

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

March 9, 2023

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.: 2023-73**

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**

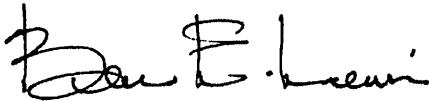
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 5-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Absent
David Hacker	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 2023-0073

MARCH 9, 2023

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 2023-0076.

Location: 6916 103rd Street, between Interstate-295 and Tampico Road

Real Estate Numbers: 014426 0004

Current Zoning: Residential Medium Density-D (RMD-D)

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

Current Land Use Category: Medium Density Residential (MDR)

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

Planning District: Southwest, District 4

Applicant / Agent: Marshall Phillips, Esq.
Rogers Towers, P.A.
1300 Riverplace Boulevard, Suite 1500
Jacksonville, FL 32207

Owner: 6916 103rd St LLC
6924 NW 113th Place
Doral, FL 33178

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning 2023-0073 seeks to rezone approximately 1.74 acres of land from Residential Medium Density-D (RMD-D) to Commercial Community/General-1 (CCG-1). The entirety of the property located at 6916 103rd Street is split zoned; RMD-D on the south portion and CCG-2 on the north portion. The property is also located in split Land Use Categories; CGC and MDR.

The applicant is requesting to rezone the RMD-D portion of the property to CCG-1 in order to bring the lot into a commercial zoning district that is compatible with the rest of the property. The subject property is currently vacant.

There is a companion Land Use Amendment, **L-55784-22C (2023-0073)** to change the land use category from MDR to CGC to be compatible with the requested CCG-1 Zoning District and be compatible with the existing use.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. Zoning application Ordinance **2023-0073** has a companion land use application, Ordinance **2023-0072/L-5784-22C** that is changing the land use from MDR to CGC. The 1.74-acre subject property is located at 6916 103rd Street (SR 134), a minor arterial roadway, between Interstate-295 West (SR 9A), a limited roadway, and Tampico Road, a local road. The site is within the Suburban Development Area. The subject site is currently a mix of vacant land and a retention pond.

According to the Future Land Use Element (FLUE), CGC in the Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations that are supplied with full urban services; abutting a roadway classified as an arterial or higher on the Functional Highway Classification Map. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Development Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

The proposed CCG-1 rezoning is consistent with the proposed CGC land use category.

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

Yes. This rezoning is supported by the following Objectives and Policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Policy 3.2.4

The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

To promote this Policy the property owner will need to provide proper buffering from the residential use to the east and south. The proposed rezoning is an intensified zoning district and appropriate for the existing use, however; the buffering will make the transition complete and bring the property into total compliance. Buffering requirements for the property is found in Sec. 656.1216 (b) of the Zoning Code.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. It is the opinion of the Planning and Development Department that the proposed rezoning will not be in conflict with any portion of the City's land use regulations. The proposed zoning district would be compatible with the surrounding area. Additionally, currently the north portion of the subject parcel is zoned CCG-2; the rezoning of the south portion of the parcel will allow the entire parcel to be under a commercial zoning district that is compatible with the proposed CGC land use category.

SURROUNDING LAND USE AND ZONING

The subject property is located on the south side of 103rd Street, east of Interstate-295. The surrounding uses, land uses, and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-2	Vacant
East	MDR	RMD-D	Multi-Family Dwellings
South	MDR	RMD-D	Multi-Family Dwellings
West	CGC	CO	Vacant

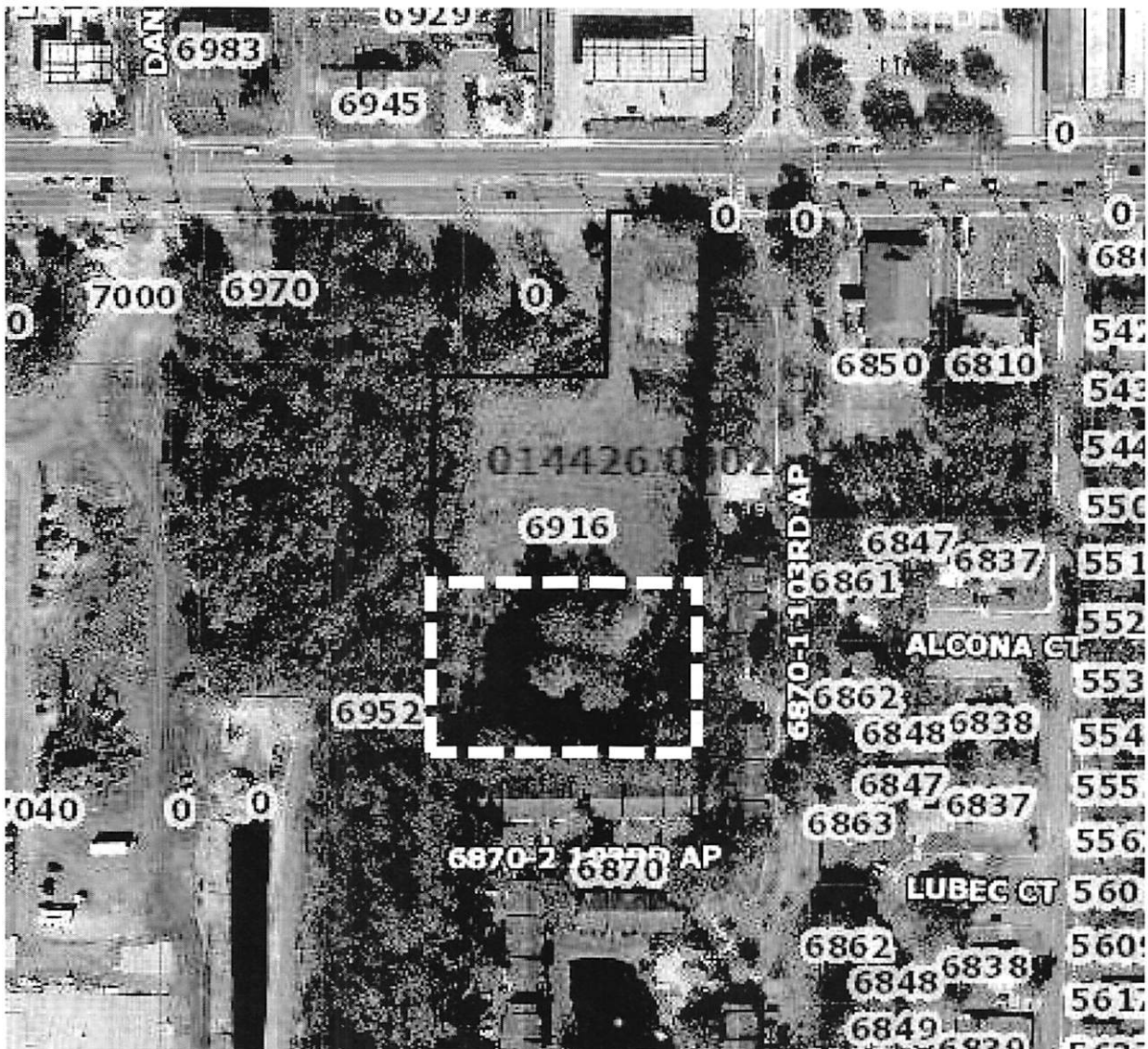
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property, the required Notice of Public Hearing signs were posted:

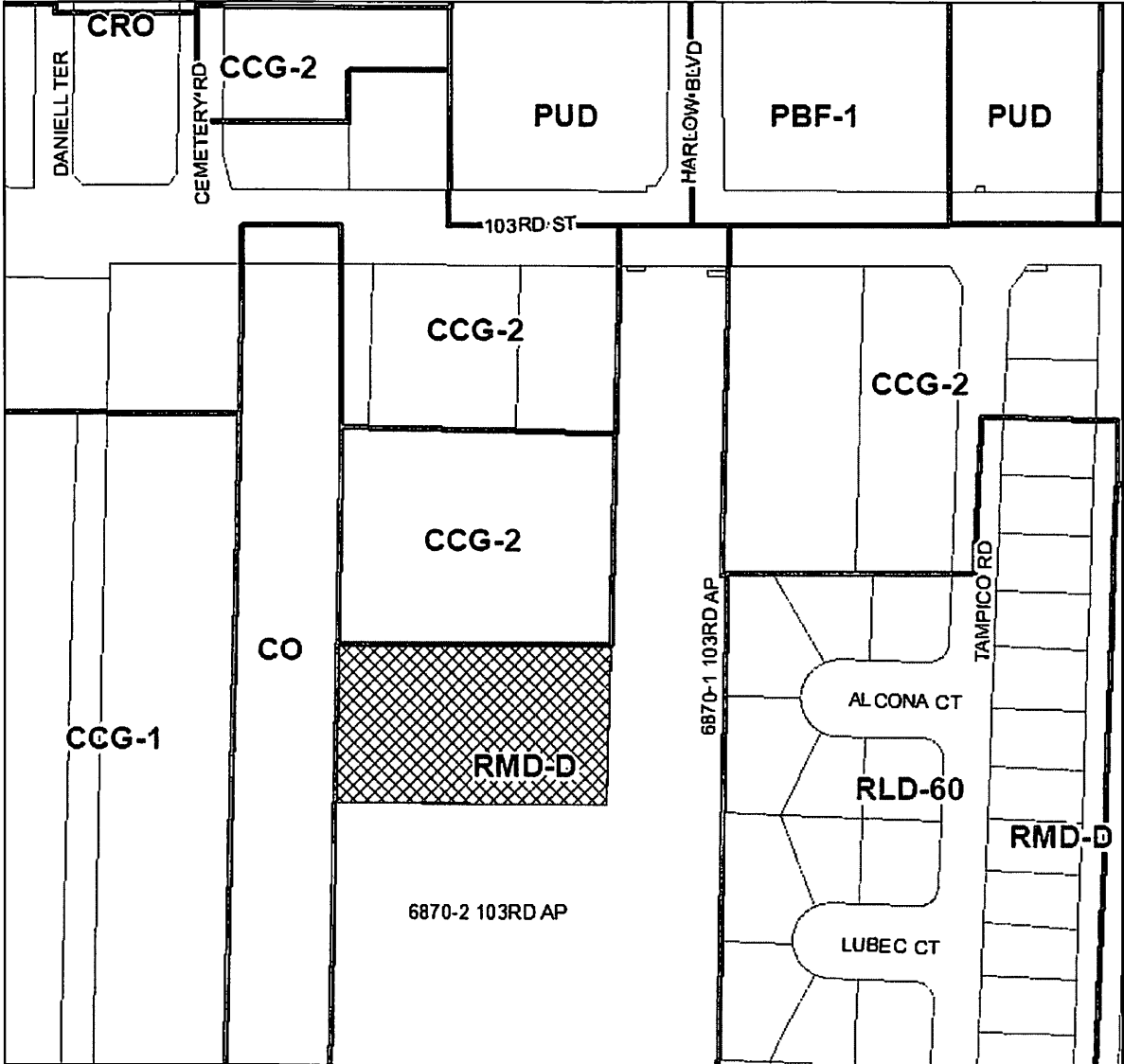


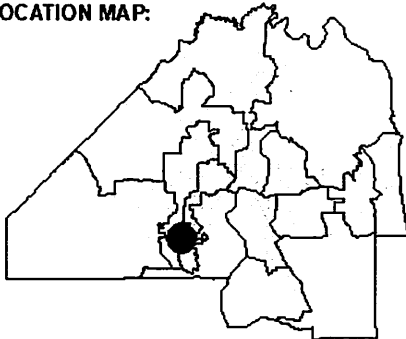
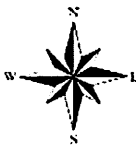
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2023-0073 be **APPROVED**.



Aerial view of the subject property, facing North.



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-D</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p> 	 <p>0 70 140 280</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0073</p>	<p>TRACKING NUMBER</p> <p>T-2022-4661</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2023-0073 **Staff Sign-Off/Date** KPC / 12/30/2022
Filing Date N/A **Number of Signs to Post** 1
Hearing Dates:
1st City Council 03/14/2023 **Planning Commission** 03/09/2023
Land Use & Zoning 03/21/2023 **2nd City Council** 03/28/2023
Neighborhood Association ARGYLE AREA CIVIC COUNCIL
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4661 **Application Status** PENDING
Date Started 11/28/2022 **Date Submitted** 11/28/2022

General Information On Applicant

Last Name PHILLIPS **First Name** MARSHALL **Middle Name** H
Company Name
 ROGERS TOWERS, P.A.
Mailing Address
 1301 RIVERPLACE BLVD, SUITE 1500
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043465535 **Fax** 9043960663 **Email** HPHILLIPS@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SEE **First Name** BELOW **Middle Name**
Company/Trust Name
 6916 103RD ST LLC
Mailing Address
 6924 NW 113TH PLACE
City DORAL **State** FL **Zip Code** 33178
Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?
If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 014426 0002	9	4	RMD-D	CCG-1

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

Existing Land Use Category

MDR

Land Use Category Proposed?**If Yes, State Land Use Application #**

5784

Total Land Area (Nearest 1/100th of an Acre) 1.74**Justification For Rezoning Application**

TO ALLOW FOR COMMERCIAL DEVELOPMENT OF THE PROPERTY CONSISTENT WITH THE MARKET.

Location Of Property**General Location**

SOUTH OF 103RD, EAST OF I-295 WEST BELTWAY

House #	Street Name, Type and Direction	Zip Code
6916	103RD ST	32210

Between Streets

I-295 W BELTWAY and TAMPICO RD

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit - Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
 1.74 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
 17 Notifications @ \$7.00 /each: \$119.00
- 4) Total Rezoning Application Cost: \$2,139.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

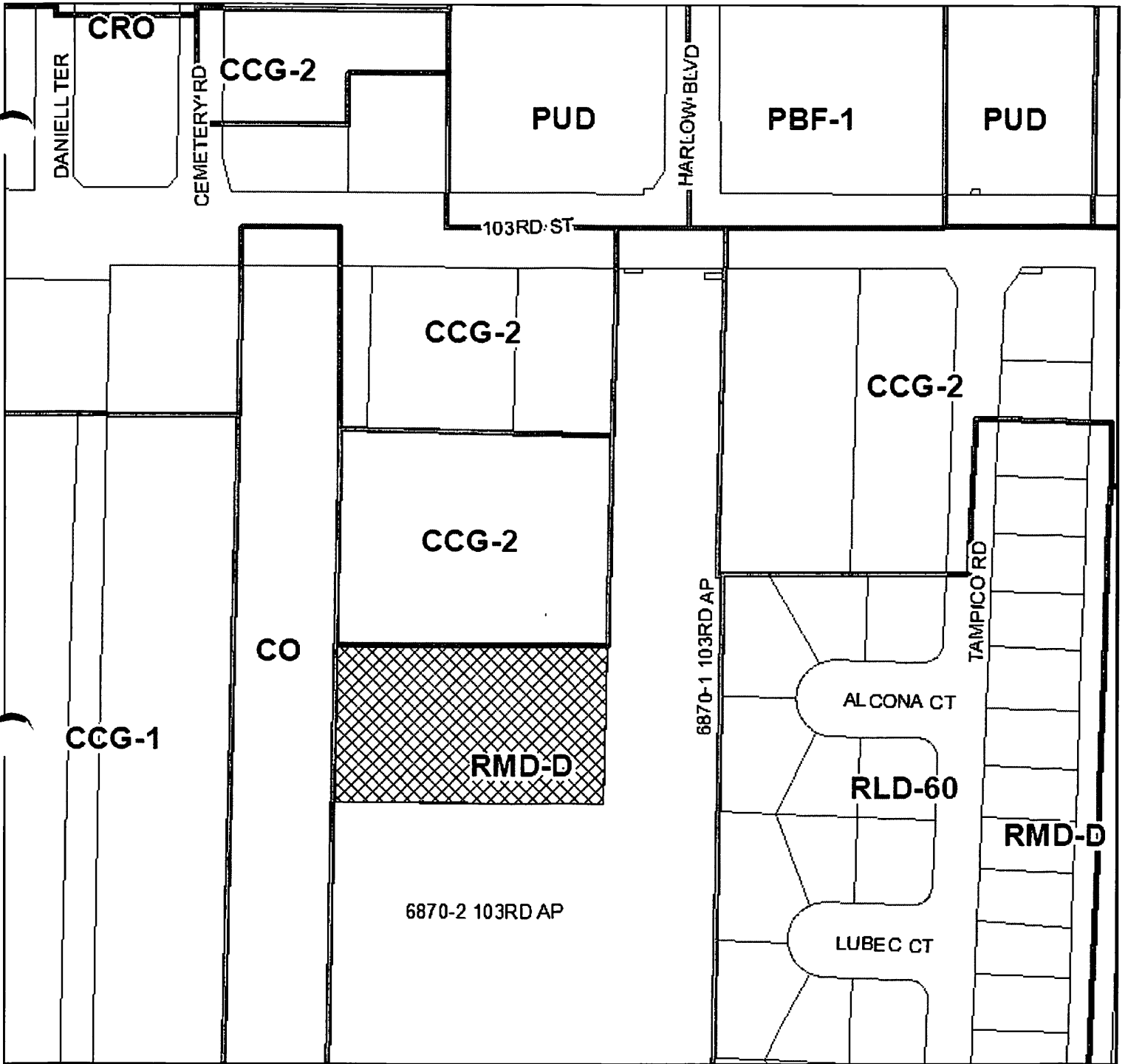
Exhibit 1

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF DUVALAND STATE OF FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 1, 2, AND 3, BLOCK 2, SECTION 13, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF LOT 3, ACCORDING TO THE PLAT OF OAK HILL UNIT NO. 12 REPLAT AS RECORDED IN PLAT BOOK 30, PAGE 96 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE NORTH 89°47'28" WEST, ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID OAK HILL UNIT NO. 12 REPLAT, A DISTANCE OF 11.37 FEET TO A POINT ON THE EASTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 6130, PAGE 956 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE NORTH 01°30'02" EAST, ALONG LAST SAID EASTERLY LINE, A DISTANCE OF 400.76 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 103RD STREET (104 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 89°53'30" WEST ALONG LAST SAID RIGHT-OF-WAY, A DISTANCE OF 139.43 FEET TO THE NORTHWESTERLY CORNER OF LAST SAID OFFICIAL RECORDS VOLUME 6130, PAGE 956; THENCE SOUTH 01°39'35" WEST ALONG THE WESTERLY LINE OF SAID OFFICIAL RECORDS VOLUME 6130, PAGE 956, A DISTANCE OF 490.33 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°39'35" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 220.24 FEET TO THE NORTHEASTERLY CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 6130, PAGE 951 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 89°25'59" WEST, ALONG THE NORTHERLY LINE OF SAID OFFICIAL RECORDS VOLUME 6130, PAGE 951, A DISTANCE OF 342.31 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE NORTH 02°08'00" EAST, DEPARTING LAST SAID NORTHERLY LINE, A DISTANCE OF 225.33 FEET ALONG THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 8309, PAGE 1037 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 89°43'24" EAST, DEPARTING LAST SAID EASTERLY LINE, A DISTANCE OF 340.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.74 ACRES, MORE OR LESS.

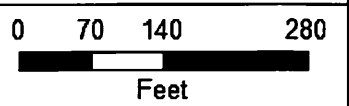
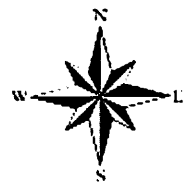
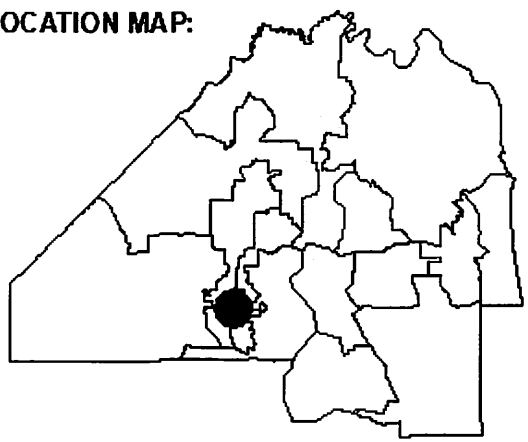


REQUEST SOUGHT:

FROM: RMD-D

TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:
9

TRACKING NUMBER

T-2022-4661

EXHIBIT 2
PAGE 1 OF 1



Availability Letter

Luis Fajardo
6916 103rd St LLC
6924 NW 113 Place
Doral, Florida 33178

1/16/2023

Project Name: 6916 103rd Street, Jacksonville, FL 32210
Availability #: 2023-0115

Attn: Luis Fajardo

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. 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

https://www.jea.com/water_and_wastewater_development

incerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2023-0115

Request Received On: 1/11/2023

Availability Response: 1/16/2023

Prepared by: Susan West

Expiration Date: 01/15/2025

Project Information

Name: 6916 103rd Street, Jacksonville, FL 32210

Address: 6916 103RD ST, JACKSONVILLE, FL 32210

County: Duval County

Type: Electric,Sewer,Water

 Requested Flow: 6080

Parcel Number: 014426 0002

Location: On 103rd Street just West of 6870-1 103rd Ap

Description: n/a

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 16 inch water main along 103rd Street

Connection Point #2:

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

 Sewer Connection

Sewer Grid: Southwest

Connection Point #1: Existing 8 inch gravity sewer along Tampico Road

Connection Point #2: Existing connection may be used if appropriate easements are in place

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through Step 2 of the SagesGov portal.

Reclaimed Water Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Connection

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions: Point of connection location(s) to be field verified by developer during project design. If needed, a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.

Subsequent steps you need to take to get service: **Request As-Built drawings and/or GIS maps by going to Step 1 in Sages.**

Request a Hydrant Flow Test by going to Step 1 in Sages.

Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application.