

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

July 21, 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.: 2022-444**

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: 6-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Absent

Daniel Blanchard Absent

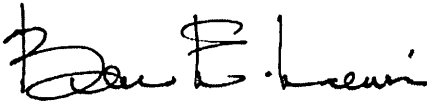
Jordan Elsbury Aye

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 FO**APPLICATION FOR REZONING ORDINANCE 2022-0444****JULY 21, 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 2022-0444.

Location: 0 POW-MIA Memorial Parkway

Real Estate Number: 002048-0135

Current Zoning District: Planned Unit Development (PUD)

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Owner: Gregory E. Matovina
Liberty Square Jax LLC
12443 San Jose Boulevard, Suite 504
Jacksonville, FL 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0444 seeks to rezone approximately 8.59± acres of vacant property from Planned Unit Development (PUD) to Residential Low Density-100B (RLD-100B). The request is to permit the allowable uses of the RLD-100B zoning district to be consistent with surrounding properties. The property is currently located in the Low Density Residential (LDR) land use category within the Suburban Development Boundary 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 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.

Low Density Residential (LDR) is a category intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology. The maximum gross density permitted in Suburban Area LDR is seven units/acre. A sewer main and laterals will need to be constructed to allow for the proposed density of the project. With only water service available, the maximum gross density is 4 units/acre and the minimum lot size is 1/4 of an acre.

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.

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

Yes. This proposed rezoning to Residential Low Density-100B (RLD-100B) is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element

Policy 1.2.8

Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage

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 February 1, 2021, there is an existing 24-inch water main within the POW-MIA Memorial right-of-way; however, there is no gravity sewer main abutting the property. Per the letter of availability, the owner will need to build the sewer main in the right-of-way and individual laterals. 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 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-60 allowing for the development of single-family dwelling units on 10 acres.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of POW-MIA Memorial Parkway between Chaffee Road South, a minor arterial roadway, and Liberty Square Place, a local roadway. The surrounding area is zoned for residential living, ranging in lots sizes of 50 foot wide to 100+ wide lots. Just west of the subject property, Great Meadows PUD, is approved through Ord. #2006-0140 for single-family dwellings with 60-foot wide lots. Additionally, properties to the southwest, Great Meadows PUD, is approved for multi-family and single-family dwellings. To the north is Panther Creek Residential Subdivision approved through Ord. #2000-1090 for single-family dwellings

with 50-foot and 100-foot wide lots. This request for rezoning to RLD-100B would not create lots out of character for the surrounding area.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD: 2000-1090	Single Family Dwelling
South	LDR	PUD: 2018-0153	Single Family Dwellings
East	LDR	RR-Acre	Vacant Lots
West	LDR	PUD: 2010-0596	Single Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **June 22, 2022** by the Planning and Development Department, the required Notice of Public Hearing sign were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0444** be **APPROVED**.



