

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

December 3, 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-682:**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

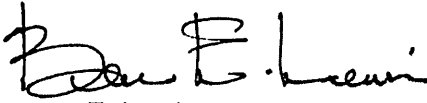
Planning Commission Commentary: There were several speakers in opposition. Their concerns were additional traffic, speeding on Sharbeth Dr., roads not able to handle construction equipment and drainage. The Commissioners felt the drainage will be reviewed during site plan review, the road conditions can be improved by City Council. Lot width is not the only metric to evaluate rezonings, therefore the application is appropriate.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	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 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 ORDINANCE 2020-0682

DECEMBER 3, 2020

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 **2020-0682**.

Location: 4250 Matador Drive; between Matador Drive and Georgetown Drive

Real Estate Numbers: 013930 1000; 013930 0602

Current Zoning District: Public Buildings and Facilities-2 (PBF-2)

Proposed Zoning District: Residential Low Density-40 (RLD-40)

Current Land Use Category: Public Buildings and Facilities (PBF)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Agent: Steve Diebenow, Esq.
Driver, McAfee, Hawthorne & Diebenow, P.L.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: John Shaver
4250 Matador Drive
Jacksonville, FL 32210

Staff Recommendation: **APPROVE w/ recommendation for RLD-60**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0682** seeks to rezone 9.08± acres from Public Buildings and Facilities-2 (PBF-2) to Residential Low Density-40 (RLD-40) to develop the property with a single-family subdivision. Staff notes a companion Small Scale Land Use Amendment L-5467-20C (**Ordinance 2020-0681**) that seeks to amend the land use from Public Buildings and Facilities (PBF) to Low Density Residential (LDR)

Access to the proposed development site will be from Matador Drive, a local roadway. The proposed development will be required to connect to JEA utilities for water and sewer to achieve the minimum lot sizes in the zoning district. According to the JEA Availability letter # 2019-3939 the closest water mains are approximately 100 feet south of the property.

Staff finds that a single-family residential subdivision is appropriate in this location and compatible with the surrounding uses; however, lot widths consistent with the RLD-60 Zoning District are recommended in order to be consistent with surrounding residential properties.

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?

The applicant seeks to rezone a portion of the property from PBF-2 to RLD-40, concurrent with a companion land use application, L-5467-20C, which seeks to amend the FLUMs from PBF to LDR. The 9.08 acre subject site consists of a single-family dwelling and a portion of church property that is currently undeveloped land. Access to the proposed development site will be from Matador Drive, a local roadway, according to the City's Functional Highway Classification Map.

According to the Future Land Use Element (FLUE), LDR in the Urban Area is intended to provide for low density residential development. Single family dwellings are a principal use in the LDR land use category. The maximum allowable density for the LDR land use category is seven (7) units/acre when full urban services are available.

The property is surrounded by LDR land use. The requested RLD-40 rezoning is consistent with the LDR Land Use Category description however the Department believes that RLD-60 will be consistent with the surrounding homes, which are zoned as RLD-60. The rezoning should demonstrate full consistency with the other identified Policies as described above to be deemed consistent with the general intent of the 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. The proposed rezoning to RLD-40 promotes a pattern of compatible uses (*i.e.* single family dwellings) consistent with the surrounding area and future development. However, the lot size is not consistent with the surrounding zoning districts. Therefore, the proposed rezoning to RLD-60, as recommended by Staff, will allow the property to be developed in a lot pattern that is consistent with the surrounding area.

Future Land Use Element

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.
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The applicant has provided a JEA Availability letter stating that the subject property is in proximity to both water and sewer connection points. The applicant will be required to connect to both to develop the property.

Policy 3.1.11	The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods. The Land Development Regulations shall detail the requirements for public access and interconnectivity within and between developments based on standards such as but not limited to a connectivity score, maximum separations between connections to adjacent developments, and rules relative to hours, operations, and public safety considerations for any restriction of access through the use of gates.
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Public access and interconnectivity requirements will be reviewed once plans are submitted for 10-set review.

Objective 6.3	The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.
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The subject property is currently a vacant piece of land that has yet to be utilized and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties.

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 PBF-2 to RLD-60 in order to permit the development of single-family homes compatible with the surrounding area.

