

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 18, 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.: 2022-552**

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 Aye

Marshall Adkison Aye

Daniel Blanchard Aye

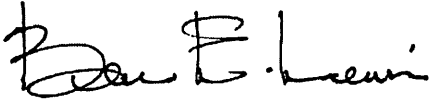
Jordan Elsbury Absent

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 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 2022-0552

AUGUST 18, 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 2022-0552.

Location: 0 Paris Avenue

Real Estate Number: 086290-0000

Current Zoning District: Commercial Office (CO)

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

Current Land Use Category: Community/General Commercial (CGC)

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

Planning District: Northwest, District 5

Owner: Xavier Skipper
You Sell We Buy Jax LLC
144 Dock House Road
St Johns, Florida 32259

Agent: Zach W. Miller, Esq.
Law Office of Zach Miller
3203 Old Barn Court
Ponte Vedra, Florida 32082

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0552 seeks to rezone approximately 0.14± acres of vacant property from Commercial Office (CO) to Commercial, Residential Office (CRO). The request is to allow for residential uses while preserving the low intensity commercial uses. The property is currently located in the Community/General Commercial (CGC) land use category within the Urban Priority Development Area of the Future Land Use Element of the 2030 Comprehensive Plan.

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 Community/General Commercial (CGC) 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.

Community/General Commercial (CGC) is a category in the Urban Priority Area intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. A combination of compatible mixed uses should be vertically integrated within a multistory building.

Residential-Professional-Institutional (RPI) in the Urban Priority Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail sales and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicle Miles Traveled. Single-use developments shall be limited to residential or office and mixed-use developments and may not include more than 90 percent of any individual use. Plan amendment requests for new RPI designations 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. For sites abutting Low Density Residential and Rural Residential, the maximum gross density shall be 20 units per acre

Therefore, the proposed rezoning to CRO 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.

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

Yes. This proposed rezoning to Commercial, Residential and Office (CRO) is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element

Policy 1.2.4

Existing septic tanks for estimated wastewater flows of 600 or less gallons per day (gpd) shall connect to the collection system of a regional utility company provided that gravity service is available via a facility within a right-of-way or easement, which abuts the property.

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.

According to JEA letter of availability, dated May 20, 2022, there is an existing 6-inch water main within the Paris Avenue right-of-way. There is also an existing 12-inch gravity sewer main within the Paris Avenue right-of-way. Per the letter of availability, there are water and sewer special conditions that apply. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

Brownfield Pilot Area

The property is located within the Downtown Brownfield Pilot Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. The property owner may request the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. The property owner may qualify for tax credits.

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.

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 CRO allowing for residential uses while preserving the low intensity commercial uses.

SURROUNDING LAND USE AND ZONING

The subject site is vacant and undeveloped, and located on the west side of Paris Avenue between Tuskegee Road and Paris Avenue. The surrounding area is zoned for residential living. The area north, south and east of the parcel is primarily single-family residential. One block west of the parcel, along Avenue B, there are a couple churches, single-family residences, some commercial establishments, and undeveloped properties. Avenue B is classified as a collector road according to the City's Functional Highways Classification Map. This request for rezoning to CRO would not create a lot out of character for the surrounding area.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CO	Single Family Dwelling
South	CGC	CO	Vacant Lot
East	LDR	RLD-60	Single Family Dwelling
West	CGC	CCG-1	Single Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 25, 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 **2022-0552** be **APPROVED**.