Aerial View

Source: JaxGIS Map



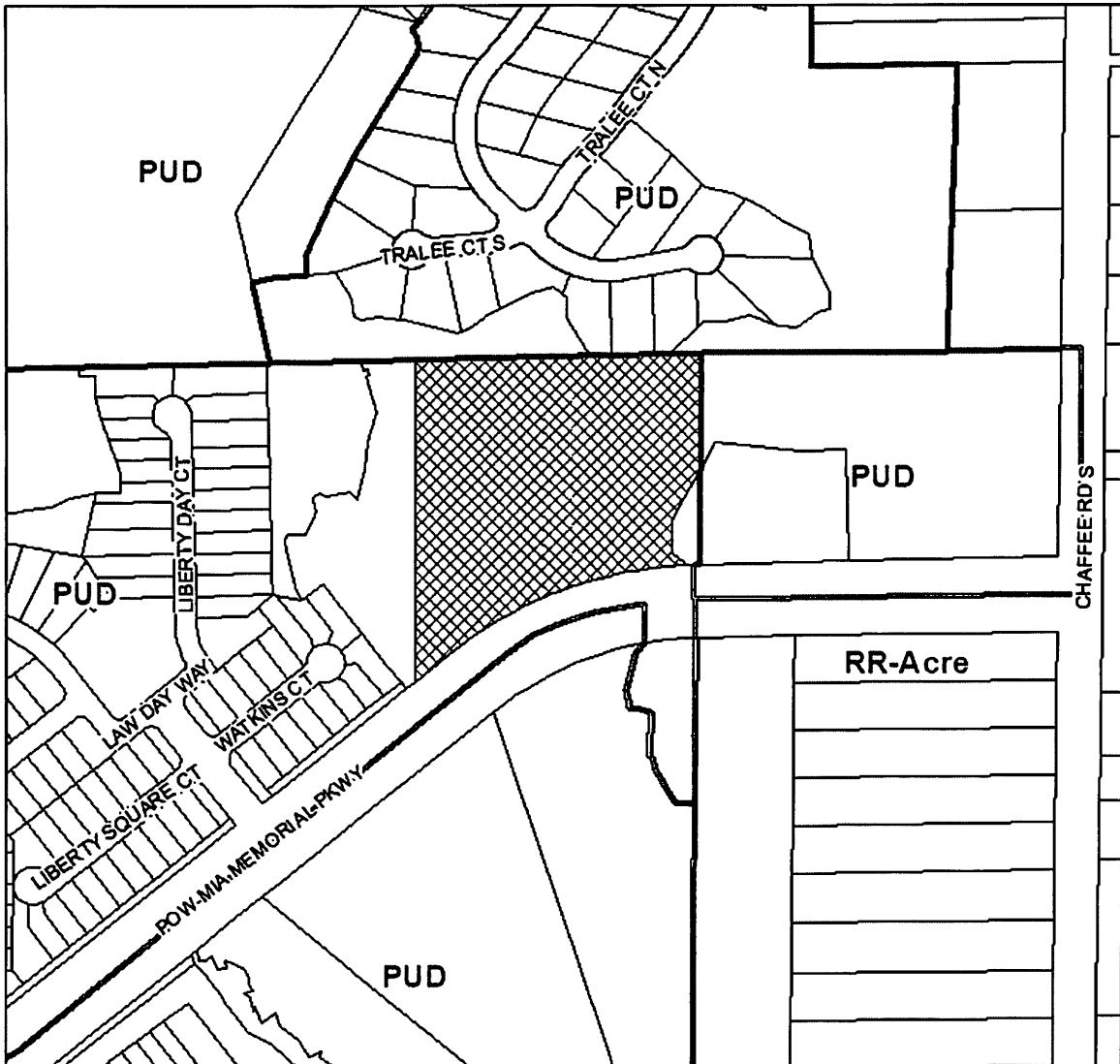
View of Subject Property

Source: Planning & Development Department 06/22/2022



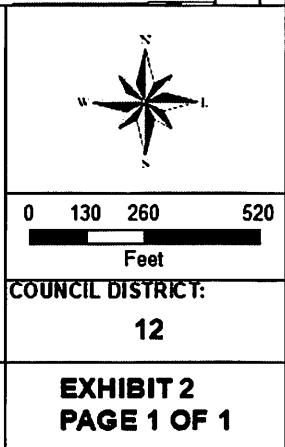
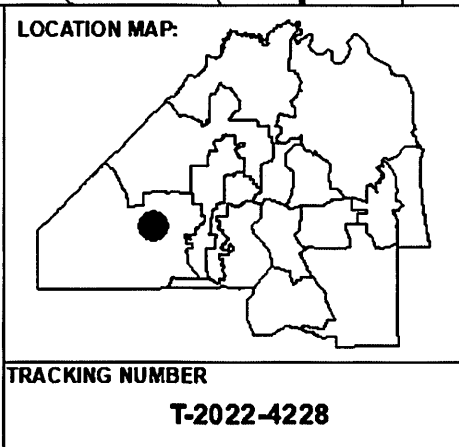
View of vacant lot to the south of subject property

Source: Planning & Development Department 06/22/2022



REQUEST SOUGHT:

FROM: PUD
TO: RLD-100B



Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0444 **Staff Sign-Off/Date** BMF / 05/18/2022

Filing Date 05/10/2022 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 07/26/2022 **Planning Commission** 07/21/2022

Land Use & Zoning 08/02/2022 **2nd City Council** 08/09/2022

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4228

Application Status FILED COMPLETE

Date Started 04/19/2022

Date Submitted 04/20/2022

General Information On Applicant

Last Name MATOVINA **First Name** GREGORY **Middle Name** E.

Company Name
MATOVINA COMPANY

Mailing Address
12443 SAN JOSE BLVD STE 504

City JACKSONVILLE **State** FL **Zip Code** 32223

Phone 9042920778 **Fax** 9042929468 **Email** GMATOVINA@MATOVINA.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MATOVINA **First Name** GREGORY **Middle Name** E

Company/Trust Name
LIBERTY SQUARE JAX LLC

Mailing Address
12443 SAN JOSE BLVD, SUITE 504

City JACKSONVILLE **State** FL **Zip Code** 32223

Phone 9042920778 **Fax** **Email** GMATOVINA@MATOVINA.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2006-140

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	002048 0135	12	4	PUD	RLD-100B

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) 8.59

Justification For Rezoning Application

TO BE CONSISTENT WITH SURROUNDING PROPERTIES

Location Of Property

General Location

NORTH SIDE OF POW-MIA MEMORIAL PARKWAY

House #	Street Name, Type and Direction	Zip Code
0	POW-MIA MEMORIAL PKWY	32221

Between Streets

CHAFFEE RD S and LIBERTY SQUARE PL

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

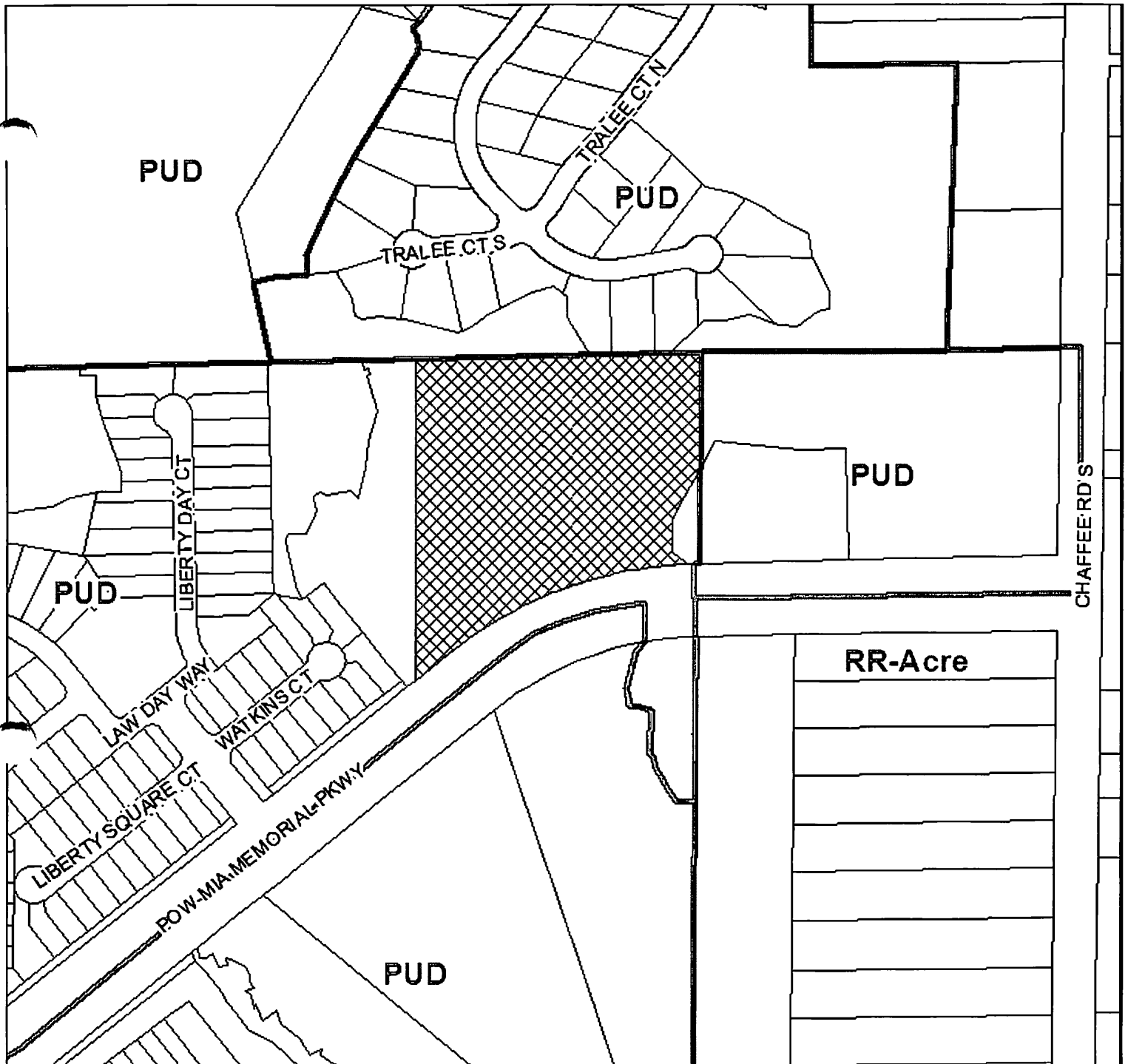
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
8.59 Acres @ \$10.00 /acre: \$90.00
- 3) Plus Notification Costs Per Addressee
50 Notifications @ \$7.00 /each: \$350.00
- 4) Total Rezoning Application Cost: \$2,440.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

