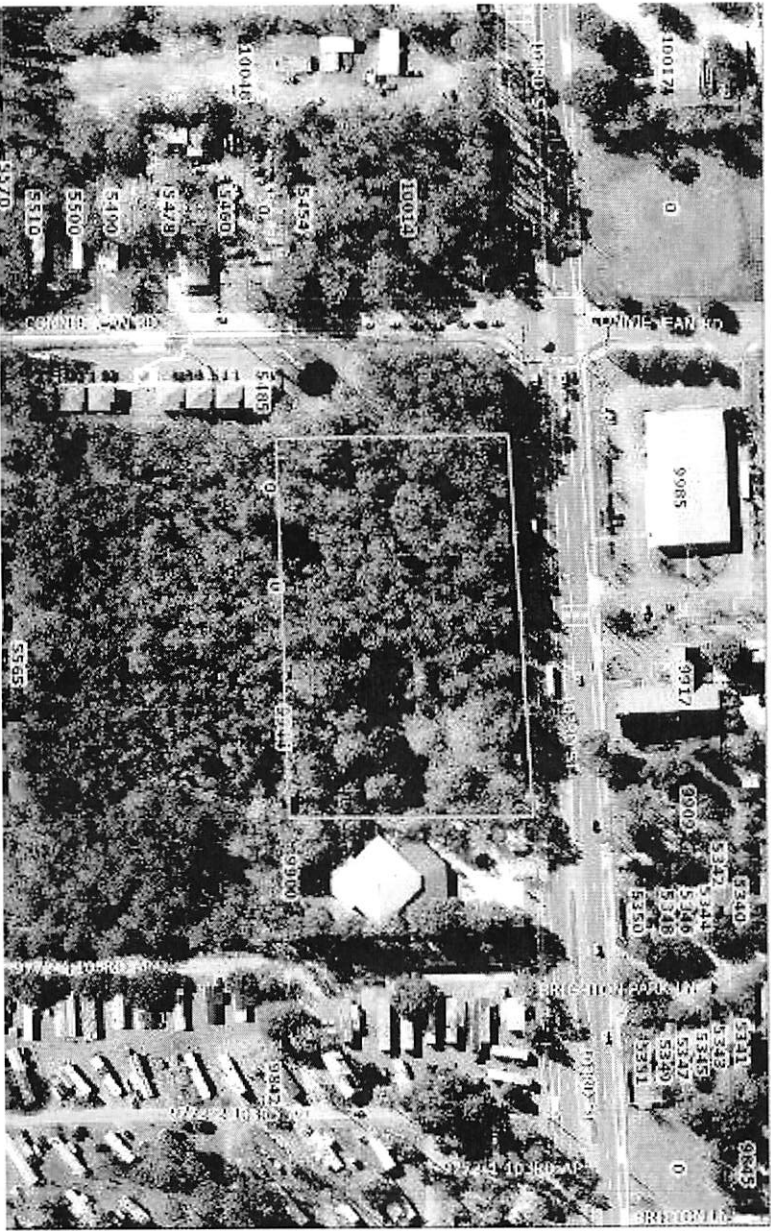
Upon visual inspection of the subject property on **December 28, 2021** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



*Source: Planning and Development Department
Date: December 28, 2021*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0836** be **APPROVED**.



Aerial Photo

Source: JaxGIS
Date: December 28, 2021



View of the Subject Site

Source: Planning and Development Department
Date: December 28, 2021



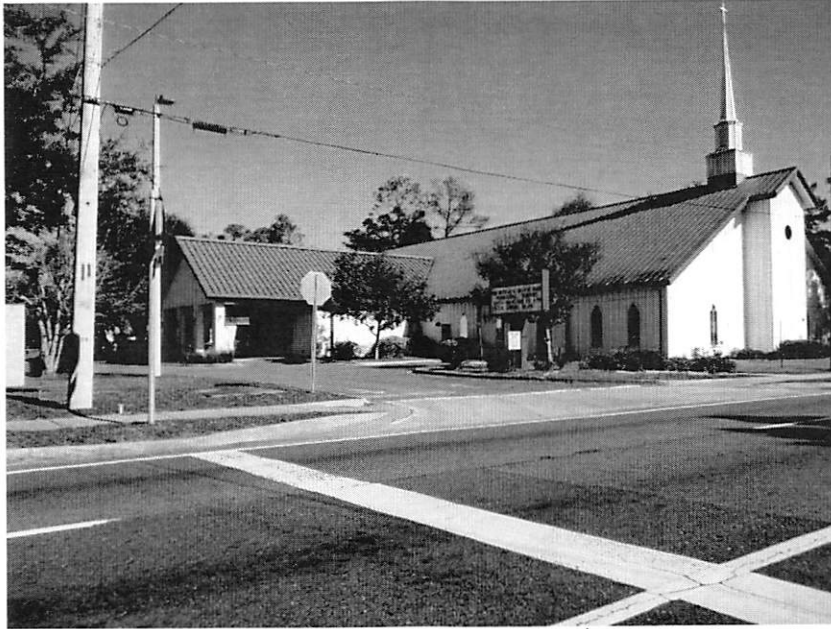
View of the Neighboring Multi-Family Dwellings

