

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.: 2022-347**

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**

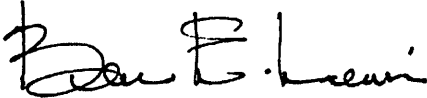
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
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, 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 2022-0347****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 2022-0347.

Location: 9421 Baymeadows Road

Real Estate Number: 148521-0025

Current Zoning District: Commercial Residential Office (CRO)

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

Current Land Use Category: Residential Professional Institutional (RPI)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Southeast, District 3

Applicant/ Agent: Jason Gabriel, Esq.
Burr Forman LLP
50 North Laura Street Suite 3000
Jacksonville, FL 32202

Owner: Regions Bank
250 Riverchase Parkway STE 600
Birmingham, AL 35244

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0347 seeks to rezone approximately 0.72± acres of a property from Commercial Residential Office (CRO) to Commercial Community/ General-1 (CCG-1) in order to up zone the property to allow for more commercial uses compatible with the surround Baymeadows commercial corridor. The Planning and Development Department finds that the subject property is located in the Residential Professional Institutional (RPI) 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.

There is a companion Land Use Amendment, **2022-0346 (L-5700-22C)**. The proposed LUA is for Residential Professional Institutional (RPI) to Community General Commercial (CGC).

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 Residential Professional Institutional (RPI) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series **2022-0346 (L-5700-22C)** that seeks to amend the portion of the site that is within the Residential Professional Institutional (RPI) land use category to Community General Commercial (CGC). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series **L-5700-22C** be approved.

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. Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled.

CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

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 located along Baymeadows and surrounded by commercial properties and if approved would be allowed to for commercial uses similar to those in the commercial corridor. The proposed commercial property will protect and preserve the character of the surround area by allowing uses already existing along Baymeadows.

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.

The subject properties is located in the Urban Development Area and According to the JEA Availability letter dated February 25, 2022, submitted with the application, the site has access to water and sewer service. The proposed use will be in compliance with Policy 1.2.9.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

This property acts as a transition between commercial properties to the south and residential to the north and approval of the rezoning request would allow for the continuation of a well-balanced of residential and non-residential uses. Therefore the proposed rezoning will be in compliance with Goal 3.

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 to CCG-1 to allow for additional commercial uses.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of Baymeadows Road, east of Interstate-95 between Baymeadows Circle East and Paseo Drive East. Baymeadows Road is classified as a minor arterial road. The property was previously operated at a Bank and currently zoned Commercial Residential Office. Adjacent property 9471 Baymeadows is developed with a commercial/office park zoned PUD Ord. #2015-0024 and allows for uses similar to Commercial Residential Office. Property to the east is developed with a gas station and zoned PUD Ord. #1990-0427 which allows for high intense commercial uses. Further west along Baymeadows is PUD: 2018-0419 Baymeadows Commercial Park which allows for uses similar to CCG-1. It is the opinion of the Planning and Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	RPI	PUD: 2015-0024	Commercial/ Office Space
South	RPI	CRO	Office Space
East	RPI	PUD: 1990-0427	Gas Station
West	RPI	PUD: 2015-0024	Commercial/ Office Space

