

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 4, 2022

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-486**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico 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**

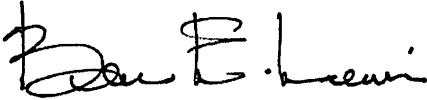
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	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, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

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 2022-0486

AUGUST 4, 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 **2022-0486**.

Location: 14140 Duval Road

Real Estate Numbers: 019651-0000; 019661-0000

Current Zoning District: Residential Low Density-60 (RLD-60)
Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Commercial, Residential, Office (CRO)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: 6 - North

Applicant/Agent: Paul M. Harden, Esq
Law Office of Paul M. Harden
1431 Riverplace Boulevard, Suite 901
Jacksonville, Florida 32207

Owner: Anita Beecher
14140 Duval Road
Jacksonville, Florida. 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0486** seeks to rezone 5.25 acres of the subject property from the Residential Low Density-60 (RLD-60) and Residential Rural-Acre (RR-Acre) to the Commercial Residential Office (CRO) Zoning District. The subject properties are currently developed with Single Family Dwellings. The applicant is seeking to rezone to CRO in order to allow for the site to be developed similarly to the new apartment complex to the north of the subject site.

A companion Small Scale Land Use Amendment is seeking to change the Land Use Category from Low Density Residential (LDR) to Residential-Professional-Institutional (RPI) by Ordinance 2022-0485. The department is also recommending Approval of the Amendment.

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. Zoning application Ordinance 2022-486 has a companion land use application, Ordinance 2022-485/ L-5720-22C that is changing the land use from LDR to RPI in the suburban Development Area on the subject 5.25 acre site. The 5.25 acre subject site is located on the east side of Duval Road, a collector roadway, between Interstate 295 and Airport Road, northwest of the I-95 and I-295 interchange. The site currently includes two single-family residential homes, one home on each property.

The RPI land use category within the Suburban Development Area permits mostly low to medium density residential, with a maximum gross density of 20 units/acre, and professional office use. Generally, multi-family dwellings, office, institutional, commercial retail sales and service establishments are permitted in appropriate locations. Plan amendment requests for RPI 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. In the RPI land use category, single use developments are limited to residential or office uses.

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

Yes. The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

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.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City 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. The subject property meets the requirements of the CCG-1 Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

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

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	RPI	CRO	Multi-Family Development
East	BP	PUD	Single Family Dwellings
South	LDR	PUD	Single Family Dwelling
West	LDR	RR-Acre	Single Family Dwellings

The proposed rezoning to CRO will be consistent and compatible with the adjacent properties established in the vicinity.

SUPPLEMENTARY INFORMATION

Upon conformation from the applicant via affidavit on July 25, 2022, 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 2022-0486 be APPROVED.