SURROUNDING LAND USE AND ZONING

The subject property is located west of I-295 (SR 9A) and south of Frank H Peterson Academy. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	PBF	PBF-1	Frank H Peterson Academy
East	PBF	PBF-2	Church
South	LDR	RLD-60	Single Family Dwellings
West	LDR	RLD-60	Single Family Dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 19, 2020 by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.

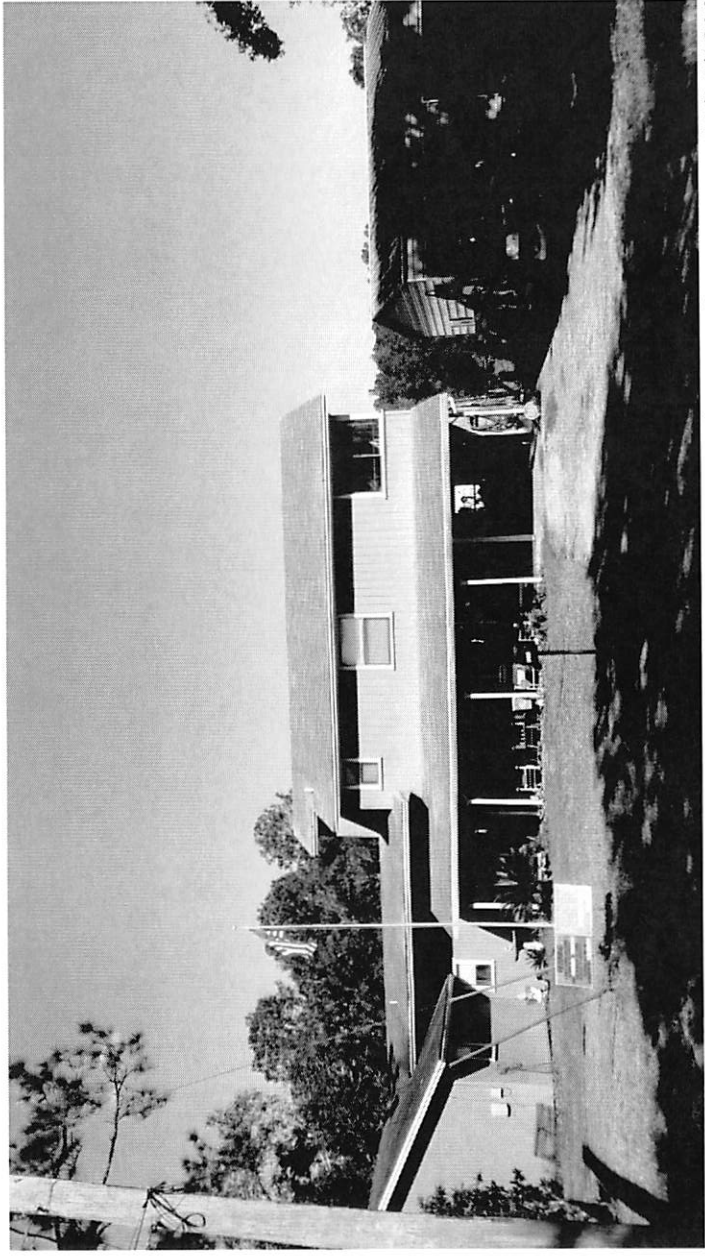


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0682 be **APPROVED** for RLD-60.



Aerial view of subject property.