Source: Planning and Development Department
Date: December 28, 2021



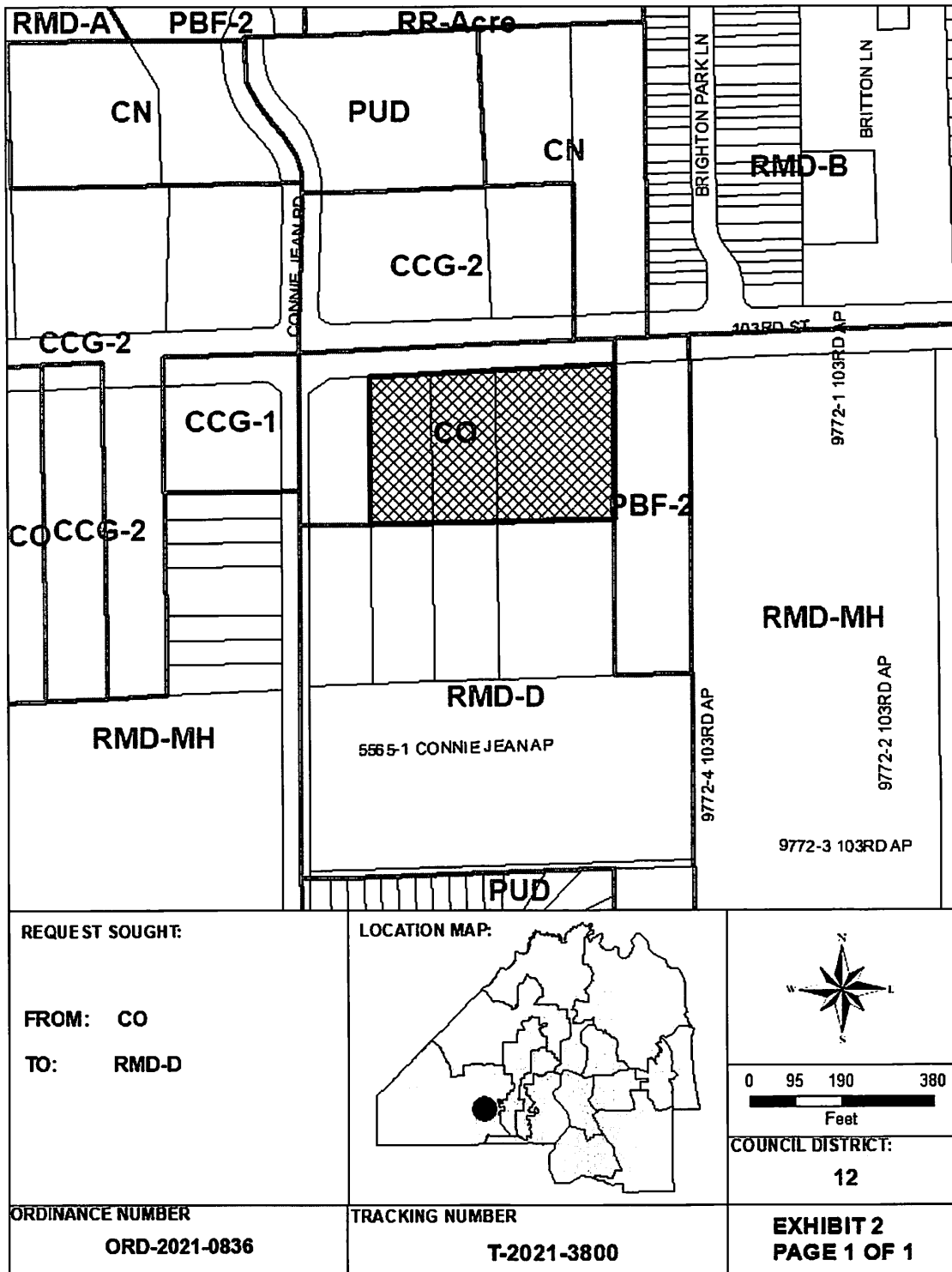
View of the Single-Family Dwelling across Connie Jean Road

