

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

June 9, 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.: 2022-253**

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**

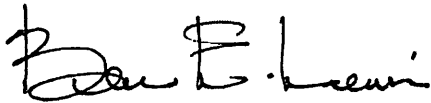
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	6-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Absent
Mason 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 2022-0253

JUNE 9, 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 **2022-0253**.

Location: 7917 Lafore Road; between Buttercup Street and Noroad

Real Estate Number: 013827 0000

Current Zoning District: Residential Medium Density-MH (RMD-MH)

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

Current Land Use Category: Medium Density Residential (MDR)

Planning District: District 4—Southwest

Applicant/Agent: Billy Gause
BGRP Engineering Group
654 SE FT Island Trail
Crystal River, FL 34429

Owner: Obadiah Dorsey
Freedom Development Group LLC
1980 Greenwood Avenue
Jacksonville, FL 32205

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0253** seeks to rezone 9.23± acres of a property from Residential Medium Density-MH (RMD-MH) to Residential Medium Density-A. The request is being sought to allow for the development of 55 single-family dwellings according to the submitted JEA availability letter (2021-2550).

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 the subject property to be located in the Medium Density Residential 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. Medium Density Residential (MDR) in the Suburban Area is intended to provide for medium-density residential development. Multi-family dwellings are a principal use in the MDR land use category. The maximum allowable density for the MDR land use category is twenty (20) units/acre when full urban services are available.

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):

Objective 1.1

Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The proposed development is for single-family dwellings, which if serviced by full utilities

can be a minimum of 4,000 square feet, in RMD-A. The proposed development density is consistent with the existing Land Use Category.

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.

According to the JEA letter, dated January 24, 2022, the closest water connection is located within the California Avenue right of way, located approximately 900 ft west of the subject property. The closest sewer connection is within the Noroad right of way, located approximately 2,000 ft northwest of the property. As provided in the letter of availability, connection to the JEA-owned sewer system for the project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

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 provide for a greater variety of housing products for Jacksonville residents in the area.

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 RMD-MH 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

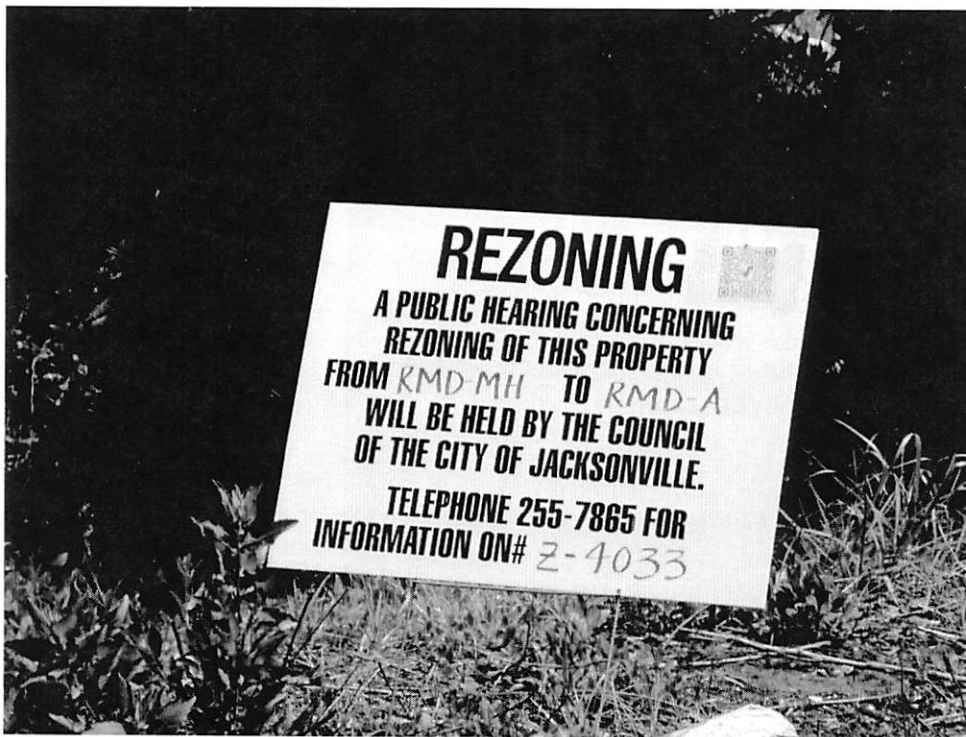
The subject property is located north of 103rd St and east of Old Middleburg Road North. The proposed rezoning to RMD-A is consistent with the MDR land use category. Nonetheless, adjacent land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	MDR	PUD 2003-0887-E	Townhomes
East	MDR	PUD 2003-0887-E	Townhomes
South	MDR	RMD-MH	Mobile Home Park
West	MDR	RMD-A/RLD-60	Mobile Homes, Single-Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **April 26, 2022**, 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 **2022-0253** be **APPROVED**.

