

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

June 9, 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.: 2022-358**

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: 6-1

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

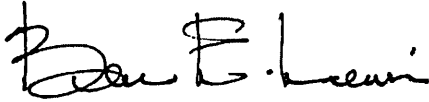
Jordan Elsbury Absent

Joshua Garrison Absent

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 ORDINANCE 2022-0358****JUNE 9, 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 2022-0358.

Location: 8262 Lenox Avenue

Real Estate Number: 008713-0010

Current Zoning District: Rural Residential-Acre (RR-Acre)

Proposed Zoning District: Residential Low Density-100A (RLD-100A)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Owner: James Dykes
Dykes and Associates Construction Inc.
1134 Chandler Oaks Drive
Jacksonville, FL 32221

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0358 seeks to rezone approximately 2.43± acres of a property from Rural Residential-Acre (RR-Acre) to Residential Low Density-100A (RLD-100A) in order to subdivide the property and develop four single family dwellings. The property is located in the Low Density Residential (LDR) land use category within the Suburban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The property is currently developed with one single family dwelling constructed in 1978 and the applicant wished to subdivide the lot to allow for a total of four properties and construct three additional single family dwellings for a total of four homes. This development pattern is consistent with the surrounding neighborhoods in the area.

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 Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Area is intended to provide for low density residential development. Single-family residential uses are a principal use within this land use category. Low Density Residential in the Suburban Area allows for single-family residential development with a maximum density of 7 units/acre when both centralized potable water and wastewater are available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be one quarter of an acre if either one of centralized potable water or wastewater services are not available. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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.

Future Land Use Element

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

The subject property is surrounded by multiple Single Family Dwelling subdivisions and if approved the proposed residential development would allow for four single family dwellings. The proposed construction of 3 new single family dwellings will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.

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.

The subject properties is located in the Suburban Area and According to the JEA Availability letter dated February 14, 2022, submitted with the application, the site has access to water connection from an existing main within Lenox ROW but no gravity sewer main abuts this property. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for OLF Whitehouse and the 150 foot Height and Hazard Zone for Herlong Recreational Airport. Zoning will limit development to a maximum height of 150 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

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 RR-Acre to RLD-100A in order to permit the development of 4 single-family homes subdivided into lots minimum of 21,780 square feet.

SURROUNDING LAND USE AND ZONING

The subject site is located at the corner of Lenox Avenue, a collector roadway, and Conway Road, a local roadway. The subject property is surrounded by single family subdivisions with lot sizes ranging from 60 feet to 100+. Lenox Avenue to the north is primarily zoned RLD-60 and RLD-90. Properties just west of the subject property are zoned RLD-100A and approximately ½ acre sizes lots. This rezoning request would not be creating a lot out of character for the neighborhood due to surrounding subdivisions have lots smaller in size than the lots that would be created from this rezoning. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwellings
South	LDR	RR-Acre	Single Family Dwellings
East	LDR	RR-Acre	Single Family Dwellings
West	LDR	RLD-100A/90	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-100A will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **May 27, 2022** by the Planning and Development Department, the required Notice of Public Hearing sign was posted.