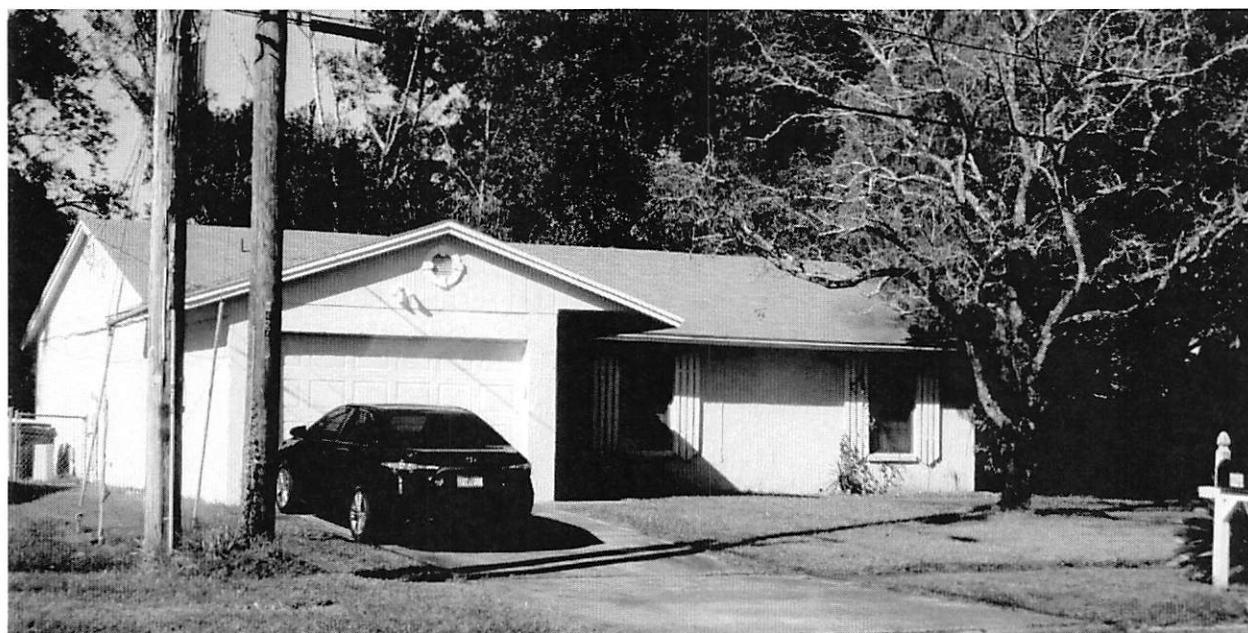
Source: Planning & Development Department, 11/24/2020

View of the subject property.



Source: Planning & Development Department, 11/24/2020

View of neighboring property south of the subject property, zoned RLD-60.



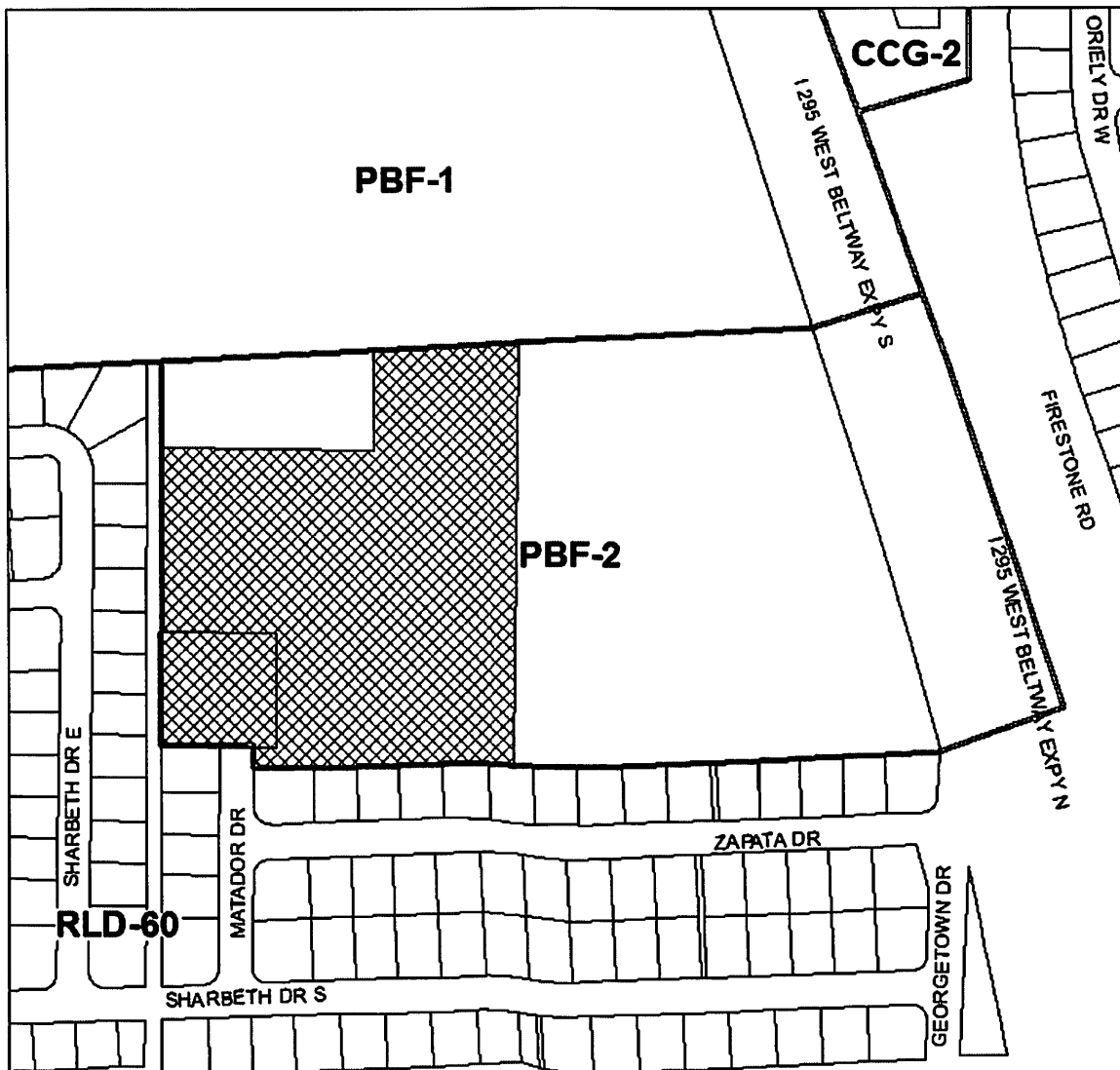
Source: Planning & Development Department, 11/24/2020

