

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

September 9, 2021

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.: 2021-529**

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**

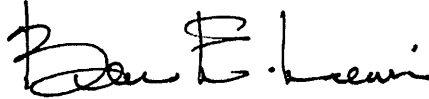
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 5-0

Joshua Garrison, Chair	Absent
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Absent
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 OF**APPLICATION FOR REZONING ORDINANCE 2021-0529****SEPTEMBER 9, 2021**

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 2021-0529.

Location: 5715 Old Kings Road

Real Estate Number: 083552-0030

Current Zoning District: Industrial Light (IL)

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

Current Land Use Category: Light Industrial (LI)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: Northwest, District 5

Applicant/ Agent: Paul M. Harden, Esq.
Law Office of Paul M. Harden
1431 Riverplace Boulevard, Suite 901
Jacksonville, FL 32207

Owner: Sara Mange
HOWOJO, LLC
5400 Verna Blvd., Suite 6
Jacksonville, FL 32205

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0529 seeks to rezone approximately 16.45± acres of a property from Industrial Light (IL) to Residential Low Density-40 (RLD-40) in order to allow for the development of single family dwellings. The Planning and Development Department finds that the subject property is located in the Light Industrial (LI) 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, **2021-0528 (L-5538-21C)**. The proposed LUA is for Light Industrial (LI) 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 Light Industrial (LI) 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-5568-21C (Ordinance 2021-0528)** that seeks to amend the portion of the site that is within the Light Industrial (LI) land use category to Medium Density Residential (MDR). Staff is recommending that Application for Land Use Amendment 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.

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 site is currently in the LI land use category and within the Suburban Development Area (SA). The SA is the third tier Development Area and generally corresponds with urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections.

MDR in the Suburban Area is intended to provide compact low to medium density mixed use development.

The proposed zoning change to RLD-40 is consistent with the proposed land use category change to LDR.

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.

The subject properties is located in the Suburban Development Area and will be served by both centralized Water and Sewer. The proposed use will be incompliance with Policy 1.2.9.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Policy 1.2.6

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

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 to RLD-40 in order to utilize the vacant parcels of land for single-family dwellings.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Old Kings Road, classifies as a minor arterial roadway, and is located between Pickettville Road and Edgewood Avenue North. The north side

of Old Kings Road is primarily zoned and developed with single family dwellings ranging from RLD-60 to RR-Acre. The adjacent northern property is a vacant undeveloped land zoned Industrial Business Park and located within the Industrial Situational Compatibility zone but the subject property is located just outside of this zone. Property Old Kings Road, from Edgewood Avenue to Soutel Drive, is the directly accessed functionally classified roadway in the vicinity. Old Kings Road is a 2-lane undivided collector in this vicinity, and is currently operating at 53.00% of capacity. This Old Kings Road segment has a maximum daily capacity of 15,600 vpd and a 2020 daily traffic volume of 8,268 vpd.

This development is for 73 units of 210 Single Family Residential and will produce 689 daily trips.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	HI	IBP	Vacant
South	LDR	CN	Single Family Dwelling
East	LDR	RR-Acre	Single Family Dwelling
West	LDR	RR-Acre	Single Family Dwelling

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-40 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **August 24, 2021** 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 **2021-0529** be **APPROVED**.



