

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

May 19, 2022

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.: 2022-306**

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**

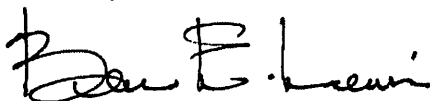
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Abstain
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 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 2022-0306****MAY 19, 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 **2022-0306**.

***Location:*** 0 Thurston Road

***Real Estate Number:*** 012211-0000

***Current Zoning District:*** Residential Low Density-60 (RLD-60)

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

***Current Land Use Category:*** Low Density Residential (LDR)

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Southwest, District 4

***Applicant/Agent:*** Wyman Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Blvd Suite 1500  
Jacksonville, FL 32207

***Owner:*** Southern Impression Homes Inc.  
5711 Richard Street Suite 1  
Jacksonville, FL 32210

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2022-0306** seeks to rezone approximately 0.95± acres of property from Residential Low Density-60 (RLD-60) to Residential Medium Density-A (RMD-A) in order to develop the property with residential duplexes. 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. There is a companion Land Use Amendment, **2022-0305 (L-5690-22C)**. The proposed LUA is for Low Density Residential (LDR) to Medium Density Residential (MDR).

## **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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5690-22C (**Ordinance 2022-0305**) that seeks to amend the portion of the site that is within the Low Density Residential (LDR) land use category to Medium Density Residential (MDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5690-22C be approved.

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. A description of the category is noted below.

### ***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 Future Land Use Element (FLUE), MDR in the Urban Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Urban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

## **Future Land Use Element**

### **Goal 1**

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

*The subject property is surrounded by residential properties consisting of single-family dwellings, townhomes and multi-family dwellings. The proposed construction of residential duplexes will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.*

### **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.

*The subject properties is located in the Urban Area and According to the JEA Availability letter dated May 11, 2020, submitted with the application, the site has access to water and sewer service. The proposed use will be in compliance with Policy 1.2.9.*

### **Airport Environment Zone**

The site is located within the 150 foot Height and Hazard Zone for Herlong Airport and the 500 foot Height and Hazard Zone for the Naval Air Station Jacksonville (NAS JAX). Zoning will limit development to a maximum height of less than 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.

### **Aquifer Recharge**

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would

constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

**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

**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 RLD-60 to RMD-A in order to develop the property with residential duplexes.

**SURROUNDING LAND USE AND ZONING**

The subject site is located at the southwest corner of Thurston Road and Kohn Road, both local roadways. The site is in the northwest quadrant of the intersection of Wilson Boulevard and Lane Avenue, both minor arterial roadways. The property is surrounded by residential properties to the east and south zoned RLD-60. Townhome development to the north, Lakeside, was approved through PUD Ord. # 2004-1108. This rezoning request would not be creating a lot out of character for the surrounding area. The adjacent land use categories and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	MDR	PUD: 2004-1108	Townhomes
<b>South</b>	LDR	RLD-60	Single Family Dwelling
<b>East</b>	LDR	RLD-60	Single Family Dwellings
<b>West</b>	MDR	RMD-A	Vacant/Timberland

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 **May 11, 2022** by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0306** be **APPROVED**.