Source: Planning and Development Department
Date: December 28, 2021



View of the Church across 103rd Street

*Source: Planning and Development Department
Date: December 28, 2021*



Legal Map

Source: JaxGIS
 Date: 12/21/2021

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0836 **Staff Sign-Off/Date** CMC / 11/03/2021
Filing Date 11/15/2021 **Number of Signs to Post** 3
Hearing Dates:
1st City Council 01/11/2022 **Planning Commission** 01/06/2022
Land Use & Zoning 01/19/2022 **2nd City Council** N/A
Neighborhood Association ARGYLE AREA CIVIC COUNCIL
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3800 **Application Status** FILED COMPLETE
Date Started 09/21/2021 **Date Submitted** 09/21/2021

General Information On Applicant

Last Name MICHAELIS **First Name** WILLIAM **Middle Name** JEFFREY
Company Name
ROGERS TOWERS, P.A.
Mailing Address
1301 RIVERPLACE BLVD., SUITE 1500
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043465914 **Fax** 9043460663 **Email** WMICHAELIS@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SIMPLER **First Name** ROBERT **Middle Name** C
Company/Trust Name
Mailing Address
2282 MARCEL DRIVE
City ORANGE PARK **State** FL **Zip Code** 32073
Phone **Fax** **Email**

Last Name ROOKE **First Name** BARBARA **Middle Name** S.
Company/Trust Name
Mailing Address
2282 MARCEL DRIVE
City ORANGE PARK **State** FL **Zip Code** 32073
Phone **Fax** **Email**

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 015333 0000	12	4	CO	RMD-D
Map 015334 0000	12	4	CO	RMD-D
Map 015331 0000	12	4	CO	RMD-D

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

Existing Land Use Category

MDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 3.86

Justification For Rezoning Application
 TO ALLOW FOR RESIDENTIAL DEVELOPMENT OF THE PROPERTY.

Location Of Property

General Location
 SOUTHEAST QUADRANT OF INTERSECTION OF 103RD STREET AND CONNIE JEAN ROAD

House #	Street Name, Type and Direction	Zip Code
9944	103RD ST	32210

Between Streets
 103RD STREET and CONNIE JEAN ROAD

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
 3.86 Acres @ \$10.00 /acre: \$40.00

3) Plus Notification Costs Per Addressee
 30 Notifications @ \$7.00 /each: \$210.00

4) Total Rezoning Application Cost: \$2,250.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