Aerial View

Source: JaxGIS Map



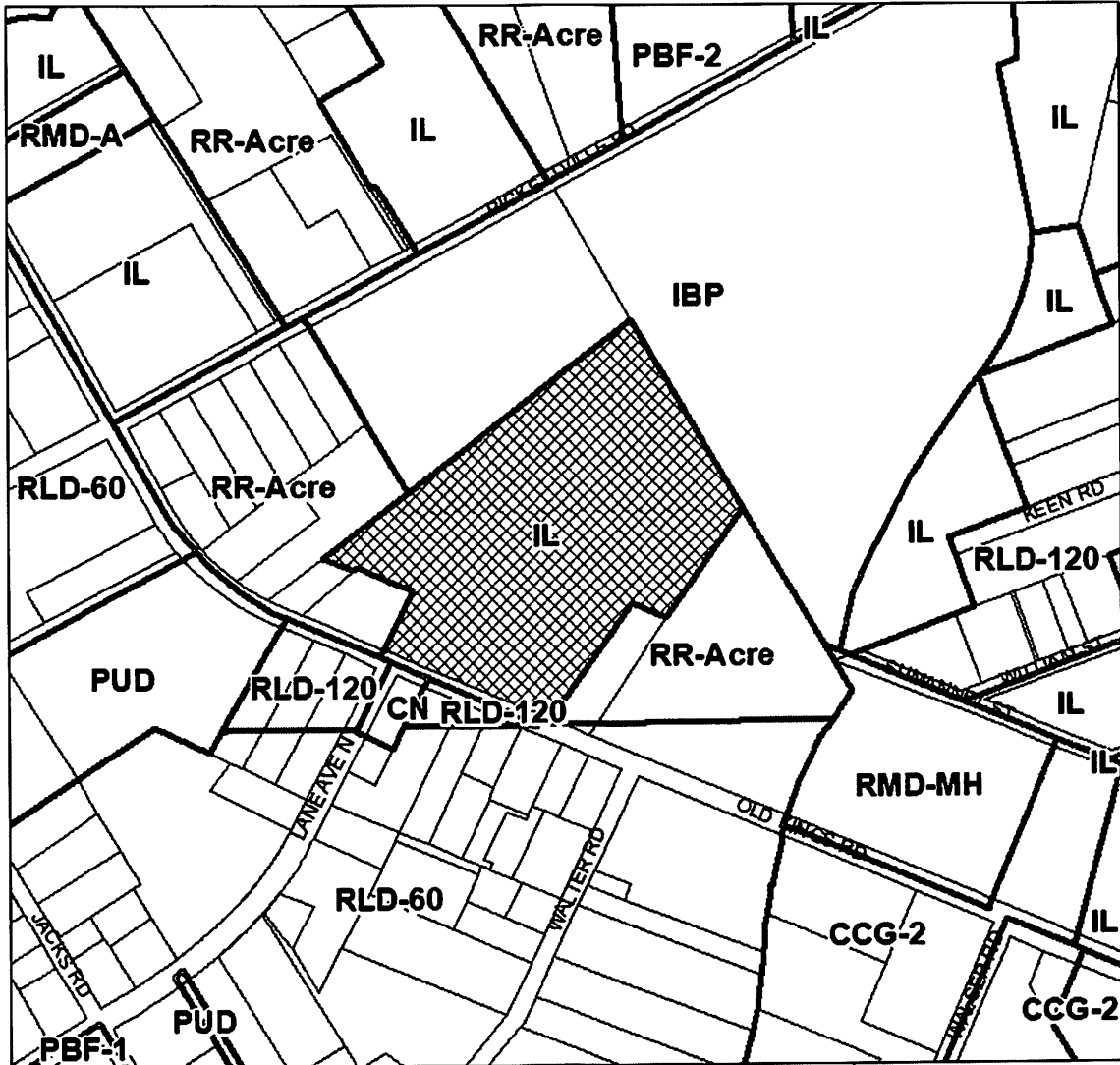
View of Subject Property

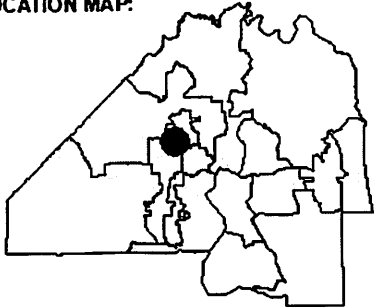

Source: Planning & Development Department 08/24/2021



View of Property to the South

Source: Planning & Development Department 08/24/2021



<p>REQUEST SOUGHT:</p> <p>FROM: IL</p> <p>TO: RLD-40</p>	<p>LOCATION MAP:</p> 	 <p>0 160 320 640 Feet</p>
<p>TRACKING NUMBER</p> <p>T-2021-3565</p>		<p>COUNCIL DISTRICT:</p> <p>10</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0529 **Staff Sign-Off/Date** ELA / 07/26/2021
Filing Date 08/10/2021 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 09/14/2021 **Planning Comission** 09/09/2021
Land Use & Zoning 09/21/2021 **2nd City Council** 09/28/2021
Neighborhood Association PICKETTVILLE CIVIC CLUB, KINLOCK CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3565 **Application Status** FILED COMPLETE
Date Started 05/20/2021 **Date Submitted** 05/20/2021

General Information On Applicant

Last Name HARDEN **First Name** PAUL **Middle Name** M.
Company Name
 LAW OFFICE OF PAUL M. HARDEN
Mailing Address
 1431 RIVERPLACE BLVD, SUITE 901
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043965731 **Fax** **Email** PAUL_HARDEN@BELLSOUTH.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MANGE **First Name** SARA **Middle Name**
Company/Trust Name
 HOWOJO, LLC
Mailing Address
 5400 VERNA BLVD., SUITE 6
City JACKSONVILLE **State** FL **Zip Code** 32205
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
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Map 083552 0030 10 5 IL RLD-40