View of neighboring property south of the subject property, zoned RLD-60.



Source: Planning & Development Department, 11/24/2020

View of neighboring property south of the subject property, zoned RLD-60.

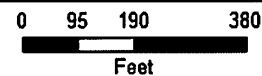
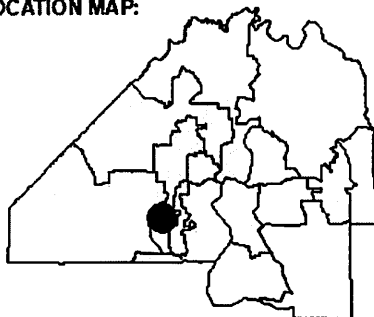


REQUEST SOUGHT:

FROM: PBF-2

TO: RLD-40

LOCATION MAP:



COUNCIL DISTRICT:

10

ORDINANCE NUMBER

ORD-2020-0682

TRACKING NUMBER

T-2020-3051

**EXHIBIT 2
PAGE 1 OF 1**

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0682 **Staff Sign-Off/Date** KPC / 10/27/2020
Filing Date 10/28/2020 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 12/08/2020 **Planning Commission** 12/03/2020
Land Use & Zoning 01/05/2021 **2nd City Council** N/A
Neighborhood Association WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3051 **Application Status** SUFFICIENT
Date Started 08/12/2020 **Date Submitted** 08/12/2020

General Information On Applicant

Last Name MANN **First Name** L **Middle Name** CHARLES
Company Name MANN-PELLICER
Mailing Address 165 ARLINGTON ROAD
City JACKSONVILLE **State** FL **Zip Code** 32211
Phone 9047211546 **Fax** 9047211582 **Email** CHARLIEMANN1@COMCAST.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SHAVER **First Name** JOHN **Middle Name** CHARLES
Company/Trust Name
Mailing Address 4250 MATADOR DRIVE
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone 9047211546 **Fax** 9047211582 **Email** CHARLIEMANN1@COMCAST.NET

Last Name NORTH FLORIDA, INC. **First Name** CHURCH AT **Middle Name** SUN COAST
Company/Trust Name CHURCH AT SUN COAST OF NORTH FLORIDA, INC.
Mailing Address 4200 GEORGETOWN DRIVE
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone **Fax** **Email**

9047211546 9047211582 CHARLIEMANN1@COMCAST.NET

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	013930 1000	10	4	PBF-2	RLD-40
Map	013930 0602	10	4	PBF-2	RLD-40

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

Existing Land Use Category

PBF

Land Use Category Proposed?

If Yes, State Land Use Application #

5467

Total Land Area (Nearest 1/100th of an Acre) 9.08

Justification For Rezoning Application

TO PERMIT INFILL DEVELOPMENT OF MARKET RATE HOUSING WITHIN AN ECONOMICALLY DISTRESSED AREA OF THE CITY.