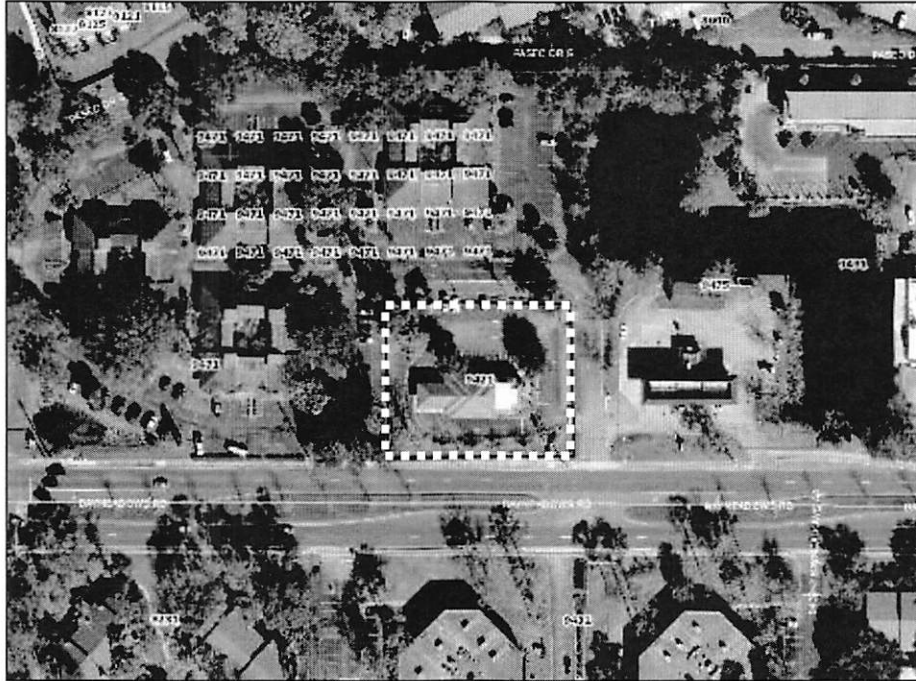
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **May 17, 2022** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



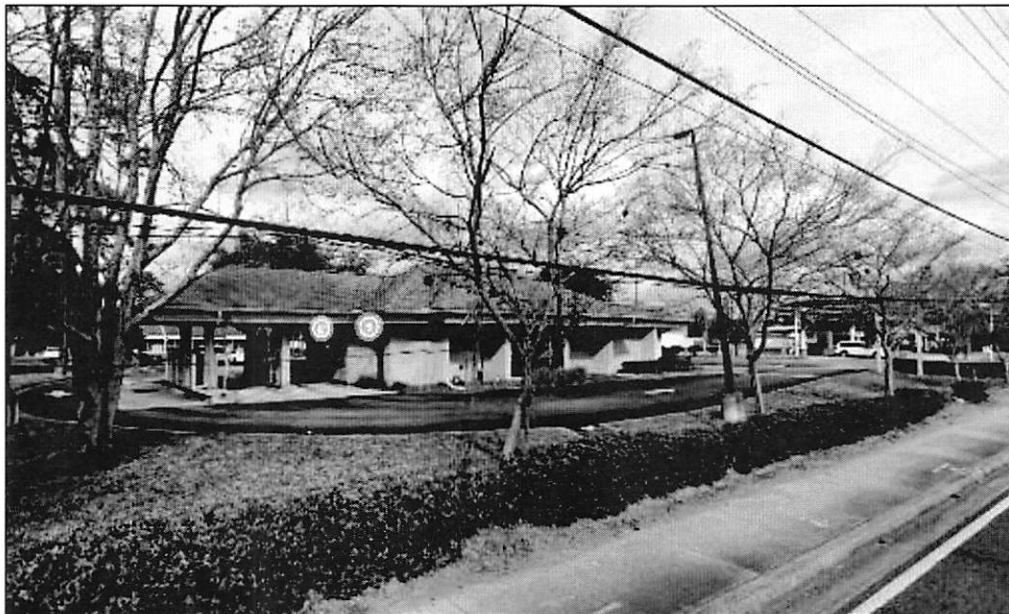
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2022-0347 be **APPROVED**.