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

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

5538

Total Land Area (Nearest 1/100th of an Acre) 16.45

Justification For Rezoning Application

TO DEVELOP SINGLE FAMILY RESIDENTIAL

Location Of Property

General Location

ON THE EAST SIDE OF OLD KINGS RD, SOUTH OF PICKETTVILLE RD

House #	Street Name, Type and Direction	Zip Code
5715	OLD KINGS RD	32254

Between Streets

PICKETTVILLE RD and EDGEWOOD AVE N

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

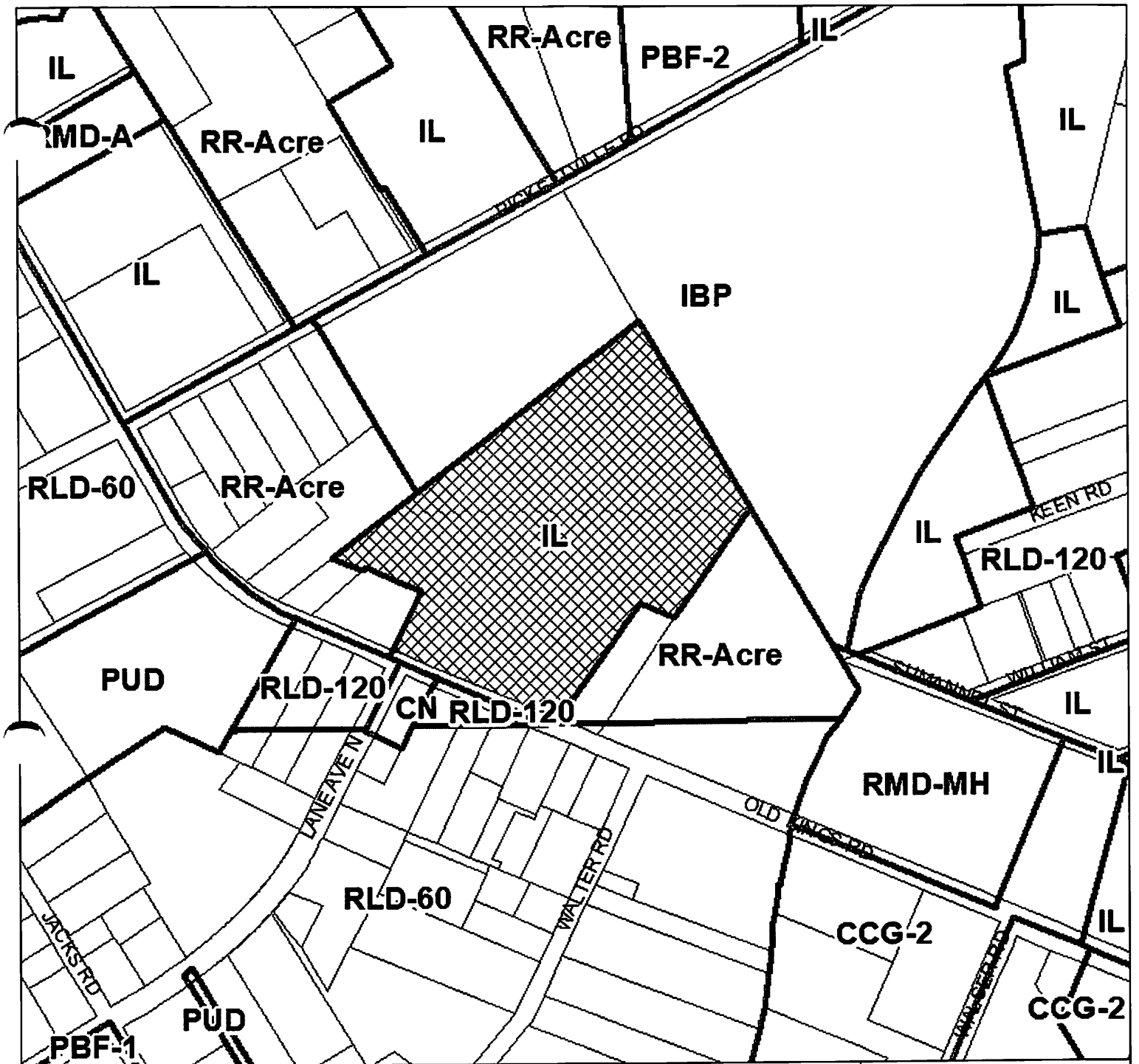
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
16.45 Acres @ \$10.00 /acre: \$170.00
- 3) Plus Notification Costs Per Addressee
21 Notifications @ \$7.00 /each: \$147.00
- 4) Total Rezoning Application Cost: \$2,317.00

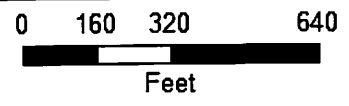
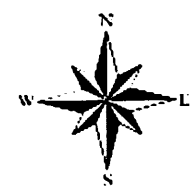
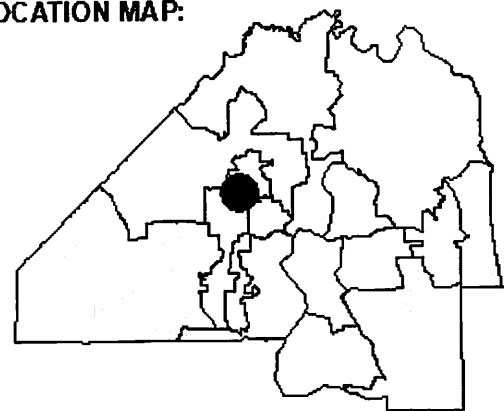
NOTE: Advertising Costs To Be Billed to Owner/Agent



REQUEST SOUGHT:

FROM: IL
TO: RLD-40

LOCATION MAP:



COUNCIL DISTRICT:
10

TRACKING NUMBER

T-2021-3565

EXHIBIT 2
PAGE 1 OF 1

March 17, 2021

Legal Description

A PART OF THE SEYMORE PICKETT GRANT, SECTION 38, TOWNSHIP 1 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF LANE AVENUE (A 66 FOOT RIGHT OF WAY) AND THE SOUTHERLY RIGHT OF WAY LINE OF OLD KINGS ROAD (A 60 FOOT RIGHT OF WAY); THENCE NORTH 26°13'29" EAST ALONG THE NORTHERLY PROJECTION OF THE SAID WESTERLY RIGHT OF WAY OF LANE AVENUE, 60.18 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID OLD KINGS ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 26°13'29" EAST, DEPARTING SAID RIGHT OF WAY LINE, 187.92 FEET TO THE NORTHEAST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 248, PAGE 332 AND IN OFFICIAL RECORDS VOLUME 407, PAGE 392 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 67°27'52" WEST, ALONG THE EASTERLY LINE OF SAID LANDS AND THE NORTHERLY PROJECTION THEREOF, 285.45 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 8778, PAGE 500 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 50°56'22" EAST, ALONG THE SAID SOUTHERLY LINE AND ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 5614, PAGE 1049 OF SAID CURRENT PUBLIC RECORDS, 1106.71 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 134, PAGE 495 AND THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 7272, PAGE 731 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 31°52'41" EAST ALONG SAID LINE, 642.61 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 238, PAGE 322 AND OFFICIAL RECORDS VOLUME 5172, PAGE 280 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 32°24'13" WEST, ALONG SAID LINE, 392.05 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 6759, PAGE 245 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 67°17'27" WEST, ALONG SAID NORTHEASTERLY LINE, 105.44 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID LANDS; THENCE SOUTH 32°32'48" WEST, ALONG SAID NORTHWESTERLY LINE, 411.86 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF OLD KINGS ROAD; THENCE NORTH 66°59'00" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 531.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.45 ACRES, MORE OR LESS AND BEING THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 2681, PAGE 722 AND OFFICIAL RECORDS VOLUME 134, PAGE 495 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



Availability Letter

Bran Ferlin

3/23/2021

Corner Lot Development Group

1661 Atlantic Blvd

Jacksonville, Florida 32207

Project Name: Old Kings

Availability #: 2021-1167

Attn: Bran Ferlin

Thank you for your inquiry regarding the availability of Chilled Water, Electric, Reclaim, Sewer, Water. The above referenced number 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 requested 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 requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. 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 (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or 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 at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

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 at

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-1167

Request Received On: 3/18/2021

Availability Response: 3/23/2021

Prepared by: Susan West

Expiration Date: 03/23/2023

Project Information

Name: Old Kings

Address:

County: Duval County

Type: Chilled Water,Electric,Reclaim,Sewer,Water

Requested Flow: 25550

Parcel Number: 083552 0030

Location:

Description: 73 lots

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 12 inch water main along Old Kings Rd

Connection Point #2:

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing 8 inch force main along Old Kings Rd

Connection Point #2:

Sewer Special Conditions: Connection to the JEA-owned sewer system for your 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.). Request a force main connection pressure letter through Step 2 of the SagesGov portal.

Reclaimed Water

Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: 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.

Point of connection location(s) to be field verified by developer during project design. If needed, General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.