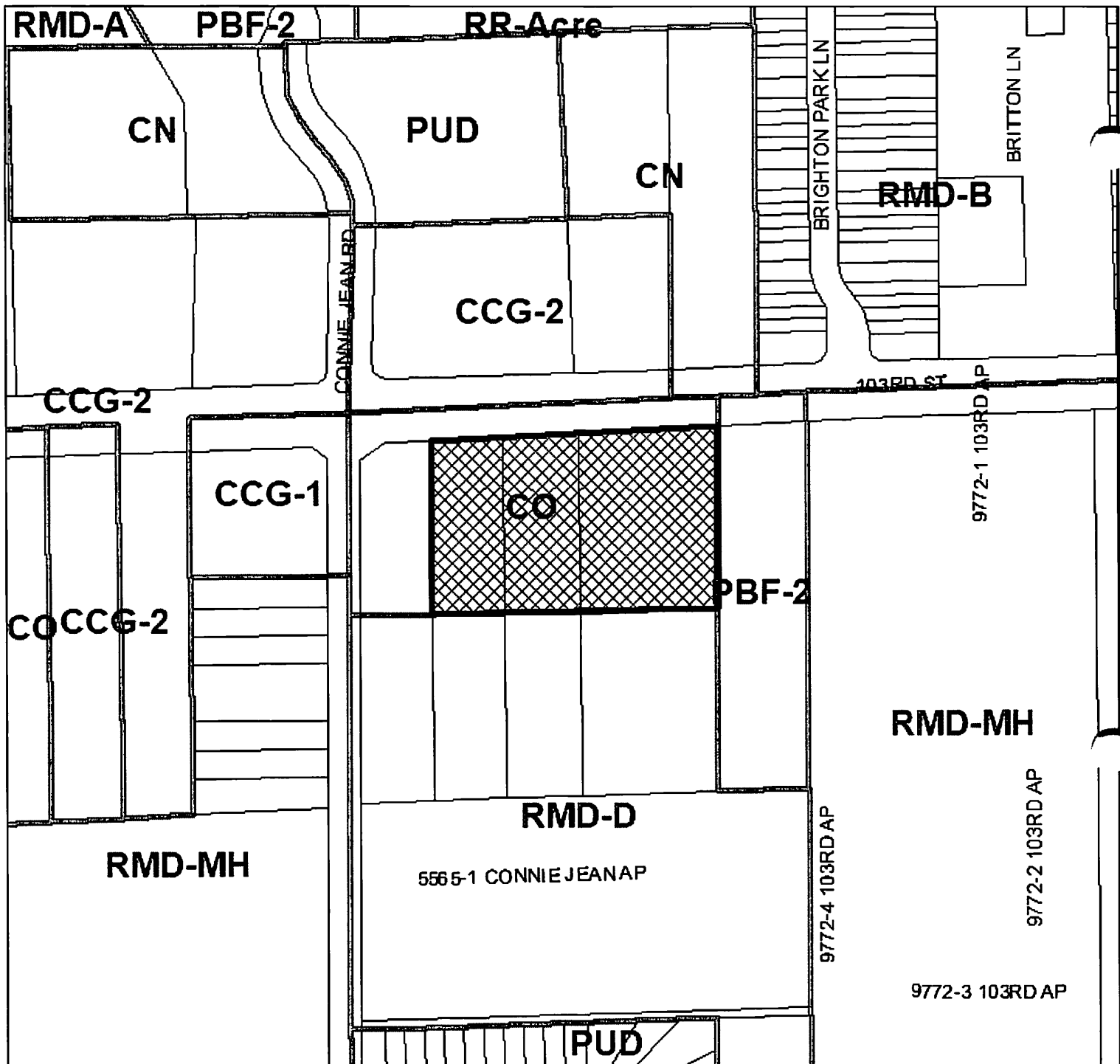
Exhibit 1
Legal Description

THE NORTH 1/2 OF THE EAST 4/5 OF TRACT 7, BLOCK 1, SECTION 17, TOWNSHIP 3 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE SOUTH 00° 01' 20" WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID TRACT 7, A DISTANCE OF 40 FEET TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 103RD STREET, AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE NORTH 87° 53' 30" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 103RD STREET, A DISTANCE OF 128 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH 87° 53' 30" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 103RD STREET, A DISTANCE OF 513 FEET TO THE NORTHEAST CORNER OF SAID TRACT 7; THENCE DEPARTING SOUTHERLY RIGHT-OF-WAY LINE SOUTH 00° 12' 18" EAST ALONG THE EAST LINE OF SAID TRACT 7, A DISTANCE OF 328.5 FEET TO A POINT ON THE NORTH LINE OF ZONE "RMD-D"; THENCE DEPARTING THE EAST LINE OF SAID TRACT 7, SOUTH 88° 02' 50" WEST ALONG THE NORTH LINE OF SAID "RMD-D" ZONE, A DISTANCE OF 514 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE WEST 2/5 OF SAID TRACT 7; THENCE NORTH 00° 01' 24" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE WEST 2/5 OF SAID TRACT 7, A DISTANCE OF 327 FEET TO THE POINT OF BEGINNING.

LAND THUS DESCRIBED CONTAINS 3.86 ACRES, MORE OR LESS.

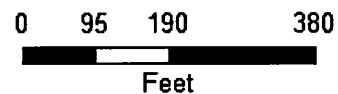
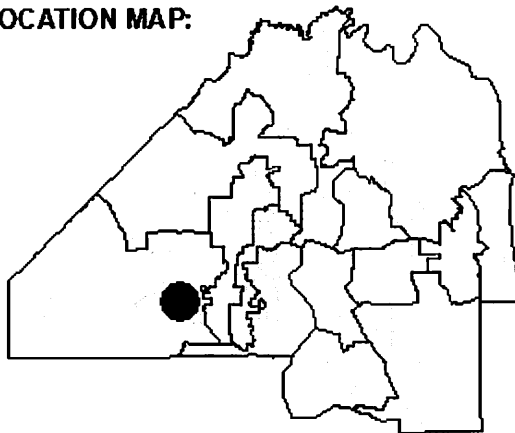


REQUEST SOUGHT:

FROM: CO

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2021-3800

EXHIBIT 2
PAGE 1 OF 1



Availability Letter

Mike Atlee

8/11/2021

Atlee Development Group, Inc.

5851 Timiquana Rd, 301

Jacksonville, Florida 32210

Project Name: Simpler Landing

Availability #: 2021-3610

Attn: Mike Atlee

Thank you for your inquiry regarding the availability of Sewer, Water. The above referenced number 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 two years from the date above.

Point of Connection:

A summary of connection points for requested 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 requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or 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 at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

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

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-3610

Request Received On: 8/6/2021

Availability Response: 8/11/2021

Prepared by: Susan West

Expiration Date: 08/11/2023

Project Information

Name: Simpler Landing

Address:

County: Duval County

Type: Sewer,Water

Requested Flow: 29400

Parcel Number: 015333 0000, 015334 0000, 015331 0000

Location:

Description: A proposed residential 84 townhome project.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 16 inch water main along 103rd Street

Connection Point #2:

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1: Existing 16 inch force main along 103rd Street

Connection Point #2:

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through Step 2 of the SagesGov portal.

Reclaimed Water

Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: 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.

Point of connection location(s) to be field verified by developer during project design. If needed, General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.