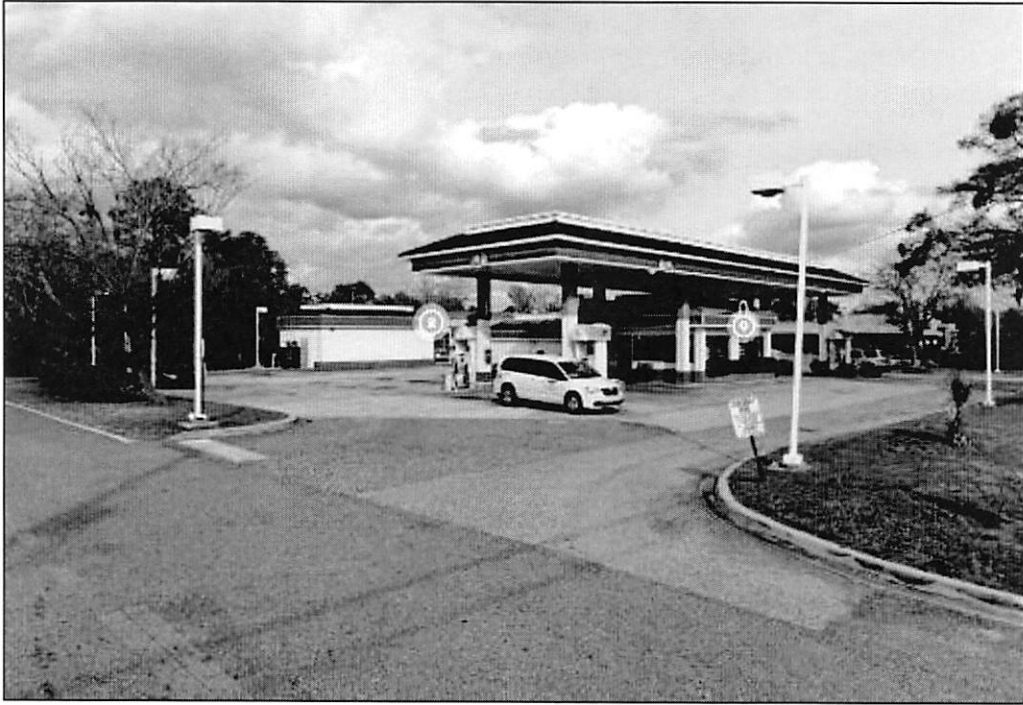
Aerial View

Source: JaxGIS Map



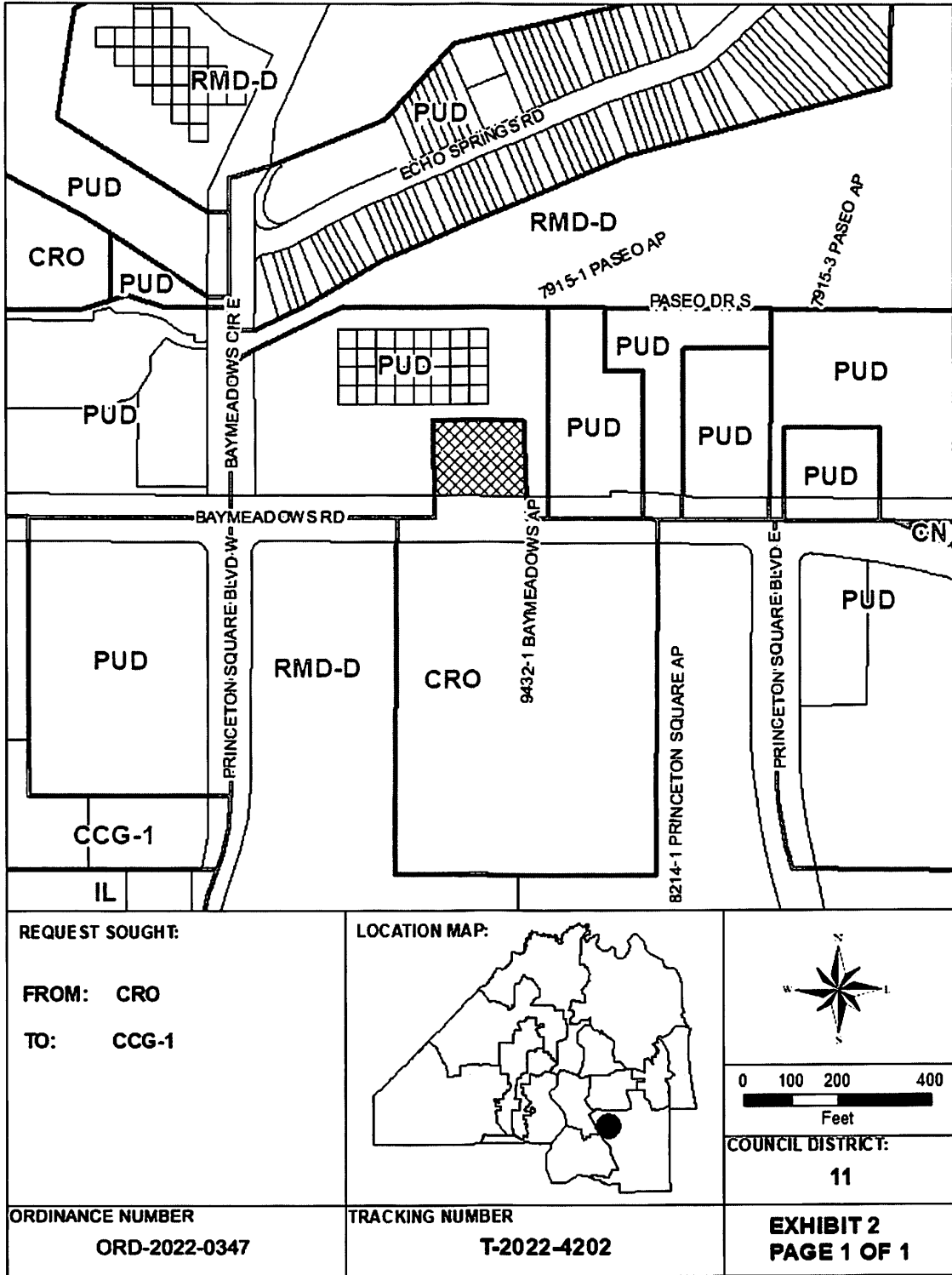
View of Subject Property

Source: GoogleMaps



View of Property to the East

Source: GoogleMaps



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0347 **Staff Sign-Off/Date** ELA / 04/21/2022
Filing Date 05/10/2022 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 06/14/2022 **Planning Commission** 06/09/2022
Land Use & Zoning 06/22/2022 **2nd City Council** 06/28/2022
Neighborhood Association BAYMEADOWS COMMUNITY COUNCIL, VILLAGE GREEN, BETTER BAYMEADOWS, INC.
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4202 **Application Status** FILED COMPLETE
Date Started 04/05/2022 **Date Submitted** 04/05/2022

General Information On Applicant

Last Name GABRIEL **First Name** JASON **Middle Name** R
Company Name BURR FORMAN LLP
Mailing Address 50 NORTH LAURA STREET, SUITE 3000
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9042327211 **Fax** 904 **Email** JGABRIEL@BURR.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name CORPORATE OWNER **First Name** CORPORATE OWNER **Middle Name**
Company/Trust Name REGIONS BANK
Mailing Address 250 RIVERCHASE PKWY STE 600
City BIRMINGHAM **State** AL **Zip Code** 35244
Phone 9042327211 **Fax** **Email** KOREY.COX@REGIONS.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 148521 0025	11	3	CRO	CCG-1

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

Existing Land Use Category
RPI

Land Use Category Proposed?

If Yes, State Land Use Application #
5700

Total Land Area (Nearest 1/100th of an Acre) 0.72

Justification For Rezoning Application

TO UPGRADE THE SITE TO COMMERCIAL LAND USES COMPATIBLE WITH THAT SECTION OF THE BAYMEADOWS ROAD CORRIDOR, THE SURROUNDING USES AND THE OVERALL AREA.

Location Of Property

General Location

BAYMEADOWS RD.