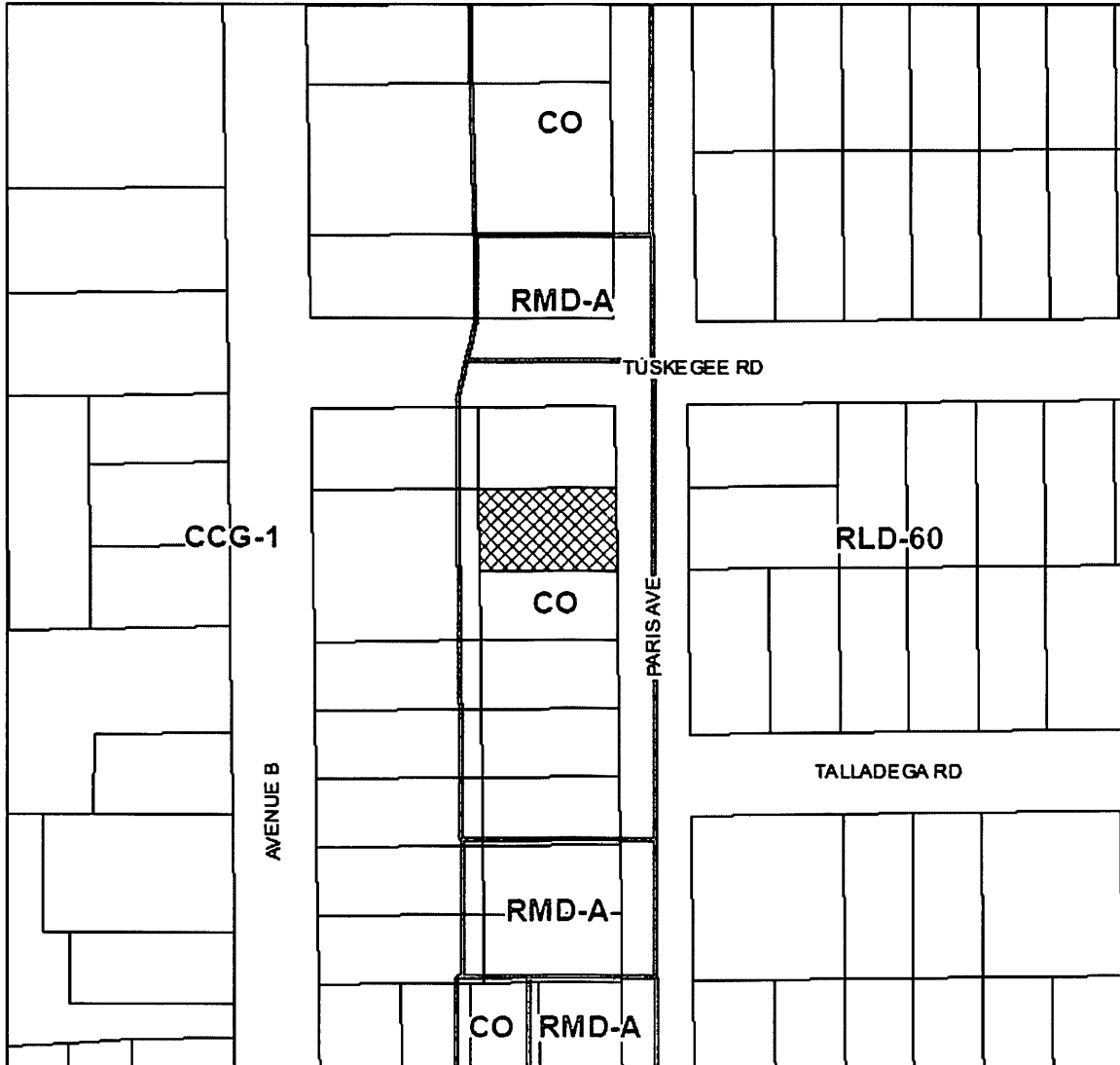
Aerial View

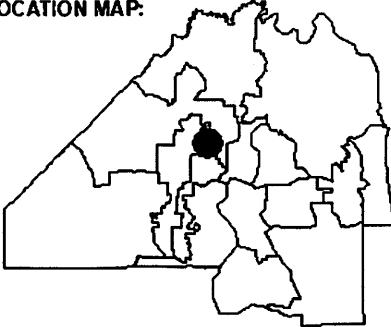

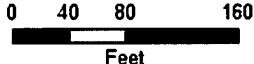
Source: Planning & Development Department 07/25/2022



View of Subject Property

Source: Planning & Development Department 07/25/2022



<p>REQUEST SOUGHT:</p> <p>FROM: CO</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2022-4291</p>	  <p>COUNCIL DISTRICT:</p> <p>8</p> <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>
--	--	---

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0552 **Staff Sign-Off/Date** BMF / 06/14/2022

Filing Date 06/20/2022 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 08/24/2022 **Planning Commission** 08/18/2022

Land Use & Zoning 09/07/2022 **2nd City Council** 09/13/2022

Neighborhood Association ROYAL TERRACE COMMUNITY, INC.