Aerial View

Source: JaxGIS Map



**View of Subject Property**

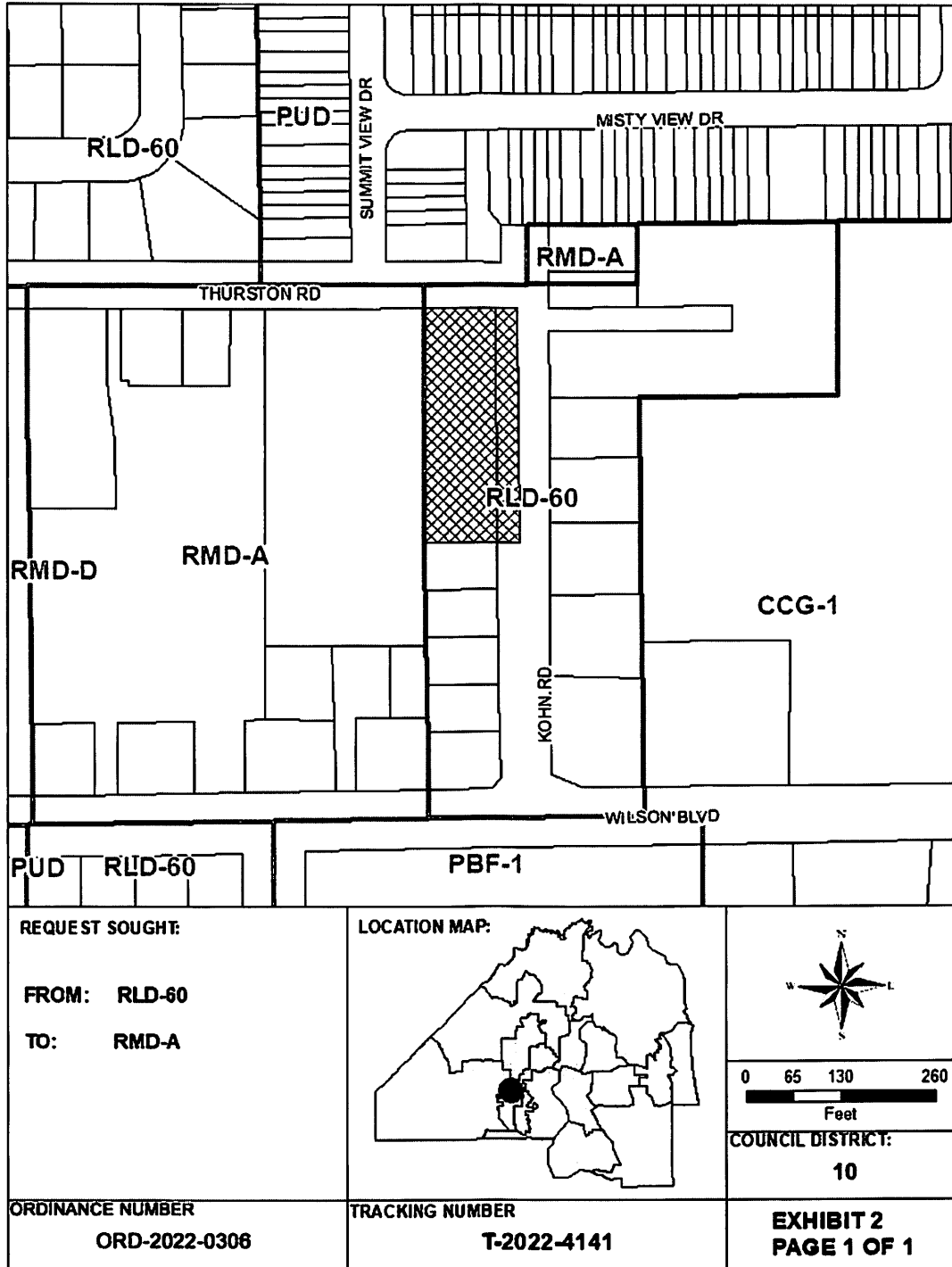
*Source: Planning & Development Department 05/11/2022*



**View of Subject Property**

*Source: Planning & Development Department 05/11/2022*





**Legal Map**  
 Source: JaxGIS Map

### Application For Rezoning To Conventional Zoning District

**Planning and Development Department Info**

Ordinance # 2022-0306 Staff Sign-Off/Date ELA / 03/30/2022  
 Filing Date 04/26/2022 Number of Signs to Post 2  
 Hearing Dates:  
 1st City Council 05/24/2022 Planning Commission 05/19/2022  
 Land Use & Zoning 06/07/2022 2nd City Council 06/14/2022  
 Neighborhood Association SWEETWATER CHURCH OF CHRIST, CEDAR HILLS ESTATE HOA  
 Neighborhood Action Plan/Corridor Study N/A

**Application Info**

Tracking # 4141 Application Status FILED COMPLETE  
 Date Started 03/05/2022 Date Submitted 03/06/2022

**General Information On Applicant**

Last Name First Name Middle Name  
 DUGGAN WYMAN R  
 Company Name  
 ROGERS TOWERS, P.A.  
 Mailing Address  
 1301 RIVERPLACE BOULEVARD, SUITE 1500  
 City State Zip Code  
 JACKSONVILLE FL 32207  
 Phone Fax Email  
 9043983911 9043960663 WDUGGAN@RTLAW.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name  
 SEE BELOW  
 Company/Trust Name  
 SOUTHERN IMPRESSION HOMES INC  
 Mailing Address  
 5711 RICHARD STREET SUITE 1  
 City State Zip Code  
 JACKSONVILLE FL 32210  
 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 012211 0000	10	4	RLD-60	RMD-A

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 #  
 5690  
 Total Land Area (Nearest 1/100th of an Acre) 0.95

**Justification For Rezoning Application**

TO PERMIT DEVELOPMENT OF RESIDENTIAL DUPLEXES

Location Of Property

General Location

CEDAR HILLS ESTATES-CORNER OF THURSTON ROAD AND KOHN ROAD

House #	Street Name, Type and Direction	Zip Code
0	THURSTON RD	32210

Between Streets

THURSTON ROAD and WILSON BLVD

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

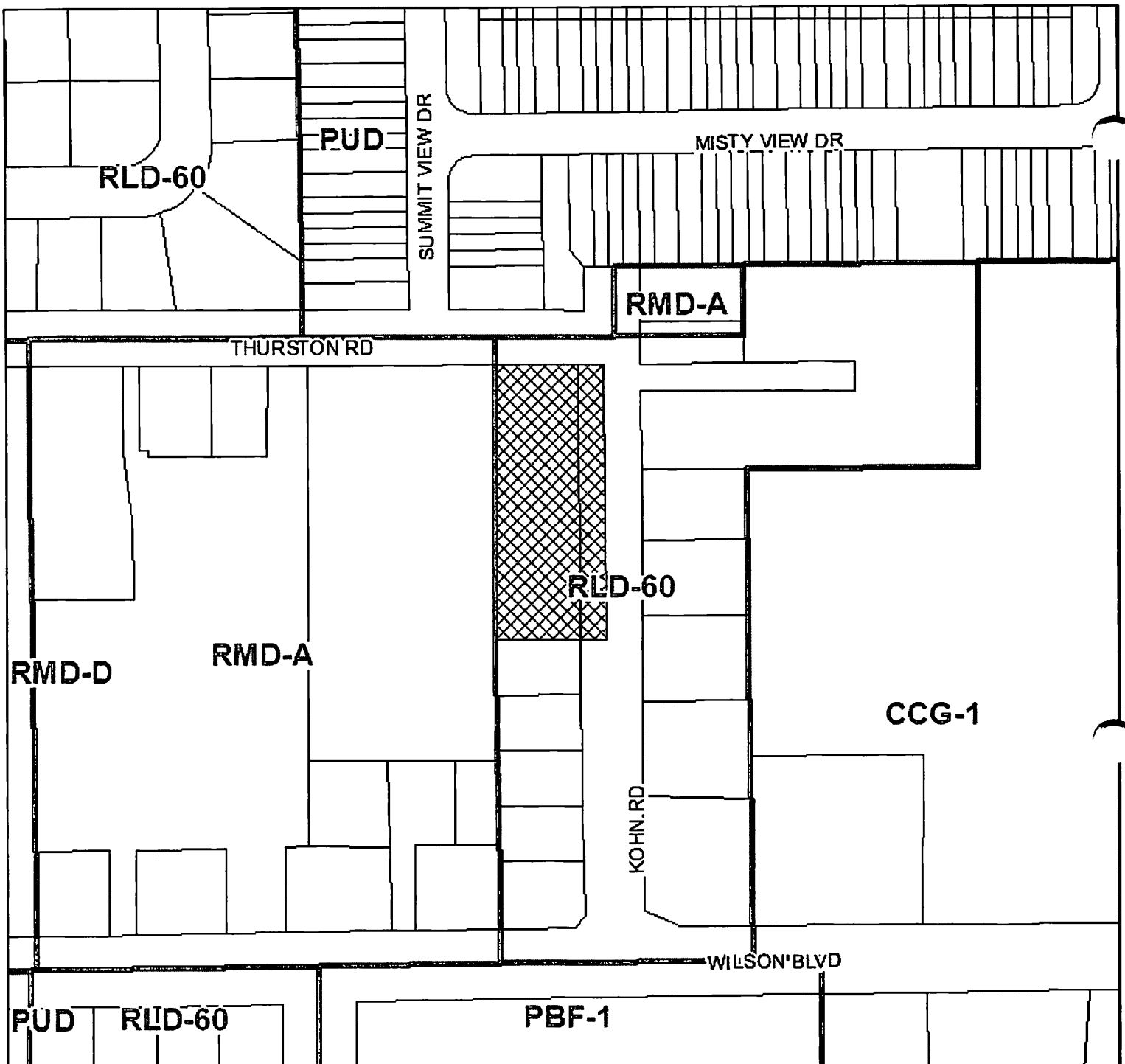
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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  
0.95 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee  
77 Notifications @ \$7.00 /each: \$539.00
- 4) Total Rezoning Application Cost: \$2,549.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

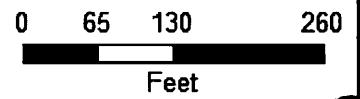
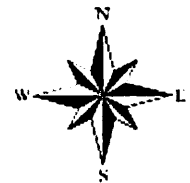
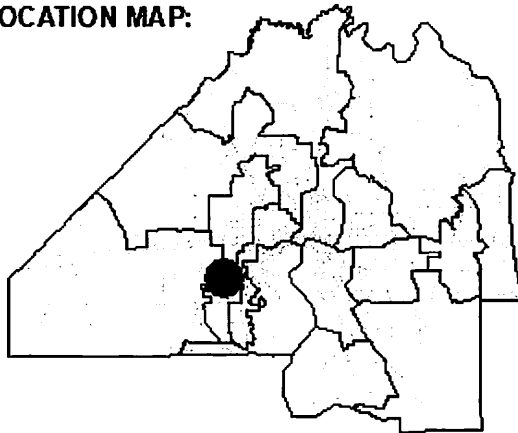


**REQUEST SOUGHT:**

**FROM: RLD-60**

**TO: RMD-A**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**10**

**TRACKING NUMBER**

**T-2022-4141**

**EXHIBIT 2  
PAGE 1 OF 1**