House #	Street Name, Type and Direction	Zip Code
9421	BAYMEADOWS RD	32256

Between Streets

BAYMEADOWS CIRCLE EAST and PASEO DRIVE EAST

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

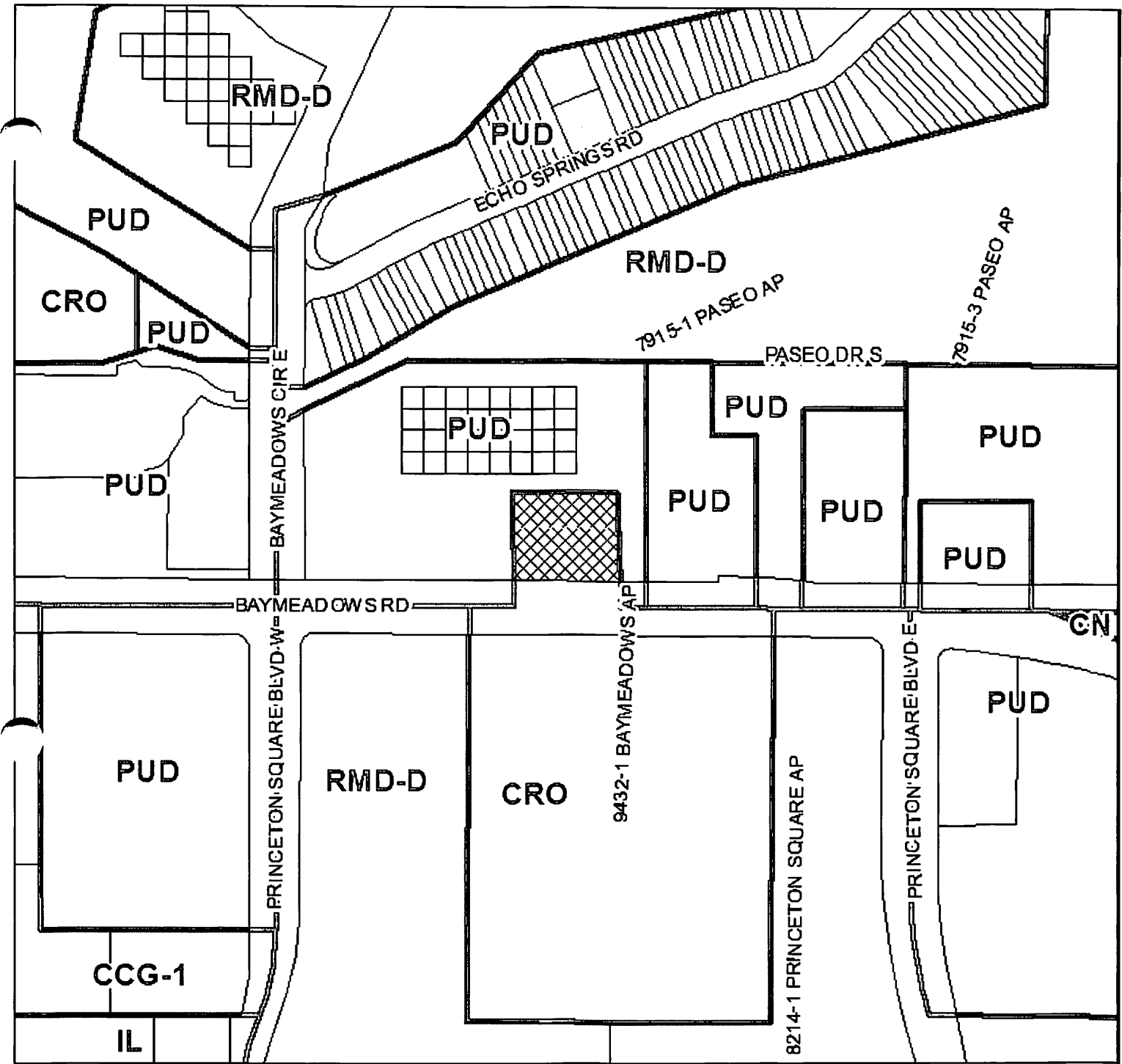
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
0.72 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
40 Notifications @ \$7.00 /each: \$280.00
- 4) Total Rezoning Application Cost: \$2,290.00