Neighborhood Action Plan/Corridor Study 45TH & MONCRIEF

Application Info

Tracking # 4291

Application Status FILED COMPLETE

Date Started 05/23/2022

Date Submitted 05/23/2022

General Information On Applicant

Last Name

MILLER

First Name

ZACH

Middle Name

WATON

Company Name

LAW OFFICE OF ZACH MILLER

Mailing Address

3203 OLD BARN COURT

City

PONTEVEDRABEACH

State

FL

Zip Code

32082

Phone

9046518958

Fax

904

Email

ZWMILLERLAW@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name

SKIPPER

First Name

XAVIER

Middle Name

WATON

Company/Trust Name

YOU SELL WE BUY JAX, LLC

Mailing Address

144 DOCK HOUSE ROAD

City

ST. JOHNS

State

FL

Zip Code

32259

Phone

9046518958

Fax

Email

ZWMILLERLAW@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 086290 0000	8	5	CO	CRO

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

5722

Total Land Area (Nearest 1/100th of an Acre) 0.14

Justification For Rezoning Application

THE PROPERTY SURROUNDING IS ENTIRELY RESIDENTIAL. THE PROPOSED REZONING WILL ALLOW FOR RESIDENTIAL USES WHILE PRESERVING THE LOW INTENSITY COMMERCIAL USES.

Location Of Property

General Location

NEAR 45TH STREET AND AVENUE B

House #	Street Name, Type and Direction	Zip Code
0	PARIS AVE	32209

Between Streets

TUSKEGEE ROAD and 45TH STREET

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

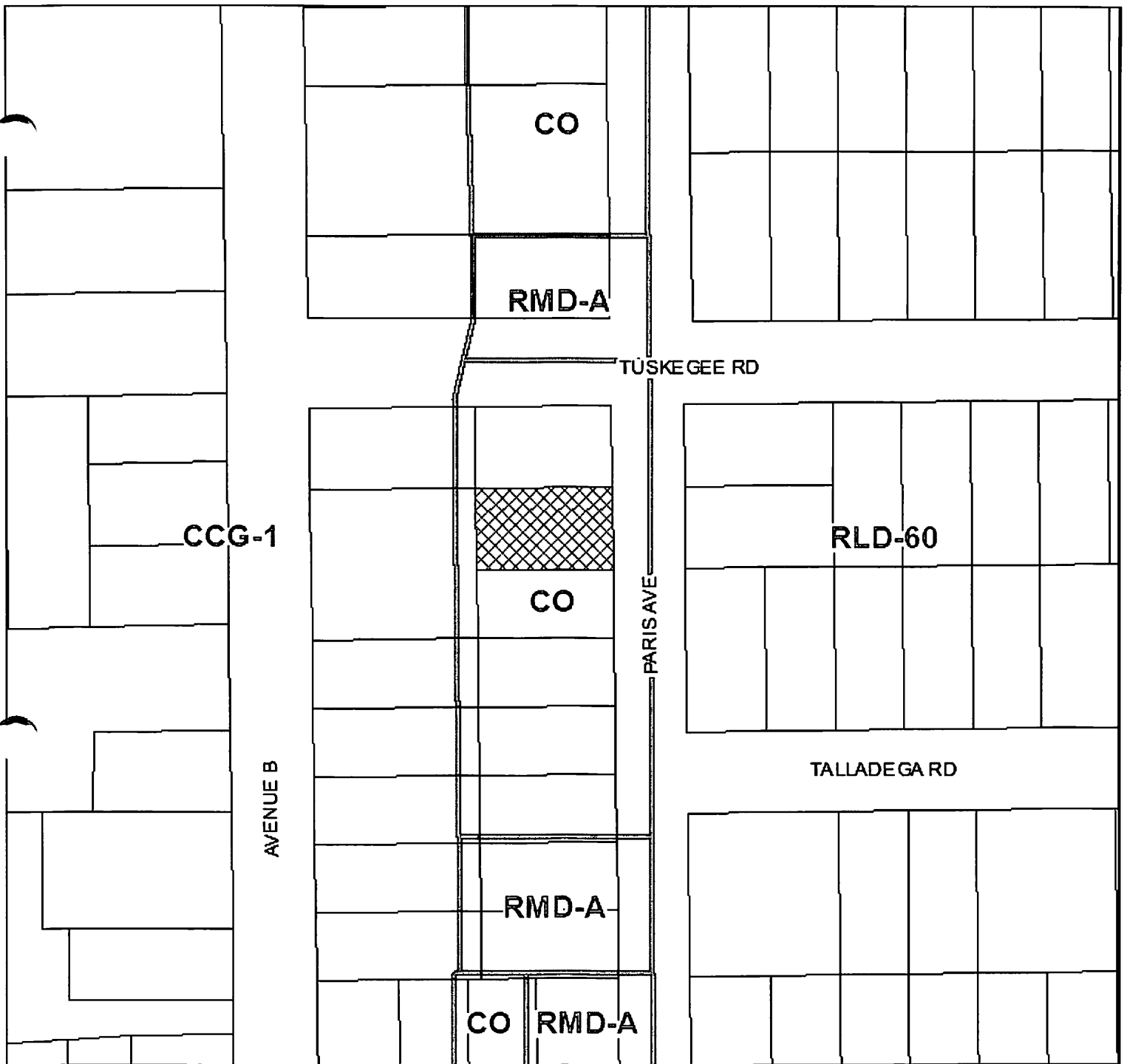
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
0.14 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
58 Notifications @ \$7.00 /each: \$406.00
- 4) Total Rezoning Application Cost: \$2,416.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