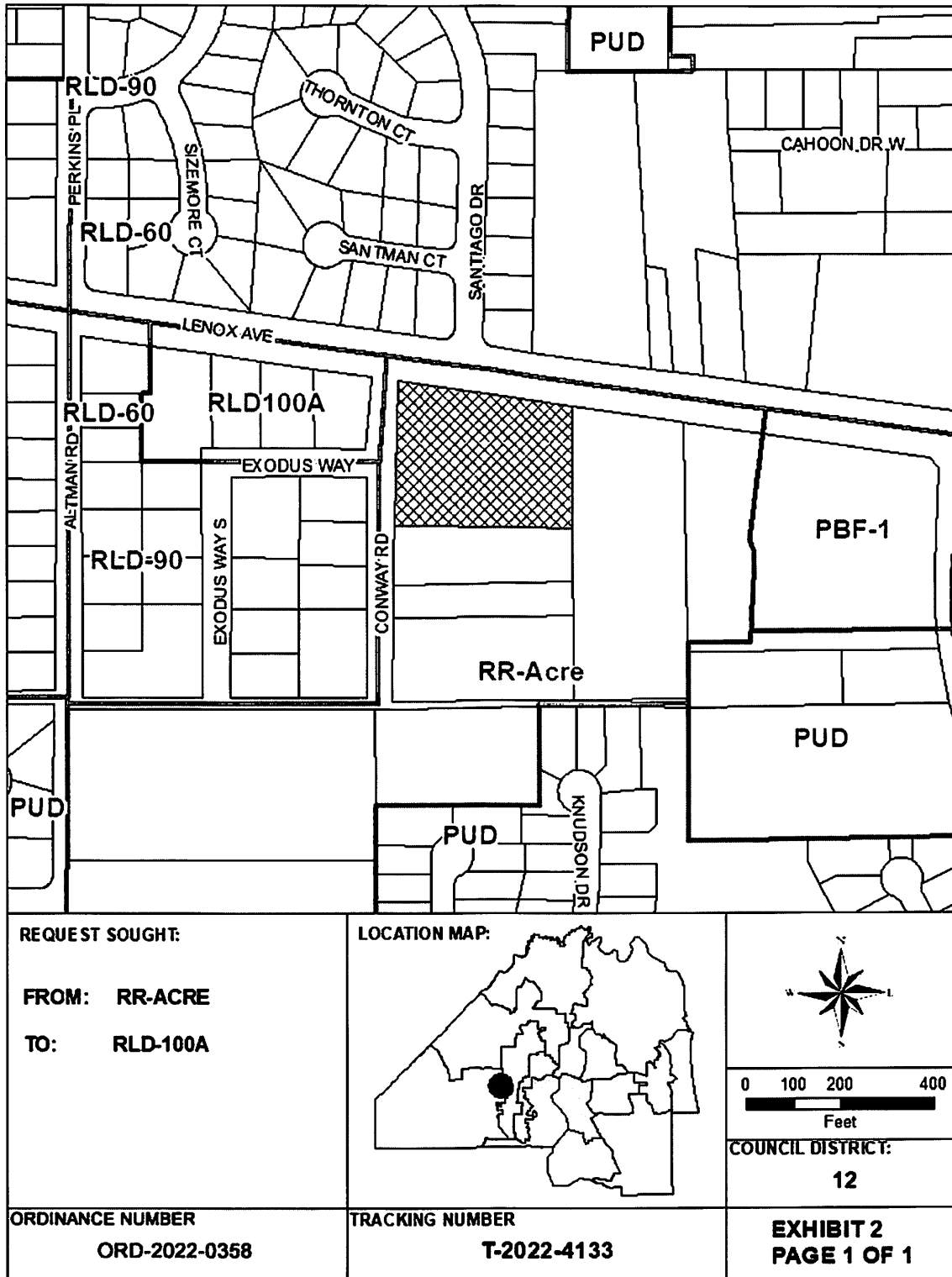
Existing Single Family Dwelling on Subject Property

Source: GoogleMaps



View of Properties to the West

Source: GoogleMaps



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0358 Staff Sign-Off/Date ELA / 04/20/2022
 Filing Date 05/10/2022 Number of Signs to Post 2
 Hearing Dates:
 1st City Council 06/14/2022 Planning Commission 06/09/2022
 Land Use & Zoning 06/21/2022 2nd City Council N/A
 Neighborhood Association HAMMOND FOREST HOA, WEST JAX CIVIC ASSOCIATION
 Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4133 Application Status FILED COMPLETE
 Date Started 03/03/2022 Date Submitted 03/21/2022

General Information On Applicant

Last Name First Name Middle Name
 DYKES JAMES L
 Company Name
 DYKES AND ASSOCIATES CONSTRUCTION INC.
 Mailing Address
 1134 CHANDLER OAKS DRIVE
 City State Zip Code
 JACKSONVILLE FL 32221
 Phone Fax Email
 9043160510 VICTORIA.DYKESCONST@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name
 DYKES JAMES L
 Company/Trust Name
 DYKES AND ASSOCIATES CONSTRUCTION INC.
 Mailing Address
 1134 CHANDLER OAKS DRIVE
 City State Zip Code
 JACKSONVILLE FL 32221
 Phone Fax Email
 9043160510 VICTORIA.DYKESCONST@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 008713 0010	12	5	RR-ACRE	RLD-100A

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 #

Total Land Area (Nearest 1/100th of an Acre) 2.43

Justification For Rezoning Application

WOULD LIKE TO RE-ZONE TO SUPPORT BUILDING THREE MORE HOMES ON THE PROPERTY. THE ZONING ACROSS THE STREET IS FOR HALF ACRE LOTS AS STATED BY FOLKS HUXFORD. THEREFORE, HE SAID HE WOULD HAVE NO ISSUE SUPPORTING IT.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
8262	LENOX AVE	32221