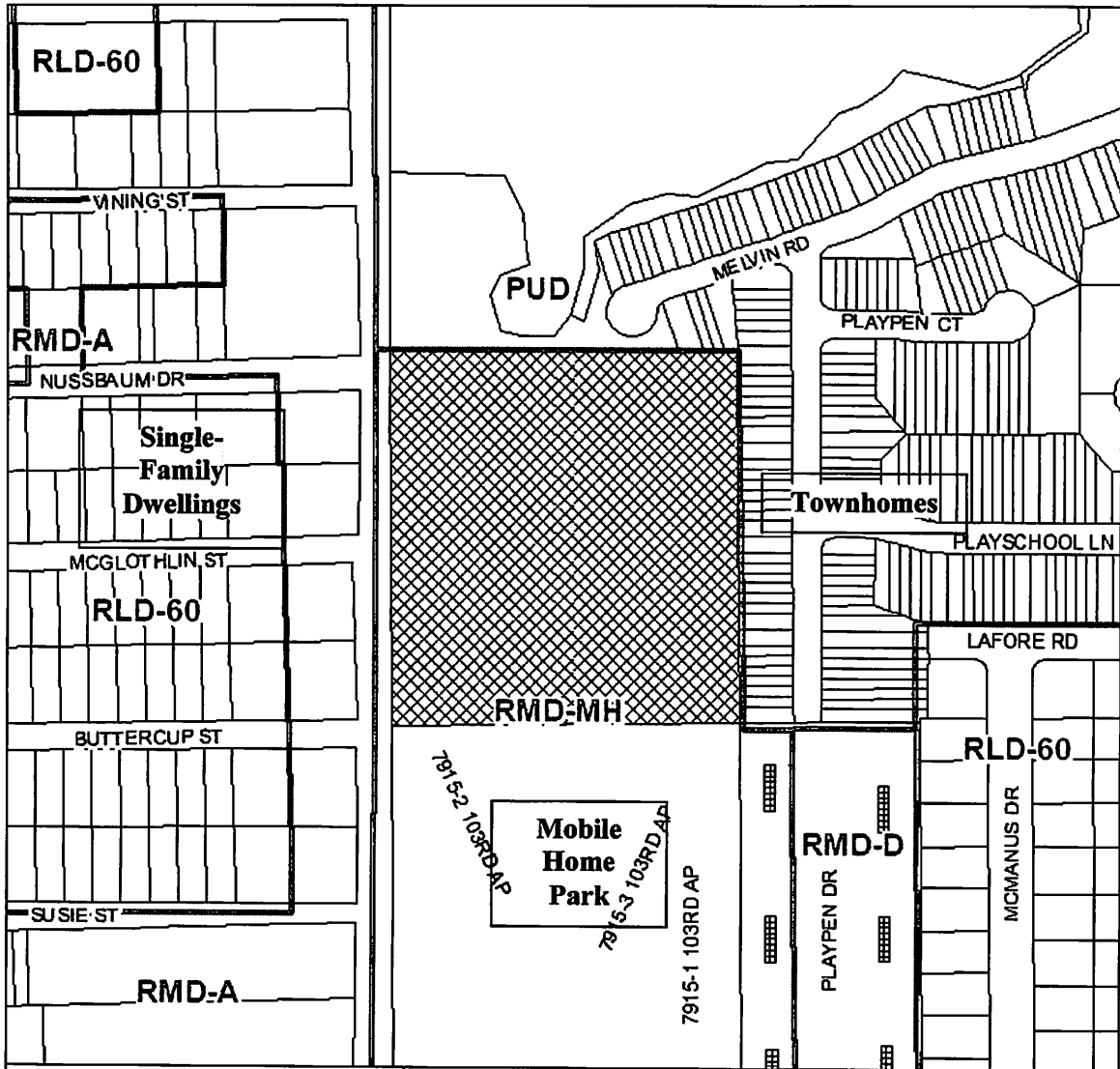


Aerial



Source: Planning and Development Department, April 26, 2022

Subject Property



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-MH</p> <p>TO: RMD-A</p>	<p>LOCATION MAP:</p>	<p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 10</p>
<p>ORDINANCE NUMBER ORD-2022-0253</p>	<p>TRACKING NUMBER T-2022-4033</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