Location Of Property

General Location

NORTH OF SHARBETH DRIVE SOUTH, AT TERMINUS OF MATADOR DRIVE

House #	Street Name, Type and Direction	Zip Code
4250	MATADOR DR	32210

Between Streets

MATADOR DRIVE and GEORGETOWN DRIVE

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
 9.08 Acres @ \$10.00 /acre: \$100.00
- 3) Plus Notification Costs Per Addressee
 69 Notifications @ \$7.00 /each: \$483.00
- 4) Total Rezoning Application Cost: \$2,593.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

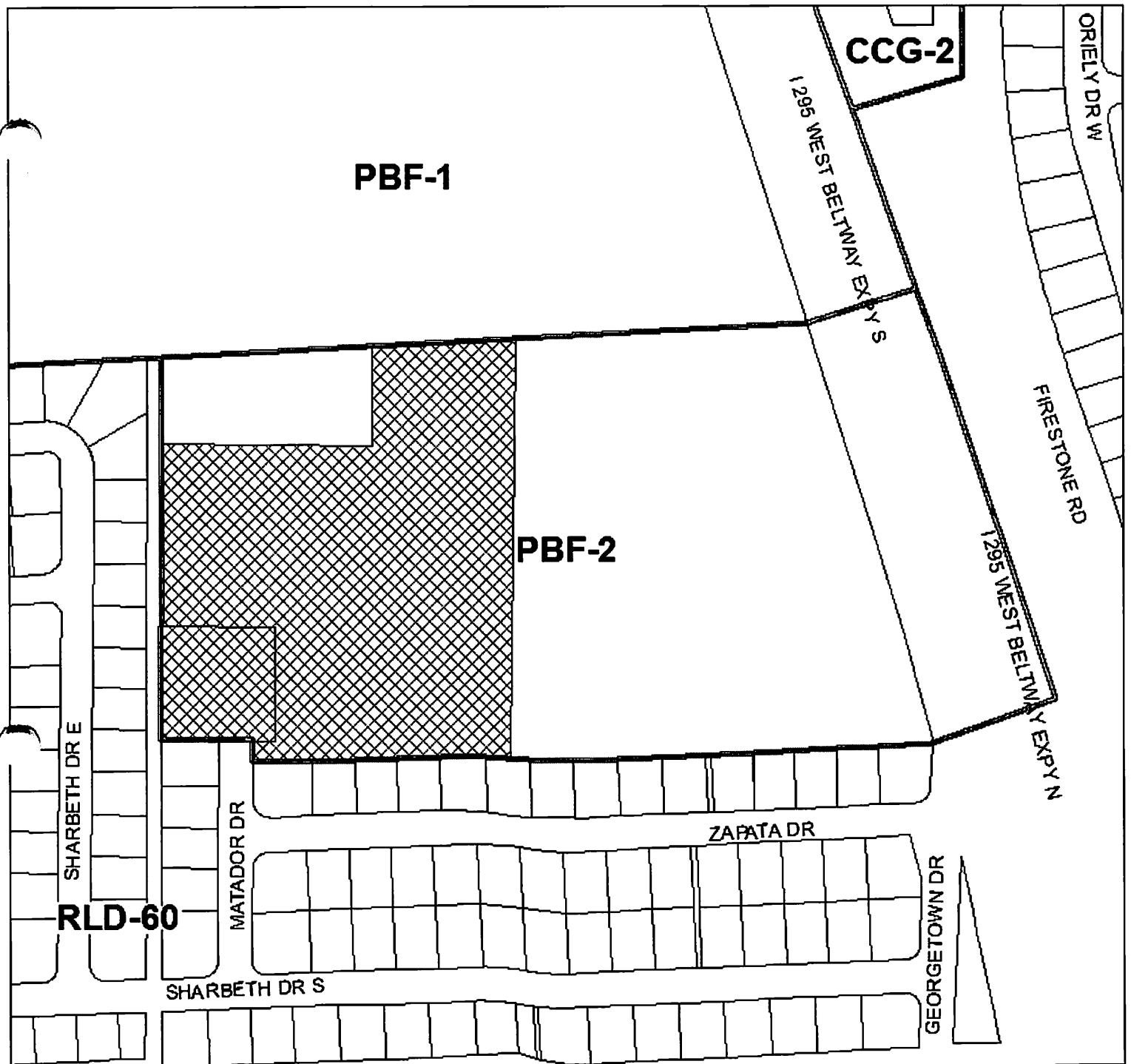
LEGAL DESCRIPTION

(SURVEYOR'S DESCRIPTION)

