

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

8 October 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.: 2020-547**

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**

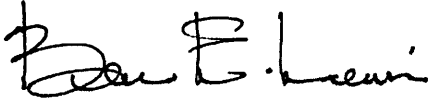
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	7-0
Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Aye
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	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, stylized "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 2020-0547

OCTOBER 8, 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 2020-0547.

Location: 6666 New Kings Road (SR 15); Between Richardson Road Edgewood Avenue West

Real Estate Number: 041493-0000

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

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

Current Land Use Category: Low Density Residential (LDR)

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

Planning District: District 5—Northwest

Applicant/Agent: Deatrice R. Bradley
New Horizon Consultants, Inc.
2943 Commonwealth Avenue
Jacksonville, Florida 32254

Owner: Muhammed R. Sultan / Zubaida Begum Sultan
7454 Wheat Road
Jacksonville, Florida 32244

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0547 seeks to rezone 0.84± acres of a property from Residential Low Density-60 (RLD-60) to Commercial Community/General-1 (CCG-1). The request is being sought to bring a non-conforming retail building into zoning compliance. The subject property contains a one-story building originally constructed in 1975. The historic use of the property has traditionally been used for commercial/retail uses.

There is a companion Small-Scale Land Use Amendment L-5462-20C (**Ordinance 2020-0546**) that seeks to amend the land use on the property from Low Density Residential (LDR) to Community/General Commercial (CGC).

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-5462-20C (**Ordinance 2020-0546**), the subject property will be located in the Community/General Commercial (CGC) 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. Currently the site has a LDR land use designation; however, if approved, pending **Ordinance 2020-0547** would amend the land use category to CGC. The proposed CCG-1 zoning district is consistent with the CGC land use category. According to the Future Land Use Element (FLUE), CGC (CGC) in the Urban Area is intended to provide compact development in nodal and corridor patterns, with locational preferences for sites that have full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

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

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.

In reference to the attached JEA Availability Letter, 2020-2500, the proposed development shall connect to City water and sewer with an estimated flow of five (5) gpd.

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 CCG-1 in order to permit for general commercial retail and service.

SURROUNDING LAND USE AND ZONING

The subject property is located at the west side New Kings Road between Richardson Road and Hema Road. The proposed rezoning to CCG-1 would allow the applicant to allow for general commercial/retail uses. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Dwellings
East	CGC/MDR	CCG-1/CCG-2	Funeral Home/Commercial Uses
South	CGC	CCG-2	Single-Family Dwellings
West	LDR	RLD-60	Single-Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 1, 2020** 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 **2020-0547** be **APPROVED**.

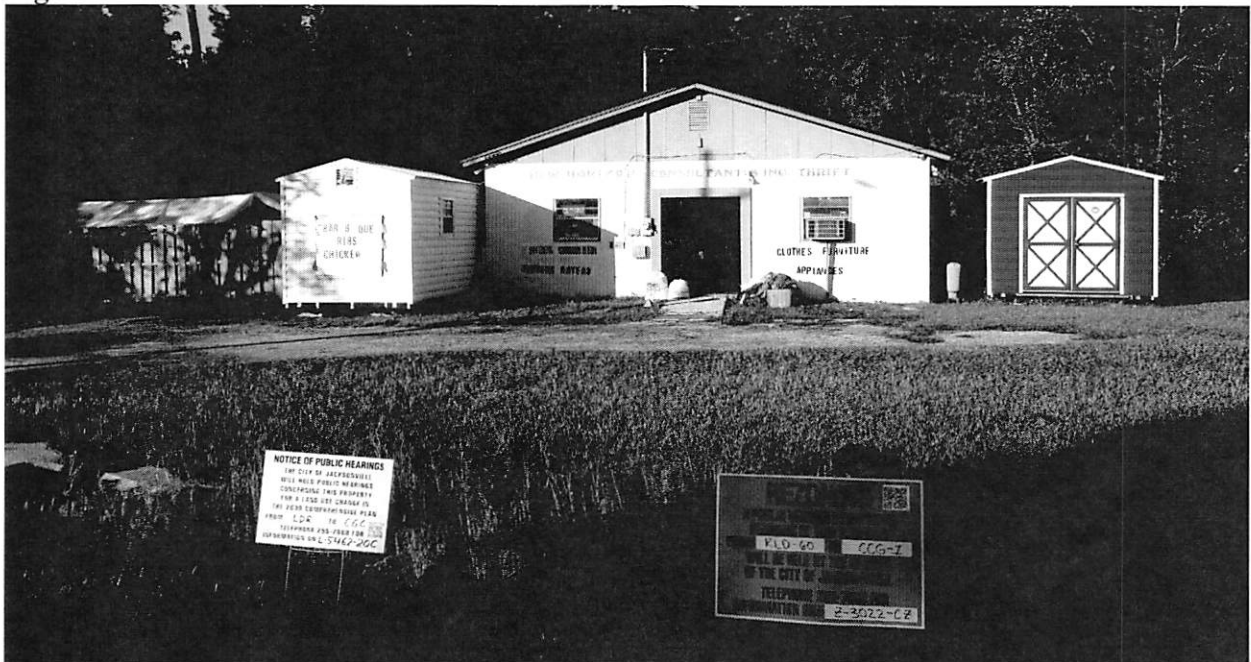
Figure A:



Source: Planning & Development Dept, 08/26/20

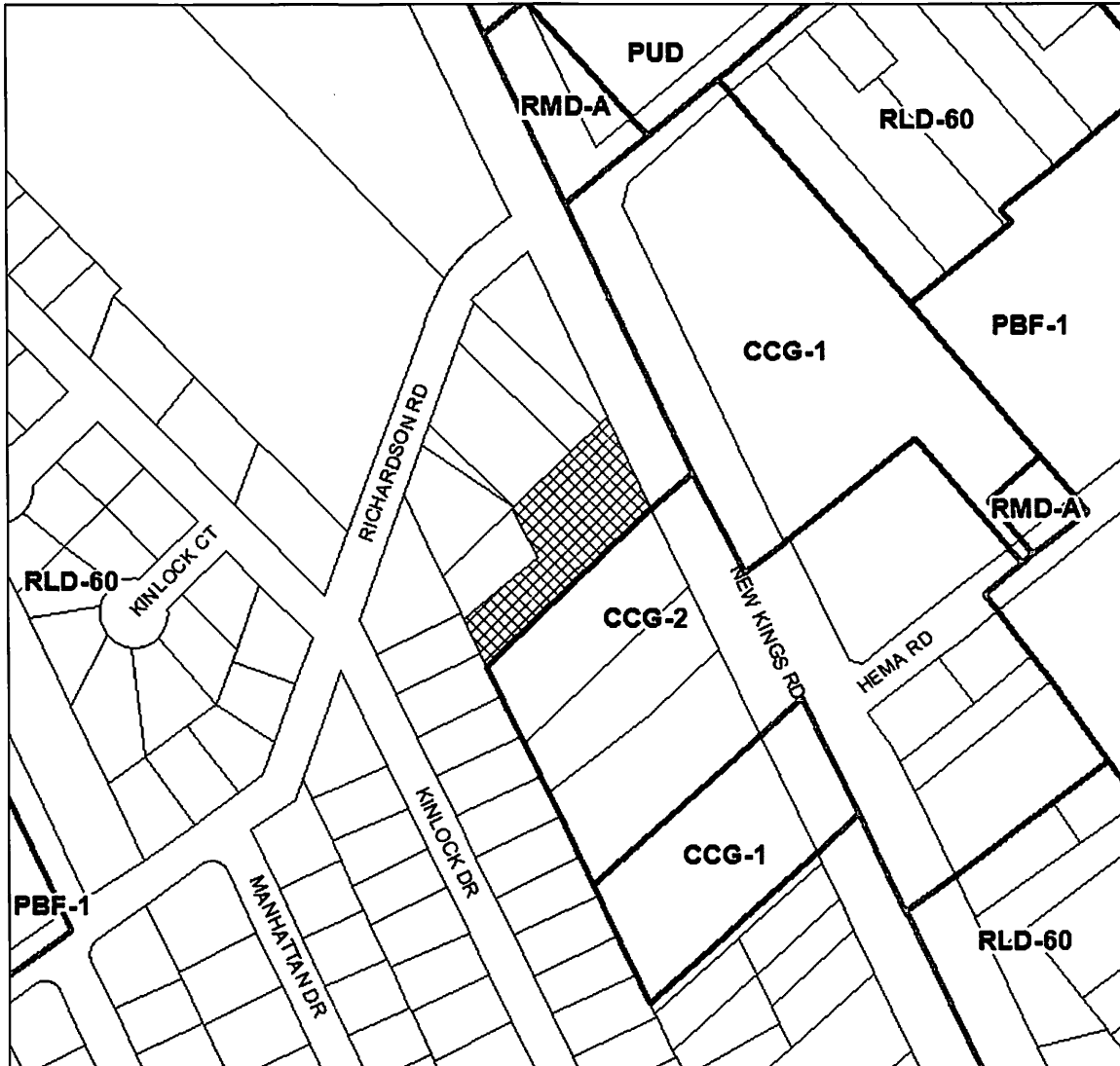
Aerial view of the subject site and parcel, facing north.

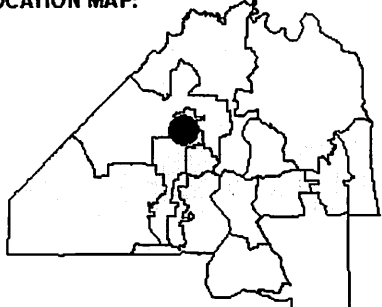
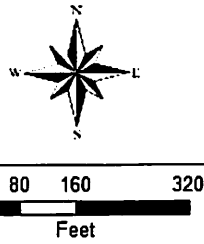
Figure B:



Source: Planning & Development Dept, 10/01/20

View of the subject property, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>10</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0547</p>	<p>TRACKING NUMBER</p> <p>T-2020-3022</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0547 **Staff Sign-Off/Date** ATW / 08/26/2020

Filing Date 09/02/2020 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 10/13/2020 **Planning Commission** 10/08/2020

Land Use & Zoning 10/20/2020 **2nd City Council** 10/27/2020

Neighborhood Association CARVER MANOR LINCOLN ESTATES NHD / KINLOCK CIVIC ASSOCIATION

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3022

Application Status FILED COMPLETE

Date Started 07/21/2020

Date Submitted 07/30/2020

General Information On Applicant

Last Name BRADLEY	First Name DEATRICE	Middle Name R
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Company Name
NEW HORIZON CONSULTANTS, INC.

Mailing Address
2943 COMMONWEALTH AVENUE

City JACKSONVILLE	State FL	Zip Code 32254
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Phone 9044385090	Fax	Email HORIZONC114@GMAIL.COM
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General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SULTAN	First Name ZUBAIDA	Middle Name BEGUM
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Company/Trust Name

Mailing Address
7454 WHEAT ROAD

City JACKSONVILLE	State FL	Zip Code 32244
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Phone	Fax	Email
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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	041493 0000	10	5	RLD-60	CCG-1

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 #**

5462

Total Land Area (Nearest 1/100th of an Acre) 0.84**Justification For Rezoning Application**