EXHIBIT 3

CENTRALIZED WATER AND SEWER CONNECTION BINDING ACKNOWLEDGEMENT

When completed return to:

City of Jacksonville
Planning and Development Department
214 N. Hogan Street, Suite 300
Jacksonville, FL 32202

7917 Lafore Rd

Address(es) for Subject Property

013827-0000

Parcel Number(s) for Subject Property

BGRP Engineering Group

Appointed Agent(s)

Rezoning 2022-253

Type of Request(s)/Application(s)/Application Number(s)

PLEASE READ CAREFULLY AND ACKNOWLEDGE YOUR UNDERSTANDING AND AGREEMENT TO THIS BINDING ACKNOWLEDGEMENT BY SIGNING ON PAGE 2.

You are hereby advised that the undersigned owner of the above referenced property (the "Subject Property"), which property is the subject of the above noted request(s)/application(s)/application number(s), which are by reference made a part hereof, hereby acknowledges and agrees to bind him/her/itself and his/her/its successor(s) in title to develop the Subject Property in accordance with: (i) the centralized water and sewer connection requirements established in the applicable Future Land Use Category of the *2030 Comprehensive Plan*, and (ii) all applicable public water and sanitary sewer system requirements of Code of Subdivision Regulations, Section 654.132, City of Jacksonville Municipal Code.

ACKNOWLEDGED BY:

Signature of Owner

Print/Type Name

Shadia D. [Signature]

NOTARIAL CERTIFICATE

STATE OF Florida

COUNTY OF Duval

Sworn to and subscribed before me by means of physical presence or online notarization, this 23rd day of May, 2022, by _____, who is personally known to me or has produced identification and who took an oath.

Type of identification produced DRIVER'S license

Shelby Christine Wright
Notary Public Signature

[NOTARY SEAL]



SHELBY CHRISTINE WRIGHT
Commission # GG 283817
Expires October 1, 2022
Bonded Thru Budget Notary Services

Shelby Christine Wright
Printed/Typed Name – Notary Public

My commission expires: 10/01/2022

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0253 **Staff Sign-Off/Date** KPC / 02/25/2022

Filing Date 03/28/2022 **Number of Signs to Post** 3

Meeting Dates:

1st City Council 05/10/2022 **Planning Commission** 05/05/2022

Land Use & Zoning 05/17/2022 **2nd City Council** N/A

Neighborhood Association WEST JAX CIVIC ASSOCIATION

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4033

Application Status PENDING

Date Started 01/25/2022

Date Submitted 01/25/2022

General Information On Applicant

Last Name GAUSE **First Name** BILLY **Middle Name**

Company Name

BGRP ENGINEERING GROUP

Mailing Address

654 SE FT ISLAND TRL

City CRYSTALRIVER **State** FL **Zip Code** 34429

Phone 9043686969 **Fax** **Email** PROJECTS@BGRPEENGINEERING.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name DORSEY **First Name** OBADIAH **Middle Name**

Company/Trust Name

FREEDOM DEVELOPMENT GROUP LLC

Mailing Address

1980 GREENWOOD AVE

City JACKSONVILLE **State** FL **Zip Code** 32205

Phone 9045882195 **Fax** **Email** OBI@FREEDOMHOLDINGSUSA.COM

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 013827 0000	10	4	RMD-MH	RMD-A

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) 9.23

Justification For Rezoning Application

PARCEL IS CURRENTLY ZONED RMD-MH AND SUPPORTS STRAIGHT ZONING TO RMD-A AS LIKE ZONING.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
7917	LAFORÉ RD	32210

Between Streets

NO ROAD and BUTTERCUP

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

9.23 Acres @ \$10.00 /acre: \$100.00

3) Plus Notification Costs Per Addressee

260 Notifications @ \$7.00 /each: \$1,820.00

Total Rezoning Application Cost: \$3,920.00

NOTE: Advertising Costs To Be Billed to Owner/Agent