Between Streets

and

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

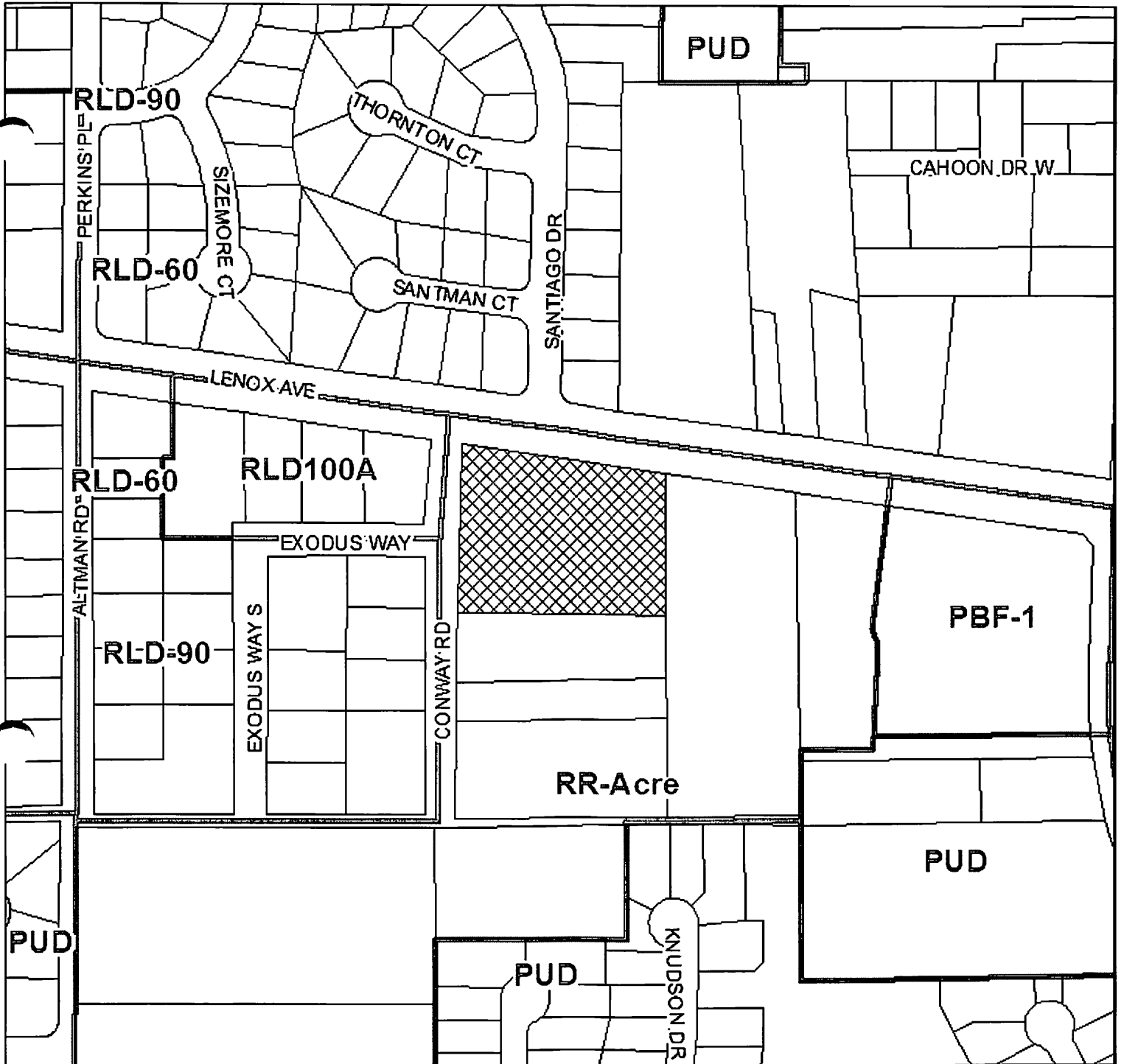
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
2.43 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee
37 Notifications @ \$7.00 /each: \$259.00
- 4) Total Rezoning Application Cost: \$2,289.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