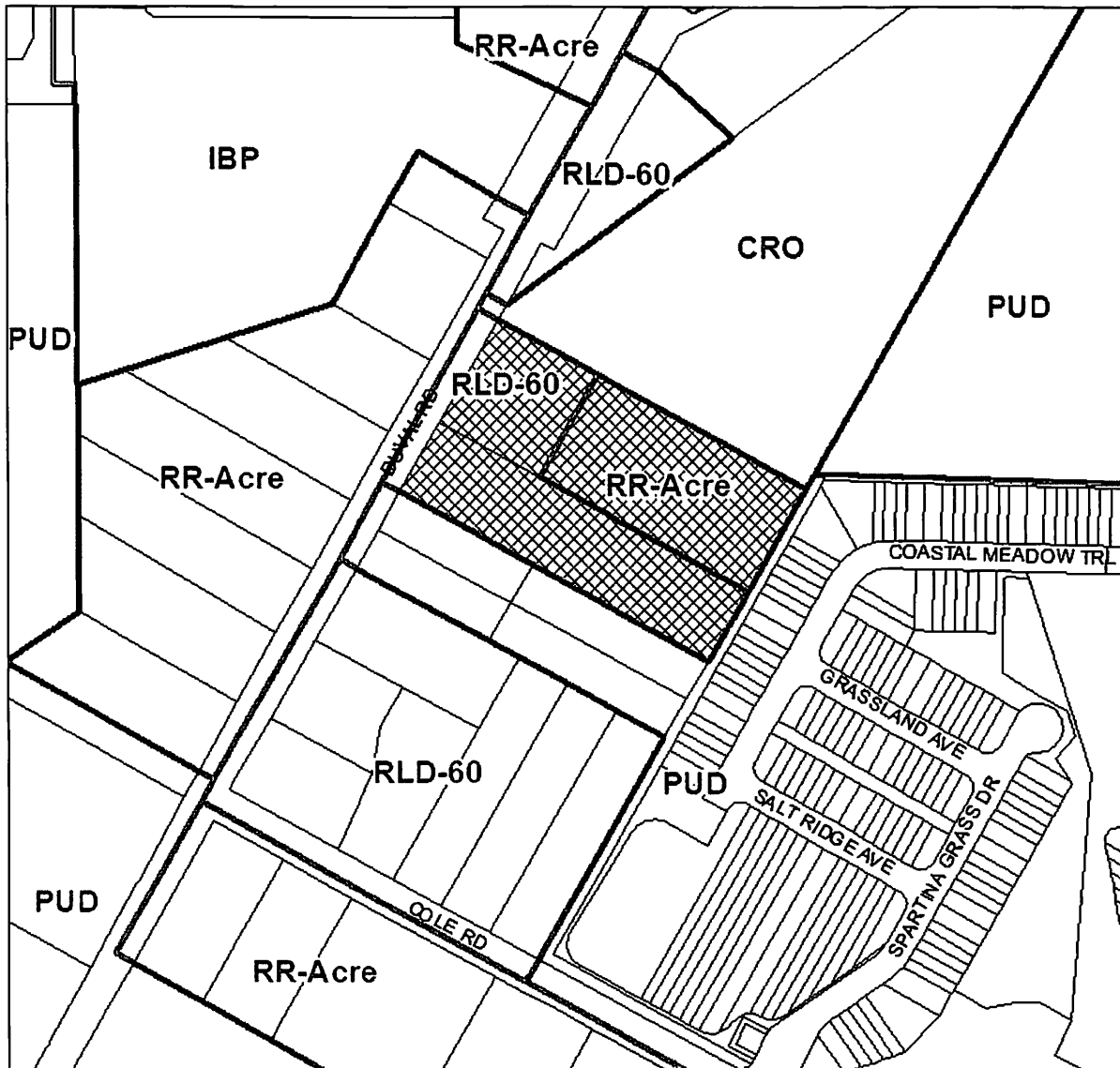
Aerial View



View of the Subject Site



View of the neighboring apartment community to the north



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60 & RR-ACRE</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p>	<p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER ORD-2022-0486</p>	<p>TRACKING NUMBER T-2022-4269</p>	<p>COUNCIL DISTRICT: 7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0486 Staff Sign-Off/Date CMC / 06/10/2022

Filing Date 06/23/2022 Number of Signs to Post 2

Clearing Dates:

1st City Council 08/09/2022 Planning Commission 08/04/2022

Land Use & Zoning 08/16/2022 2nd City Council 08/24/2022

Neighborhood Association COUNCILMAN R GAFFNEY; BRC FLORIDA HOLDINGS, LLC; THE EDEN GROUP INC.

Neighborhood Action Plan/Corridor Study JIA CRA

Application Info

Tracking # 4269 Application Status FILED COMPLETE

Date Started 05/12/2022 Date Submitted 05/12/2022

General Information On Applicant

Last Name	First Name	Middle Name
HARDEN	PAUL	M.

Company Name

LAW OFFICE OF PAUL M. HARDEN

Mailing Address

1431 RIVERPLACE BLVD, SUITE 901

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9043965731		PAUL_HARDEN@BELLSOUTH.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
BEECHER	ANITA	T

Company/Trust Name

Mailing Address

14140 DUVAL RD

City	State	Zip Code
JACKSONVILLE	FL	32218

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 019651 0000	7	6	RLD-60	CRO
Map 019661 0000	7	6	RLD-60,RR-ACRE	CRO

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

5720

Total Land Area (Nearest 1/100th of an Acre) 5.25**Justification For Rezoning Application**

TO DEVELOP CONSISTENT WITH SURROUNDING RESIDENTIAL USES

Location Of Property**General Location**

ON THE EAST SIDE OF DUVAL RD, NORTH OF COLE RD

House #	Street Name, Type and Direction	Zip Code
14140	DUVAL RD	32218

Between Streets

I-295 and AIRPORT RD

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

5.25 Acres @ \$10.00 /acre: \$60.00

Plus Notification Costs Per Addressee

37 Notifications @ \$7.00 /each: \$259.00

4) Total Rezoning Application Cost: \$2,319.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