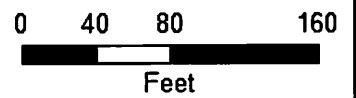
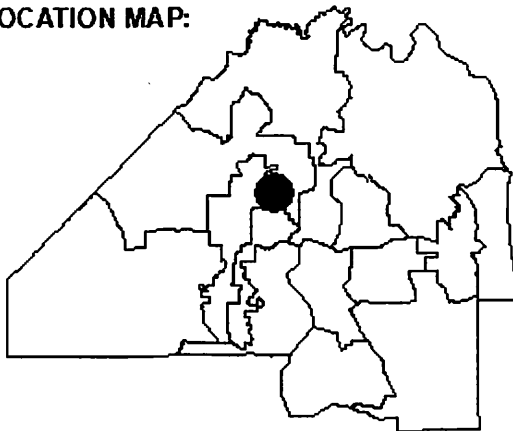


REQUEST SOUGHT:

FROM: CO

TO: CRO

LOCATION MAP:



COUNCIL DISTRICT:

8

TRACKING NUMBER

T-2022-4291

**EXHIBIT 2
PAGE 1 OF 1**

LEGAL DESCRIPTION

5/10/2022

Lot 19, Block 27, of ROYAL TERRACE ADDITION NO.1, according to the Plat thereof, as recorded in Plat Book 18, Page 17, of the Public Records of Duval County, Florida.



Infill Availability Letter

Mitch Askelson

5/20/2022

JWB Real Estate Capital

7563 Philips Hwy Suite 109

Jacksonville, Florida 32256

Project Name: 0 Paris Ave

Availability #: 2022-1913

Attn: Mitch Askelson

Thank you for your inquiry regarding the availability of Electric, 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:

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,

Sigrid Baker
duncsg2@jea.com
(904) 544-0371

Availability Number: 2022-1913

Request Received On: 5/10/2022

Availability Response: 5/20/2022

Prepared by: Sigrid Baker

Expiration Date: 05/20/2024

Project Information

Name: 0 Paris Ave

Address:

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 500

Parcel Number: 086290 0000

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 6-inch water main within Paris Ave ROW.

Connection Point #2:

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

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing 12-inch gravity sewer main within Paris Ave ROW.

Connection Point #2:

Sewer Special Conditions: 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. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program by entering your availability number and accessing the project portal. Alternative Connection team and Special Estimate requests can be made within Step 2 of the project portal. An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit infill layouts through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

**Reclaimed Water
Connection**

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

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:

If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1). After you receive the results of these, if applicable, submit your Infill Layout(s) (Sages Step 2). After your Infill Layout(s) are approved, Subsequent steps you need request a Special Estimate Determination (Sages Step 2) for the cost of your taps. After to take to get service: 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.