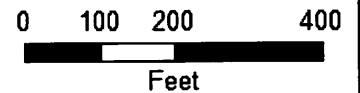
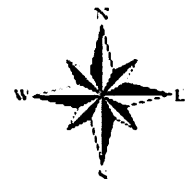
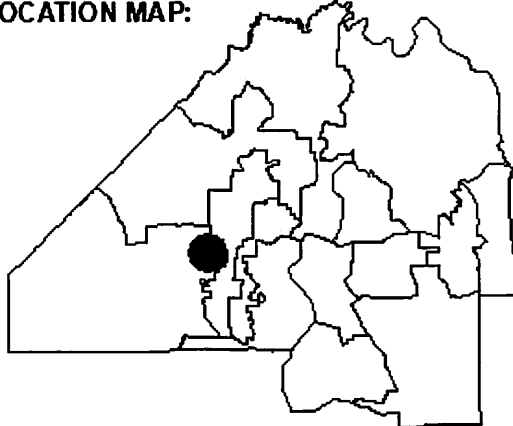


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-100A

LOCATION MAP:



COUNCIL DISTRICT:
12

TRACKING NUMBER

T-2022-4133

EXHIBIT 2
PAGE 1 OF 1



Infill Availability Letter

Jim Dykes

2/14/2022

Dykes and Associates construction

1134 Chandler Oaks Dr.

Jacksonville, Florida 32221

Project Name: 8262 Lenox Avenue

Availability #: 2022-0492

Attn: Jim Dykes

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 customer's responsibility to engage the services of a professional engineer, licensed in the State of Florida, to plan and permit the proposed main extension(s) as well as to engage the services of a contractor to construct the main extension(s).** 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/

Lot Splits:

If a lot is split and two or more homes will be built, a layout of the proposed lot split will be required to be submitted prior to processing of estimate requests or service applications. Submit layout via Step 2 in the Sages program. Review JEA Design Guidelines 2.4.1.1 for the required information needed to process the layout submittal.

Service Tap Cost (Special Estimate):

To receive the associated cost for water or sewer service tap(s), please submit a Special Estimate Request, via Step 2 in the Sages program. Field factors that would designate the need for a special estimate are as follows:

- | | |
|--|--|
| Main Depth 8+ feet deep | Required work within FDOT, St Johns County and Nassau County ROW |
| Pavement less than 5 years old | Multiple services being installed |
| Taps on water mains 20-inch and larger | Water taps larger than 2-inches |
| Sewer taps greater than 6-inches | Low Pressure Sewer Service Connections |
| Installation of Sewer Vac Pods | Approved Commercial Development plans |

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

https://www.jea.com/water_and_wastewater_development

Sincerely,

Soo Kim

kimjs@jea.com

(904) 625-8257

Availability Number: 2022-0492

Request Received On: 2/1/2022

Availability Response: 2/14/2022

Prepared by: Ji Soo Kim

Expiration Date: 02/14/2024

Project Information

Name: 8262 Lenox Avenue

Address: 8262 LENOX AVE, JACKSONVILLE, FL 32221

County: Duval County

Type: Sewer,Water

Requested Flow: 1050

Parcel Number: 008713 0010

Location:

Description: Wanting to split this current property into multiple lots

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing JEA water customer.

Connection Point #2: Existing 16-inch water main within Lenox Ave. ROW.

An Infill Layout for all lots included in the availability letter is required prior to applying for new Water Special Conditions: service. Submit infill layouts through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1: No gravity sewer main abuts this property. Gravity sewer main extension will be required from the existing manhole within Santiago Dr. ROW, approx. 140 LF north of this property.

Connection Point #2:

Sewer Special Conditions: Each lot will require sewer main construction in right-of-way and individual laterals. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then Sewer POC cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately owned and operated pump system. Request an Alternative Connection approval through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Plan Submittal and Alternative Connection team requests can be made within Step 2 of the project portal.

**Reclaimed Water
Connection**

Reclaim Grid:

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:

Submit your plans for water/waste water review by Step 2 in Sages. If you are going to have JEA make the tap(s) for your new services you need to have a Special Estimate Determination for the cost of the taps prior to submitting your new service application. To request a Special Estimate Determination access Step 2 in Sages. If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate

Subsequent steps you need (Sages Step 1). After you receive the results of these, if applicable, submit your Infill to take to get service: Layout(s) (Sages Step 2). After your Infill Layout(s) are approved, request a Special Estimate Determination (Sages Step 2) for the cost of your taps. After you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages and selecting Residential New Service Application. You will need to submit a separate application for each address, do not select the multiple addresses when asked what type of service application are you submitting for.