A PORTION OF TRACT "A", ACREAGE REPLAT OF A PART OF GEORGETOWN ESTATES UNIT TWO, AS RECORDED IN PLAT BOOK 36, PAGES 44 THROUGH 44A (INCLUSIVE), TOGETHER WITH THOSE LANDS BEING A PORTION OF SAID TRACT "A", AS DESCRIBED IN OFFICIAL RECORDS BOOK 18011, PAGE 1140, ALL OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "A"; THENCE NORTH 87°05'51" EAST, ALONG THE NORTH LINE THEREOF, ALSO BEING THE SOUTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4184, PAGE 320 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 616.77 FEET; THENCE SOUTH 00°39'24" WEST, DEPARTING LAST SAID LINE, A DISTANCE OF 762.50 FEET TO A POINT ON THE NORTH LINE OF GEORGETOWN ESTATES UNIT THREE AS RECORDED IN PLAT BOOK 35, PAGES 82 THROUGH 82A (INCLUSIVE) OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 81°01'09" WEST, ALONG LAST SAID NORTH LINE, A DISTANCE OF 50.44 FEET TO AN ANGLE POINT; THENCE SOUTH 87°41'07" WEST CONTINUING ALONG LAST SAID NORTH LINE, A DISTANCE OF 406.22 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF MATADOR DRIVE, BEING A 60 FOOT RIGHT OF WAY; THENCE NORTH 00°42'45" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.22 FEET TO THE NORTH TERMINUS OF SAID MATADOR DRIVE, LYING ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 18011, PAGE 1140; THENCE NORTH 89°13'24" WEST, ALONG SAID NORTH TERMINUS AND SOUTH LINE OF LAST SAID LANDS AND ALSO ALONG THE NORTH LINE OF LOT 5, BLOCK 4 OF SAID GEORGETOWN ESTATES UNIT THREE, A DISTANCE OF 160.03 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, SAID CORNER LYING ON THE WEST LINE OF THE AFOREMENTIONED TRACT "A", ALSO BEING THE EAST LINE OF A 30 FOOT EASEMENT FOR DRAINAGE AND UTILITIES AS SHOWN ON THE PLAT OF GEORGETOWN ESTATES UNIT TWO, AS RECORDED IN PLAT BOOK 33, PAGES 100 THROUGH 100A (INCLUSIVE) OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°39'24" EAST, ALONG LAST SAID LINE, A DISTANCE OF 701.40 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 10.45 ACRES, MORE OR LESS.

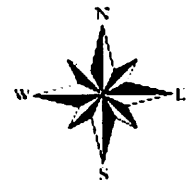
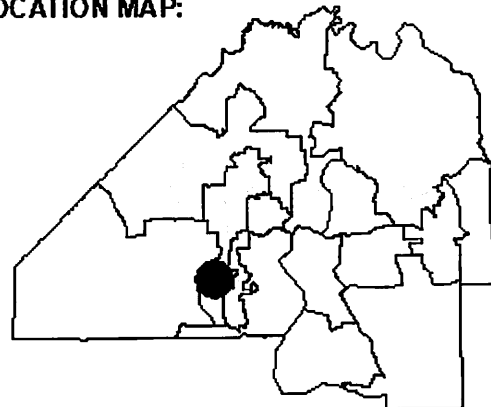


REQUEST SOUGHT:

FROM: PBF-2

TO: RLD-40

LOCATION MAP:



0 95 190 380



Feet

COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2020-3051

**EXHIBIT 2
PAGE 1 OF 1**



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Mike Atlee
Atlee Development Group
5851 Timuquana Road #301
Jacksonville, FL, 32210

November 26, 2019

Project Name: SunCoast Townhomes
Availability#: 2019-3939

Attn: Mike Atlee,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced 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 WS&R 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 strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. 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 from the third party owner providing applicant with the right to construct the utilities.

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 on jea.com.

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, https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Sewer Region/Plant: N/A

Connection Point #1: Project is not located within JEA's reclaim service territory.

Connection Point #2: NA

Special Conditions:

General Comments:

Electric Availability: 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.