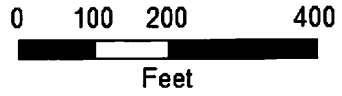
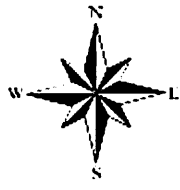
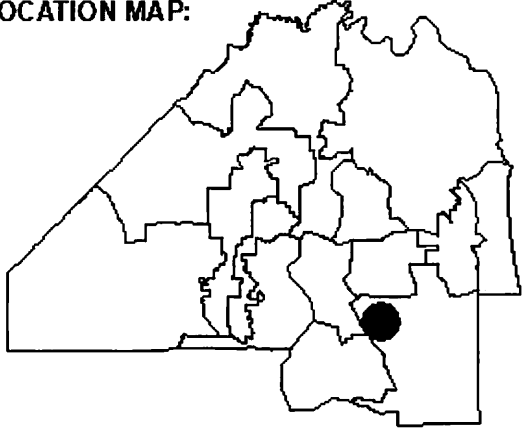
NOTE: Advertising Costs To Be Billed to Owner/Agent



REQUEST SOUGHT:

FROM: CRO
TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:

11

TRACKING NUMBER

T-2022-4202



Availability Letter

Gary Abbey

2/25/2022

Abbey Civil Engineers, Inc.

2046 Cherokee Drive

Neptune Beach, Florida 32266

Project Name: Fast serve restaurant

Availability #: 2022-0767

Attn: Gary Abbey

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,

 Roderick Jackson
jackrc@jea.com
(904) 386-1871

Availability Number: 2022-0767

Request Received On: 2/17/2022

Availability Response: 2/25/2022

Prepared by: Roderick Jackson

Expiration Date: 04/18/2024

Project Information

Name: Fast serve restaurant

Address: 9421 BAYMEADOWS RD, JACKSONVILLE, FL 32256

County: Duval County

Type: Sewer,Water

Requested Flow: 3200

Parcel Number: 148521 0025

Location: An existing American Federal bank

Description: 9421 Baymeadows Road, Jax FL, 32256. This is an existing bank building, but we may need to alter the water and sewer services if they are not adequate for a restaurant.

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Ex 1-inch service can be used if in good condition and not in conflict with proposed construction.

Connection Point #2: Ex 12-inch water main within the Baymeadows Rd ROW


To start new service use the following link:

https://www.jea.com/My_Account/New_Customer_Information/ . Contact the water sewer pre-

Water Special Conditions: service counter to apply for service – (904) 665 -5260 or email at waterpreservice@jea.com.

Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

 Sewer Grid: Arlington East

Connection Point #1: Ex service can be used if in good condition and not in conflict with proposed construction.

Connection Point #2: Ex 10-inch gravity sewer main within the Baymeadows Rd ROW

Connection to the proposed POC is contingent upon inspection and acceptance of the mains by

Sewer Special Conditions: JEA. If gravity flow cannot be achieved, then 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.). 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, and Plan Submittal 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:

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. After your plans are approved, you can submit your permit applications by access Step 3 in Sages, select Permit Determination. After your plans, permits and shop drawings have been approved, as applicable, you can request a Pre-Construction Meeting by accessing Step 4 in Sages. Any required inspections you need for your project can be requested by accessing Step 4 in Sages. Project As-Builts can be submitted by accessing Step 4 in Sages. After your as-builts are approved you can submit your Permit COC applications by accessing Step 4 in Sages. After your permits are cleared, you can submit your project Acceptance Package by accessing Step 5 in Sages. After your project has been accepted you can submit your Commercial New Service Application by accessing Step 2 in Sages.

Subsequent steps you need to take to get service: