

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

July 21, 2022

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.: 2022-441**

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**

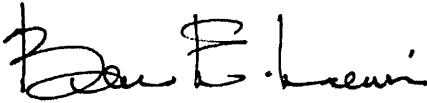
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Absent
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 2022-0441

JULY 21, 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 **2022-0441**.

Location: 0 SR A1A, between SR A1A and Montreal Street

Real Estate Number: 168374 0000

Current Zoning District: Planned Unit Development (PUD 2006-1074-E)

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

Current Land Use Category: Medium Density Residential (MDR)

Planning District: District 2 —Greater Arlington and Beaches

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Carriere Family Limited Partnership
6520 Ft. Caroline Road
Jacksonville, FL 32277

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0441** seeks to rezone 6.96± acres of a property from Planned Unit Development (PUD 2006-1074-E) to Residential Medium Density-C (RMD-C). The request is being sought to develop the property consistent with the RMD-C zoning district permitted uses. The RMD-C zoning district permits single-family dwellings, multi-family dwelling, and townhomes. Based on the current land use category, the maximum gross density shall be 20 units per acre.

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 & Development Department finds that the subject property is located in the Medium Density Residential (MDR) 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. 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.

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

Yes. The 6.96 acre subject property is located between Wonderwood Drive and Mayport Road, and along the south side of SR A1A. The property is located within the Suburban Development Area. The area surrounding the property is made up of single family, multi-family residential, and commercial uses. MDR in the Suburban Area is intended to provide low to medium density mixed use development.

The proposed zoning is consistent with the proposed MDR land use category.

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 utilities availability letter, the proposed development shall connect to the City of Atlantic Beach Utilities.

Goal 3
To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City’s neighborhoods and enhancing the viability of non-residential areas.

The proposed development is compatible with surrounding uses and the character of the area. Properties to the north, south, and east are all residential communities of varying densities.

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.

SURROUNDING LAND USE AND ZONING

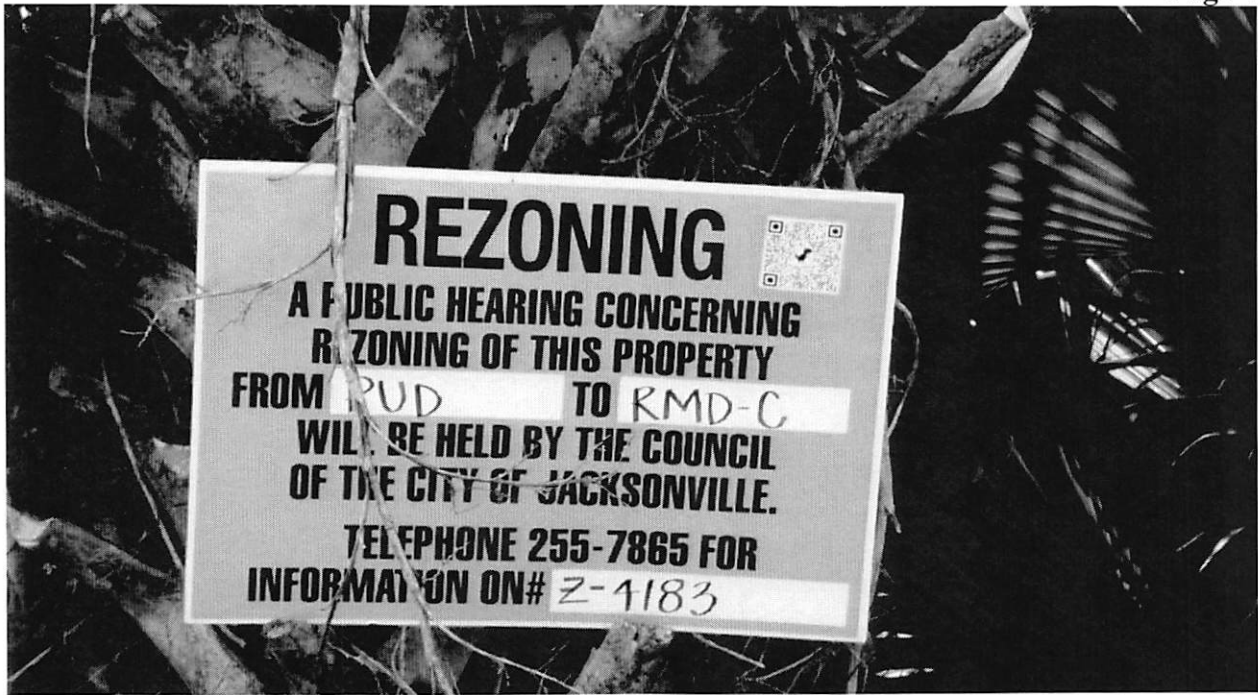
The subject property is located along SR A1A, between Wonderwood Drive and Mayport Road. The proposed rezoning to RMD-C is consistent with the MDR land use. The proposal to RMD-C will allow for an appropriate transitional use and promote similar residential activity along SR A1A, a minor arterial roadway. Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	RMD-D	Church, Townhouses
East	PBF/LDR	PBF-1/RLD-60	Mayport Elementary, Single Family Dwellings
South	MDR	PUD 2018-0130-E	Townhouses
West	MDR	RMD-C	Multi-Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 12, 2022** 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 2022-0441 be APPROVED.



Source: Planning & Development Department, 07/14/2022

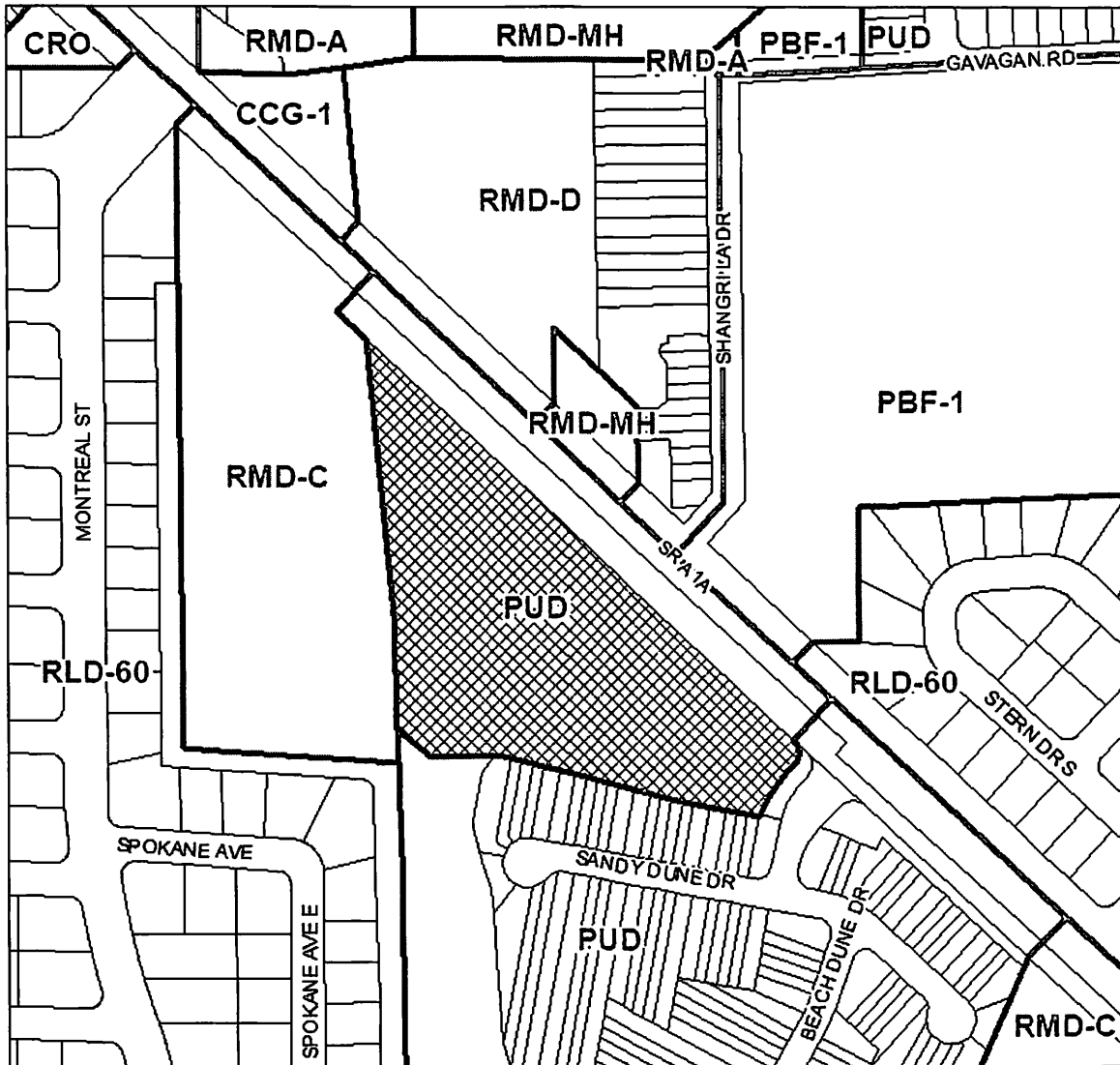
Aerial view of the subject property.