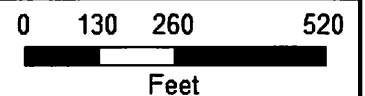
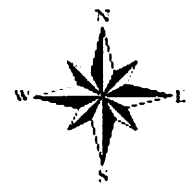
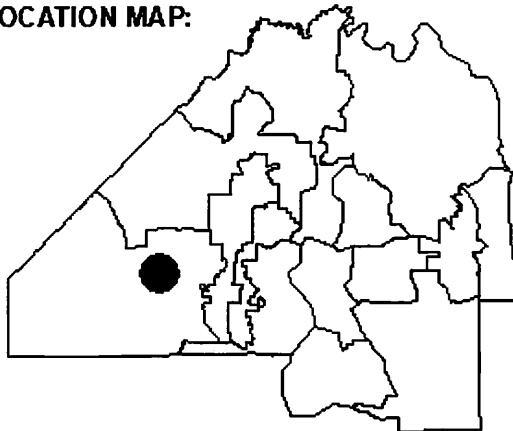


REQUEST SOUGHT:

FROM: PUD

TO: RLD-100B

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4228

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Sharon Hudson

2/1/2021

Matovina & Company

12443 San Jose Blvd., Suite 504

Jacksonville, Florida 32223

Project Name: Liberty Square

Availability #: 2021-0272

Attn: Sharon Hudson

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 Condition 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

https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim

Availability Request Team

Availability Number: 2021-0272

Request Received On: 1/21/2021

Availability Response: 2/1/2021

Prepared by: Sigrid Duncan

Expiration Date: 02/01/2023

Project Information

Name: Liberty Square

Address: 0 POW MIA MEMORIAL PKWY, JACKSONVILLE, FL 32221

County: Duval County

Type: Sewer,Water

Requested Flow: 1400

Parcel Number: 002048 0135

Location:

Description: 4 Single Family Lots

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 24-inch water main within POW-MIA Memorial Parkway ROW.

Connection Point #2:

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 approx. 850 LF southwest of this property within Liberty Square Pl. ROW.

Connection Point #2:

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

Sewer Special Conditions:

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: 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: