

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

November 4, 2021

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.: 2021-742**

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**

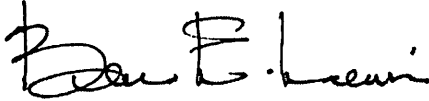
Planning Commission Recommendation: **Approve**

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

| | |
|---------------------------|--------|
| Planning Commission Vote: | 5-0 |
| David Hacker, Chair | Absent |
| Alex Moldovan, Vice Chair | Aye |
| Ian Brown, Secretary | Aye |
| Marshall Adkison | Absent |
| Daniel Blanchard | Aye |
| Joshua Garrison | Aye |
| Dawn Motes | Absent |
| Jason Porter | Aye |

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2021-0742

NOVEMBER 4, 2021

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 **2021-0742**.

Location: 8938, 8944, 8950, and 0 Cocoa Avenue
Between Lamson Street and Mill Creek Road

Real Estate Number: 144627 0020; 144627 0015; 144612 0000; 144627
0025

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

Proposed Zoning District: Residential Medium Density-A (RMD-A)

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

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 2—Greater Arlington/Beaches

Applicant/Agent: Taylor Mejia
The Southern Group
208 North Laura Street, Suite 710
Jacksonville, FL 32202

Owner: Alex Sifakis
BCEL 8A LLC & BCEL 5 LLC
7563 Philips Highway, Suite 109
Jacksonville, FL 32256

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0742** seeks to rezone 0.36± acres of land from Commercial, Residential and Office (CRO) to Residential Medium Density-A (RMD-A). The request is being sought to allow for the development of single-family dwellings. Staff also notes a companion Small Scale Land Use Amendment L-5607-21C (**Ordinance 2021-0741**) that seeks to

amend the land use from Community/General Commercial (CGC) to Medium Density Residential (MDR).

The subject property is located within the Woodland Acres Land Use and Zoning Study. The Woodland Acres Land Use and Zoning Study identifies the subject parcel as a non-conforming residential use. MDR is consistent with the MDR design of Woodland Acres and is not a higher density category than the surrounding residential uses. According to the study, residential redevelopment pressures are increasing in the study area. It is recognized that as the local market changes, there may be pressure to change zoning designations to accommodate higher density residential development within the Woodland Acres study area. However, the residential portions of Woodland Acres is MDR and this request is consistent with the established land use pattern. The study contains guidelines for how higher density residential infill and redevelopment can occur in the study area without compromising the integrity of the study area. Therefore, the amendment is consistent with the study.

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that with the approval of companion Small Scale Land Use Amendment L-5607-21C (**Ordinance 2021-0741**), the subject property will be located in the Medium Density Residential (MDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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. According to the Category Description of the FLUE, the Medium Density Residential (MDR) land use

category is a category intended to provide compact medium to high-density residential development and transitional uses between low-density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category.

The amendment site is located in the Urban Priority Development Area and the intent of the UPA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

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.

In reference to the submitted JEA Availability Letters, the proposed development shall connect to city water and sewer.

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.

The proposed rezoning at the subject site would directly address the growth outlined in the Woodland Acres Land Use and Zoning Study and provide for a greater variety of housing product for Jacksonville residents.

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 CRO to RMD-A in order to permit for a single-family residential development—all while adhering to local, state, and federal regulations governing wetlands.

SURROUNDING LAND USE AND ZONING

The subject property is located between Lamson Street and Mill Creek Road. This segment of land contains a mixture of medium density lot sizes. The proposed rezoning to RMD-A would render the lots to have a minimum lot size of 40 feet in lot width and 4,000 square feet in lot area—which, in terms of density, would complement the abutting residential lots to the north of the subject property. Nonetheless, adjacent land uses and zoning districts are as follows:

| Adjacent Property | Land Use Category | Zoning District | Current Use(s) |
|--------------------------|--------------------------|------------------------|--------------------------------|
| North | MDR | RMD-A | Single-Family Dwellings |
| East | CGC | CCG-2 | Single-Family Dwelling, Office |
| South | CGC | CRO | Single-Family Dwelling, Vacant |
| West | MDR | RMD-A | Single-Family Dwellings |

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 27, 2021** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted. However, the applicant provided photo documentation showing the signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0742** be **APPROVED**.



Aerial view of subject property



View of subject property

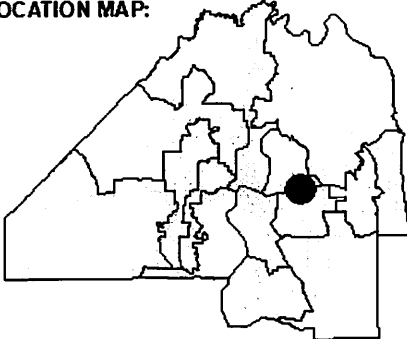
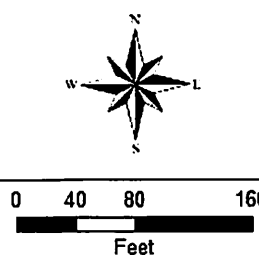


View of adjacent residential dwellings



View of adjacent residential dwellings



| | | |
|---|--|--|
| <p>REQUEST SOUGHT:</p> <p>FROM: CRO</p> <p>TO: RMD-A</p> | <p>LOCATION MAP:</p>  |  <p>COUNCIL DISTRICT:</p> <p>1</p> |
| <p>ORDINANCE NUMBER</p> <p>ORD-2021-0742</p> | <p>TRACKING NUMBER</p> <p>T-2021-3739</p> | <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p> |

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0742 **Staff Sign-Off/Date** KPC / 09/14/2021
Filing Date 09/27/2021 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 11/09/2021 **Planning Commission** 11/04/2021
Land Use & Zoning 11/16/2021 **2nd City Council** 11/23/2021
Neighborhood Association FREE4LIFE FOUNDATION, INC; WOODLAND ACRES ASSOCIATION;
Neighborhood Action Plan/Corridor Study
 WOODLAND ACRES NEIGHBORHOOD ACTION PLAN

Application Info

Tracking # 3739 **Application Status** PENDING
Date Started 08/24/2021 **Date Submitted** 08/24/2021

General Information On Applicant

| | | |
|--------------------------|-------------------|----------------------------|
| Last Name | First Name | Middle Name |
| MEJIA | TAYLOR | |
| Company Name | | |
| THE SOUTHERN GROUP | | |
| Mailing Address | | |
| 208 N LAURA ST SUITE 710 | | |
| City | State | Zip Code |
| JACKSONVILLE | FL | 32202 |
| Phone | Fax | Email |
| 9043495954 | 904 | MEJIA@THESOUTHERNGROUP.COM |

General Information On Owner(s)

Check to fill first Owner with Applicant Info

| | | |
|--------------------------------|-------------------|--------------------|
| Last Name | First Name | Middle Name |
| SIFAKIS | ALEX | |
| Company/Trust Name | | |
| BCEL 8A LLC | | |
| Mailing Address | | |
| 7563 PHILIPS HIGHWAY SUITE 208 | | |
| City | State | Zip Code |
| JACKSONVILLE | FL | 32256 |
| Phone | Fax | Email |
| | | |

| | | |
|--------------------------------|-------------------|--------------------|
| Last Name | First Name | Middle Name |
| SIFAKIS | ALEX | |
| Company/Trust Name | | |
| BCEL 5 LLC | | |
| Mailing Address | | |
| 7563 PHILIPS HIGHWAY SUITE 208 | | |
| City | State | Zip Code |
| JACKSONVILLE | FL | 32256 |

| 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 | 144627 0020 | 1 | 2 | CRO | RMD-A |
| Map | 144627 0015 | 1 | 2 | CRO | RMD-A |
| Map | 144612 0000 | 1 | 2 | CRO | RMD-A |
| Map | 144627 0025 | 1 | 2 | CRO | RMD-A |

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 #

Total Land Area (Nearest 1/100th of an Acre) 0.30

Justification For Rezoning Application

REZONING IS REQUESTED TO ALLOW FOR SINGLE FAMILY RESIDENTIAL

Location Of Property

General Location
8938, 8944, 8950, 0 COCOA AVE

| House # | Street Name, Type and Direction | Zip Code |
|---------|---------------------------------|----------|
| 8950 | COCOA AVE | 32211 |

Between Streets
LAMSON ST and MILL CREEK 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**
0.30 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
63 Notifications @ \$7.00 /each: \$441.00
- 4) Total Rezoning Application Cost:** \$2,451.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTIONS

8/24/2021

RE No: 144612 0000

LOTS 94 AND 95, BLOCK 28A, OAKWOOD VILLA ESTATES, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGES(S) 23, 24, 25, OF THE PUBLIC RECORDS OF DUVAL COUNTY

RE No: 144627 0015, 144627 0020, AND 144627 0025

LOTS 96, 97, 98 AND 99, BLOCK 28A, OAKWOOD VILLA ESTTES, ACCORDING TO PLAT THEREOF RECORDED IN PLT BOK 8, PAGE 23, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. TOGETHER WITH THOSE CERTAIN MOBILE HOME DESCRIBED AS 1975 SPECIALTY MFG. CO./ SPECIALLY CONSTRUCTED VIN 20621 TITLE 14169110 AND 1971 PARKER TRAILER SALES, INC VIN 20621

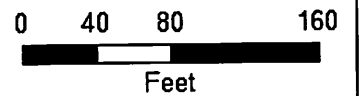
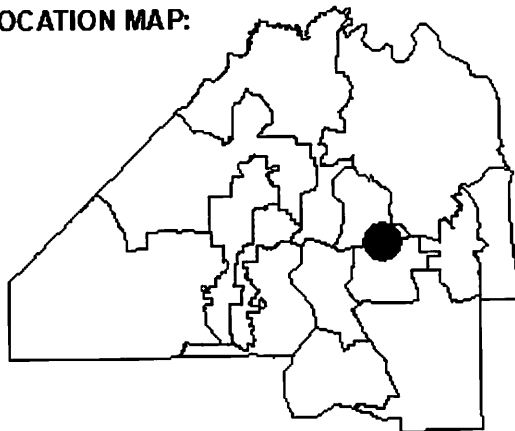


REQUEST SOUGHT:

FROM: CRO

TO: RMD-A

LOCATION MAP:



COUNCIL DISTRICT:

1

TRACKING NUMBER

T-2021-3739

**EXHIBIT 2
PAGE 1 OF 1**