May 12, 2022

Legal Description

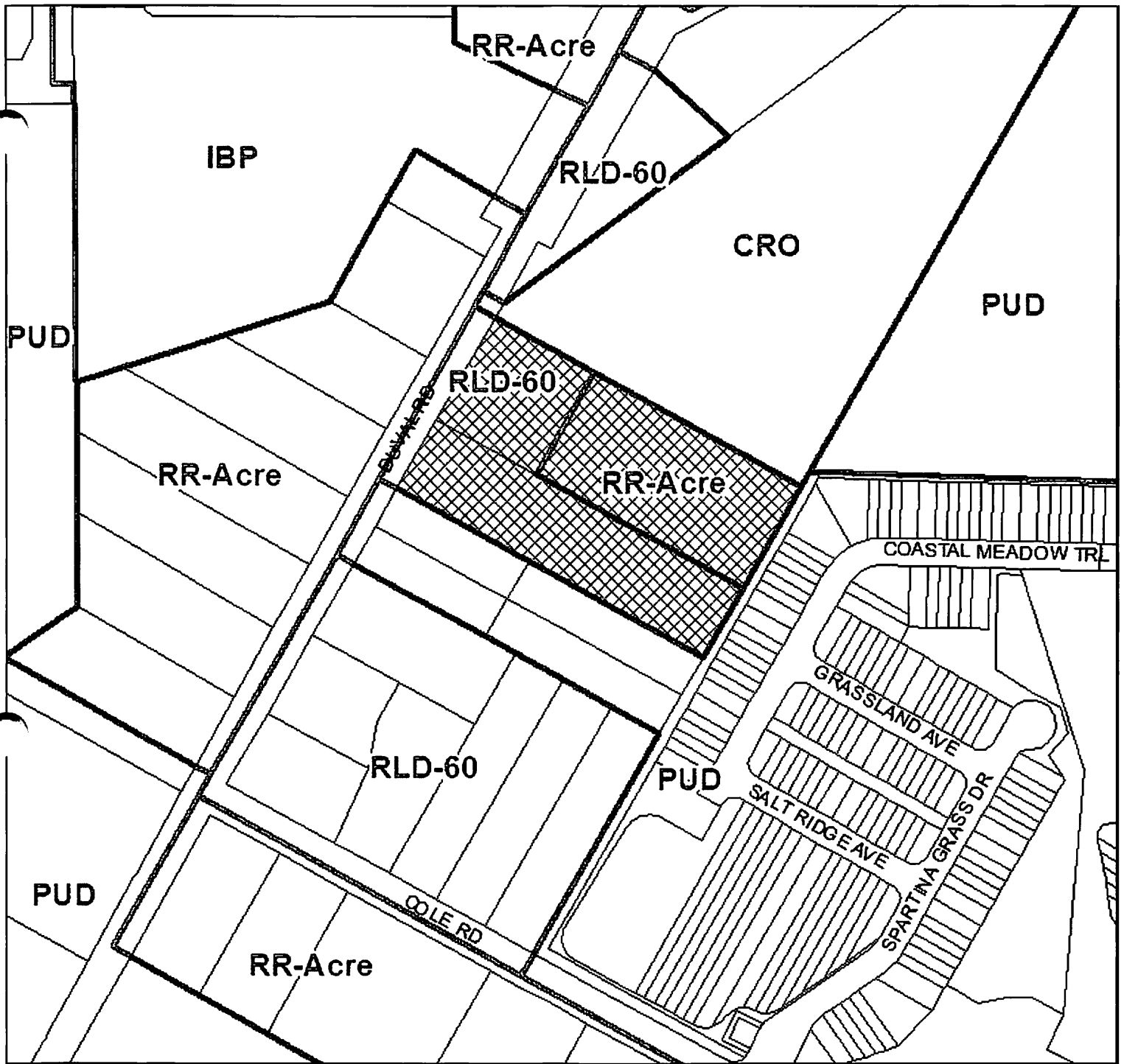
That certain piece, parcel or tract of land situate, lying and being a part of Section 5, as shown on Commissioner Plat of Section 38, John Broward Grant, Township 1 North, Range 26 East, Duval County, Florida, and being more particularly described as follows:

Commencing at the intersection of the Northerly right of way line of Cole Road (a 60 foot right of way as now established), with the Southeasterly right of way line of Duval Road (a 60 foot right of way as now established); said point being situate in a curve concave to the Northwest and having a radius of 5729.65 feet; thence around and along said curve and along said Southeasterly right of way line of Duval Road, North 29 degrees 47 minutes 10 seconds East, 25 feet (chord bearing and distance) to the Point Tangent of said curve; thence North 29 degrees 54 minutes 40 seconds East and continuing along said Southeasterly right of way line of Duval Road, 599 feet for a Point of Beginning; thence continuing North 29 degrees 54 minutes 40 seconds East along said Southeasterly right of way line of Duval Road, 150 feet; thence South 61 degrees 11 minutes 20 seconds East, 637 feet; thence South 29 degrees 54 minutes 40 seconds West, 150 feet; thence North 61 degrees 11 minutes 20 seconds West; 637 feet to the Point of Beginning.

And

That certain piece, parcel or tract of land situate, lying and being a part of Section 5, as shown on Commissioner Plat of Section 38, John Broward Grant, Township 1 North, Range 26 East, Duval County, Florida, and being more particularly described as follows:

Commencing at the intersection of the Northerly right of way line of Cole Road (a 60 foot right of way as now established), with the Southeasterly right of way line of Duval Road (a 60 foot right of way as now established); said point being situate in a curve concave to the Northwest and having a radius of 5729.65 feet; thence North 29 degrees 47 minutes 10 seconds East, along said curve, 25 feet (chord bearing and distance) to the Point Tangent of said curve; thence North 29 degrees 54 minutes 40 seconds East, 749.0 feet for a Point of Beginning; thence continuing along said Southeasterly right of way line of Duval Road, North 29 degrees, 54 minutes 40 seconds East, 208.53 feet; thence South 61 degrees 11 minutes 20 seconds East, 637 feet; thence South 29 degrees 54 minutes 40 seconds West, 208.53 feet; thence North 61 degrees 11 minutes 20 seconds West, 637 feet to the Point of Beginning.

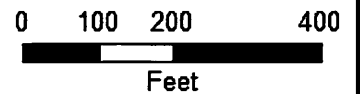
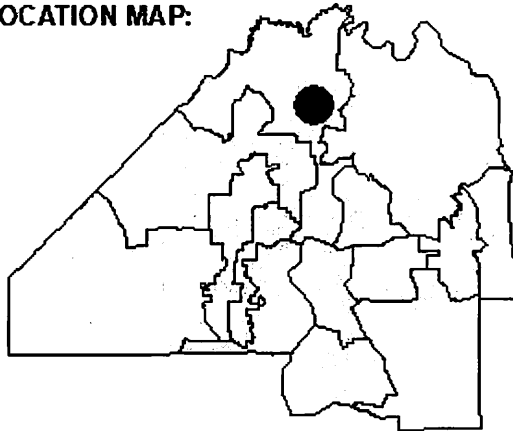


REQUEST SOUGHT:

FROM: RLD-60 & RR-ACRE

TO: CRO

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

T-2022-4269

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Lofton Miller
Corner Lot Development Group
1819 Goodwin St
Jacksonville, Florida 32204

4/7/2022

Project Name: Duval Beecher
Availability #: 2022-1368

Attn: Lofton Miller

Thank you for your inquiry regarding the availability of Electric, Reclaim, 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.

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,

 Susan West
westsr@jea.com
(904) 665-7980

Availability Number: 2022-1368

Request Received On: 4/1/2022

Availability Response: 4/7/2022

Prepared by: Susan West

Expiration Date: 04/06/2024

Project Information

Name: Duval Beecher

Address:

County: Duval County

Type: Electric,Reclaim,Sewer,Water

Requested Flow: 30000

Parcel Number: 019661 0000, 019651 0000

Location:

Description: 14180 DUVAL RD 14140 DUVAL RD

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 10 inch water main along Duval Road at the Cole Road intersection

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: District 2/Cedar Bay

Connection Point #1: Existing 16 inch force main along Duval Road

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, privately 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.

General Conditions: Point of connection location(s) to be field verified by developer during project design. If needed, 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.

Subsequent steps you need to take to get service: **Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Request a Hydrant Flow Test by going to Step 1 in Sages. Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application. Submit your plans for water/waste water review by Step 2 in Sages. Submit your request for a Force Main Connection Pressure letter by accessing Step 2 in Sages.**