TO MAKE A NON-CONFORMING STORE/PROPERTY CONFORMING STORE/PROPERTY

Location Of Property**General Location**

ON THE WEST SIDE OF NEW KINGS ROAD

House # **Street Name, Type and Direction** **Zip Code**

6666

NEW KINGS RD

Between Streets

RICHARDSON ROAD

and

EDGEWOOD AVENUE W

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

0.84 Acres @ \$10.00 /acre: \$10.00

3) Plus Notification Costs Per Addressee

30 Notifications @ \$7.00 /each: \$210.00

4) Total Rezoning Application Cost: \$2,220.00

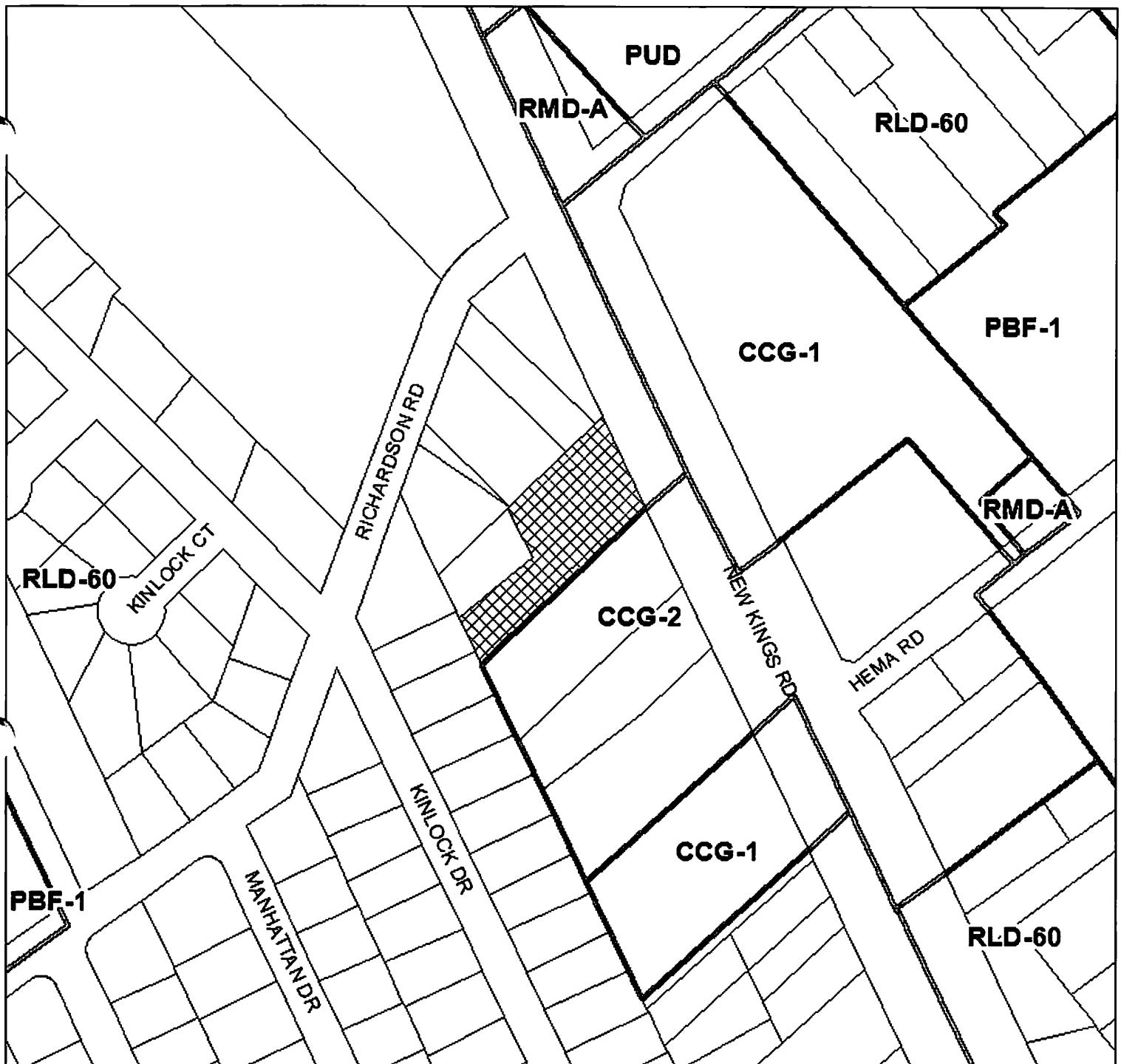
NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

Legal Description – 7/15/2020

Part of Lot 37, H. H. Simmon's Subdivision of the Francis Bagley Grant and the Charles Sibbald Grant, according to the plat thereof recorded in Plat Book 3, Page 85, of the current public records of Duval County, Florida, more particularly described as follows:

Commence at the intersection of the westerly line of U. S. Highway No. 1 (a 150.0 foot right of way) and the southern line of Richardson Road (a 66.0 foot right of way); thence south 25°30'30" east, 264.43 feet along the westerly line of said U. S. Highway No. 1 to an iron at the intersection of the easterly line of said Lot 37 and the point of beginning; thence continue south 25°30'30" east, 149 feet along the westerly line of said U. S. Highway No. 1 to an iron; thence south 46°30'46" west, 332.1 feet to an iron in the westerly line of said Lot 37; thence north 25°36' west, 74.97 feet along the westerly line of said Lot 37 to an iron; thence north 50°11'40" east, 140.25 feet to an iron; thence north 26°43'44" west, 80.0 feet to a point; thence north 46°2'27" east, 191.72 feet to an iron in the easterly line of said Lot 37 to the point of beginning.

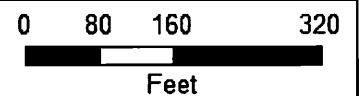
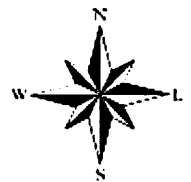
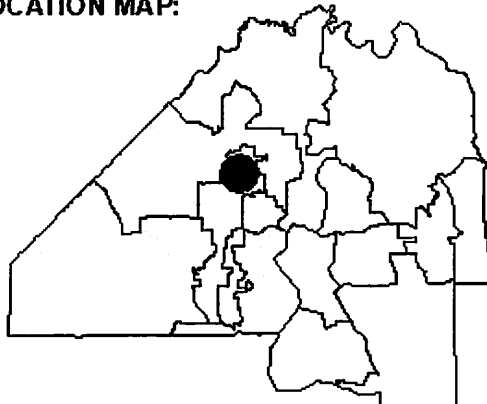


REQUEST SOUGHT:

FROM: RLD-60

TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2020-3022

**EXHIBIT 2
PAGE 1 OF 1**



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

DEATRICE R BRADLEY
NEW HORIZON CONSULTANTS, INC.
2943 Commonwealth Avenue
Jacksonville, FL, 32254

August 05, 2020

Project Name: 6666 NEW KINGS RD - THRIFT STORE
Availability#: 2020-2500

Attn: DEATRICE R BRADLEY,

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



21 West Church Street
 Jacksonville Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2020-2500
 Request Received On: 7/27/2020
 Availability Response: 8/5/2020
 Prepared by: Roderick Jackson

Project Information

Name: 6666 NEW KINGS RD - THRIFT STORE
 Type: Retail Store
 Requested Flow: 5 gpd
 Location: 6666 NEW KINGS RD. JACKSONVILLE, FL 32219
 Parcel ID No.: 041493 0000
 Description: THRIFT STORE WITH CLOTHING, FURNITURE, APPLIANCES. AND HOME DECOR.

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Existing 12-inch water main within the New Kings Rd ROW, adjacent to this property.
 Connection Point #2: NA
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please email estimate@jea.com with project address, availability number and APPROVED plans showing where the proposed connections will be installed.

Sewer Connection

Sewer Treatment Plant: BUCKMAN
 Connection Point #1: Existing gravity manhole within the Richardson Rd ROW, approx 300 LF north of this property.
 Connection Point #2: Existing 10-inch sewer force main within the Richardson Rd ROW, approx 300 LF north of this property.
 Special Conditions: POC 1: If gravity flow cannot be achieved, then 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.). For the estimated cost of connecting to the JEA system, please email estimate@jea.com with project address, availability number and APPROVED plans showing where the proposed connections will be installed. POC 2: 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.). Send force main connection condition requests, with availability number, to fmconnections@jea.com.

Reclaimed Water Connection

Sewer Region/Plant: N/A

Special Conditions: N/A

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. POC location to be field verified by developer during project design which includes a Level A SUE Report. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If needed a pre-design meeting may be scheduled prior to submitting a plan set. Send pre-design meeting requests, with availability number, to wsedevprojrequests@jea.com. Copies of reference drawings may be requested from the JEA Record online at https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/.