Source: Planning & Development Department, 07/14/2022
View of the subject property from SR A1A.



Source: Planning & Development Department, 07/14/2022
View of the subject property from SR A1A.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: RMD-C</p>	<p>LOCATION MAP:</p>	<p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER ORD-2022-0441</p>	<p>TRACKING NUMBER T-2022-4183</p>	<p>COUNCIL DISTRICT: 13</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0441 **Staff Sign-Off/Date** KPC / 05/04/2022
Filing Date 05/30/2022 **Number of Signs to Post** 5
Hearing Dates:
1st City Council 07/26/2022 **Planning Commission** 07/21/2022
Land Use & Zoning 08/02/2022 **2nd City Council** N/A
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4183 **Application Status** PENDING
Date Started 03/24/2022 **Date Submitted** 03/25/2022

General Information On Applicant

Last Name TRIMMER **First Name** CYNDY **Middle Name**
Company Name
 DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC
Mailing Address
 1 INDEPENDENT DRIVE, SUITE 1200
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9048070185 **Fax** 904 **Email** CKT@DRIVERMCAFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name NA **First Name** NA **Middle Name**
Company/Trust Name
 CARRIERE FAMILY LIMITED PARTNERSHIP
Mailing Address
 6520 FT. CAROLINE RD
City JACKSONVILLE **State** FL **Zip Code** 32277
Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?
If Yes, State Application No(s) 2006-1074

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 168374 0000	13	2	PUD	RMD-C

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 #

Total Land Area (Nearest 1/100th of an Acre) 6.96

Justification For Rezoning Application

APPLICANT SEEKS TO UNDO PUD IN ORDER TO DEVELOP PROPERTY CONSISTENT WITH CONVENTIONAL ZONING DISTRICT.

Location Of Property

General Location

SOUTH OF SR A1A, EAST OF MONTREAL STREET

House #	Street Name, Type and Direction	Zip Code
0	SR A1A	32233

Between Streets

SR A1A and MONTREAL STREET

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
6.96 Acres @ \$10.00 /acre: \$70.00
- 3) Plus Notification Costs Per Addressee
51 Notifications @ \$7.00 /each: \$357.00
- 4) Total Rezoning Application Cost: \$2,427.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

LEGAL DESCRIPTION

March 24, 2022

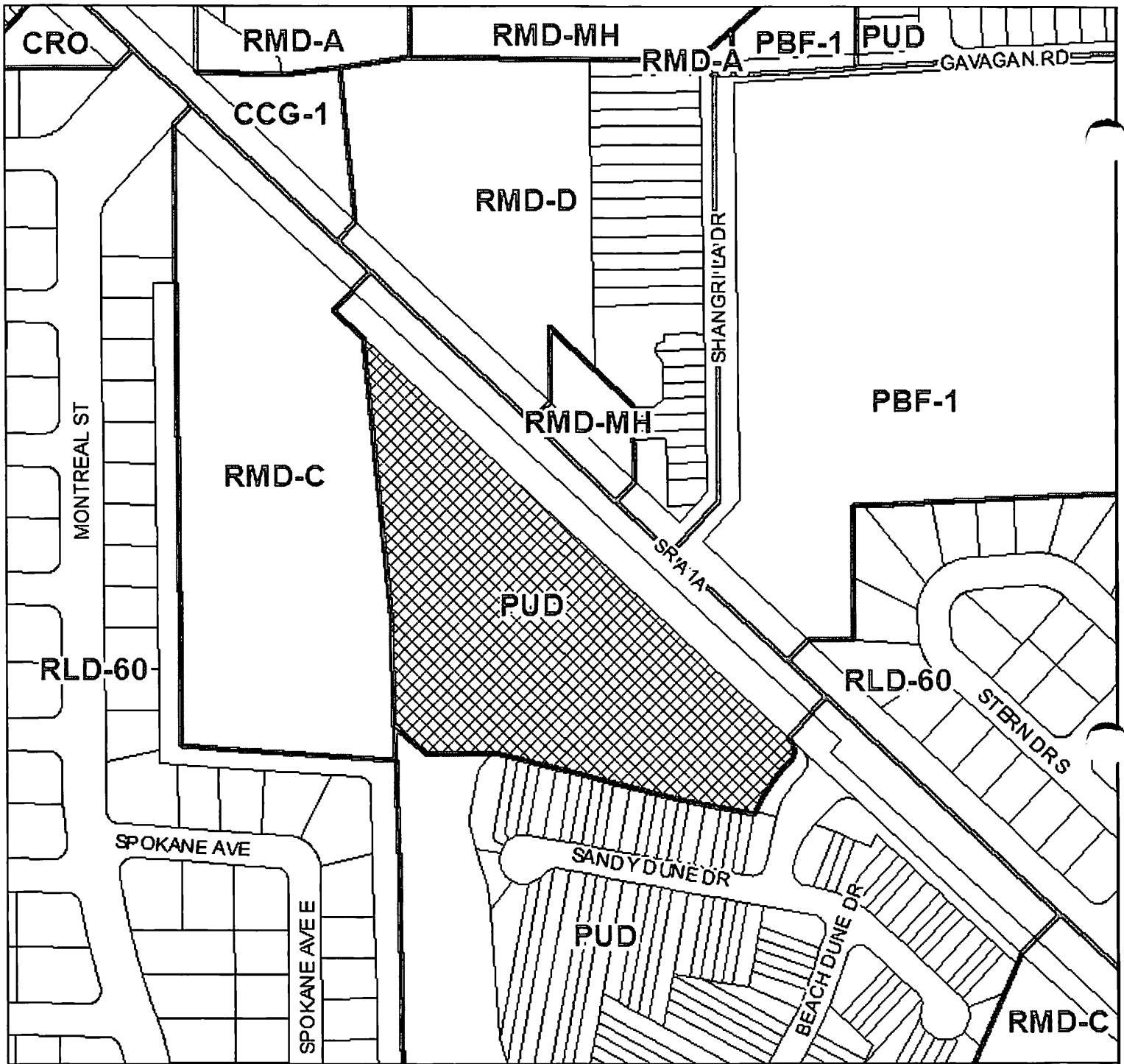
A TRACT OF LAND BEING THAT CERTAIN PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 17012, PAGE 797 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAME BEING A PORTION OF LOTS 2 AND 3, DIVISION 4, ANDREWS DEWEES GRANT, SECTION 37, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 5; THENCE N01 °41 '37"W, ALONG THE WEST LINE OF SAID SECTION 5, FOR 436.92 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF AFORESAID ANDREWS DEWEES GRANT, SECTION 37; THENCE S85°21 '35"E, ALONG SAID SOUTH LINE, FOR 432.31 FEET TO THE SOUTHWEST CORNER OF LOT 1, DIVISION 4, ANDREWS DEWEES GRANT, SECTION 37; THENCE CONTINUE S85°21 '35"E, ALONG SAID SOUTH LINE AND THE SOUTH LINE OF SAID LOT 1, FOR 425.03 FEET; THENCE N 16°53'41 "W, LEAVING SAID SOUTH LINE, FOR 852.14 FEET; THENCE S89°04'28"W, FOR 188.10 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 1, DIVISION 4, ANDREWS DEWEES GRANT, SECTION 37; THENCE N00°55'32"W, ALONG SAID WEST LINE AND ALONG THE WEST LINE OF AFORESAID LOT 2, DIVISION 4, ANDREWS DEWEES GRANT, SECTION 37, FOR 541.32 FEET TO AN ANGLE POINT IN SAID WEST LINE OF SAID LOT 2; THENCE N02°08'36"W, CONTINUING ALONG SAID WEST LINE OF SAID LOT 2, FOR 230.82 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

THENCE N02°11 '08"W, ALONG THE WEST LINE OF SAID LOT 2, FOR 140.03 FEET TO AN ANGLE POINT IN SAID LINE; THENCE N00°25'36"W, ALONG THE WEST LINE OF AFORESAID LOT 3, DIVISION 4, ANDREWS DEWEES GRANT, SECTION 37, FOR 50.00 FEET TO AN ANGLE POINT IN SAID LINE; THENCE N05°08'35"W, CONTINUING ALONG SAID WEST LINE OF LOT 3, FOR 503.75 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD A-1-A; THENCE S47°11'06"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, AND THEN ALONG THE SOUTHWESTERLY LINE OF THOSE LANDS CONVEYED TO TOWN OF ATLANTIC BEACH IN DEED BOOK 1573, PAGE 144, OF SAID PUBLIC RECORDS, AND THEN ALONG THE SOUTHWESTERLY LINE OF THOSE LANDS CONVEYED TO TOWN OF ATLANTIC BEACH IN DEED BOOK 1573, PAGE 148, OF SAID PUBLIC RECORDS, FOR 1055.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, SAID POINT ALSO BEING A POINT ON THE NORTHWESTERLY BOUNDARY OF THE PLAT OF PRESERVE AT ATLANTIC BEACH, AS RECORDED IN PLAT BOOK 74, PAGES 103 THROUGH 109 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE ALONG SAID NORTHWESTERLY BOUNDARY OF SAID PLAT, THE FOLLOWING SIX (6) COURSES; (1) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°08'11 " , AN ARC LENGTH OF 39.33 FEET AND A CHORD BEARING S02°18'06"E, FOR 35.40 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; (2) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 411.00 FEET, A CENTRAL ANGLE OF 16°47'23", AN ARC LENGTH OF 120.44 FEET AND A CHORD BEARING S34°27'24"W, FOR 120.01 FEET; (3) THENCE N79°38'08"W,

FOR 144.74 FEET; (4) THENCE N75°18'47"W, FOR 331.13 FEET; (5) THENCE S89°29'14"W, FOR 132.42 FEET; (6) THENCE N50°22'47"W, FOR 79.77 FEET TO THE POINT OF BEGINNING CONTAINING 6.96 ACRES, MORE OR LESS.

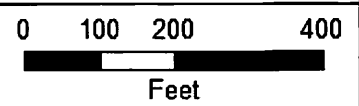
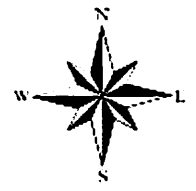
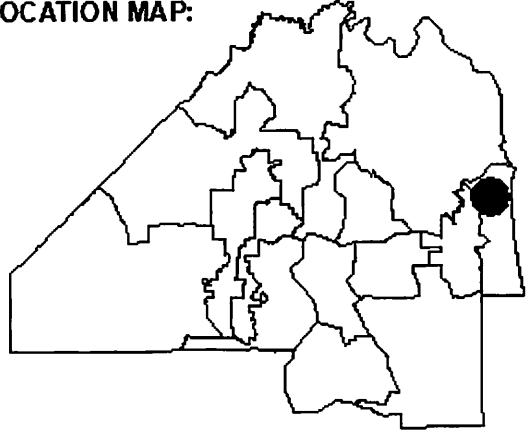
SAID LANDS SITUATED, LYING AND BEING IN DUVAL COUNTY, FLORIDA.



REQUEST SOUGHT:

FROM: PUD
TO: RMD-C

LOCATION MAP:



COUNCIL DISTRICT:
13

TRACKING NUMBER
T-2022-4183

EXHIBIT 2
PAGE 1 OF 1



CITY OF ATLANTIC BEACH
UTILITIES DEPARTMENT
902 ASSISI LANE
JACKSONVILLE, FLORIDA 32233
TELEPHONE: (904) 247-5886
www.coab.us

March 25, 2022

Carrie Kissinger
Almond Engineering
6277 Dupont Station Court E. Unit 1
Jacksonville, Florida 32217

RE: Water and Sewer Availability
RE# 168374 0000
O SR A1a
Jacksonville, FL 32233

Ms. Kissinger:

This letter is to confirm that water and sewer facility capacity is available to serve the above referenced property through the City of Atlantic Beach Utilities. The property has a water main at the proposed entrance, and a gravity sewer is available, however, the builder will need to upgrade the lift station to the property.

Connection details and requirements must be coordinated with Atlantic Beach Utilities. Plans for developing the area will require engineering submitted to the City of Atlantic Beach Utility Department.

Should you have additional questions, feel free to call Troy Stephens, Utilities Director, at (904) 247-5875 or email Troy at tstephens@coab.us

Sincerely,

Troy Stephens

Troy Stephens

Public Utilities Director

CC: Chris Walker, Distribution Director cwalker@coab.us