

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

April 21, 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.: 2022-201**

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**

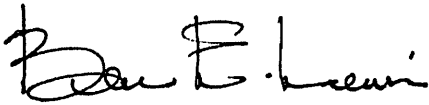
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There was one speaker in opposition who felt she owned a portion of the subject property. The Commissioners stated that was a private property issue.

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
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" 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 TO

APPLICATION FOR REZONING ORDINANCE 2022-0201

APRIL 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 **2022-0201**.

Location: 8714 Lenox Avenue, 1301 & 1305 Hammond Boulevard

Real Estate Number: 008756-0000, 008779-0000, 008777-6000

Current Zoning District: Rural Residential-Acre (RR-Acre)

Proposed Zoning District: Residential Low Density-40 (RLD-40)
Residential Low Density-50 (RLD-50)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

Applicant/Agent: T. R. Hainline
Rogers Towers, P.A.
1301 Riverplace Blvd, Suite 1500
Jacksonville, FL 32207

Owner: Robert E. Lally et. Al.
325 Beebe Road
Mineola, NY 11501

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0201** seeks to rezone approximately 17.03± acres of property from Rural Residential-Acre (RR-Acre) to Residential Low Density-40 (RLD-40)/ Residential Low Density-50 (RLD-50). The property is located in the Low Density Residential (LDR) land use category within the Suburban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request to rezone the property is to allow for the development of single-family dwellings.

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. LDR in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed-use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

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?

This proposed rezoning is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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 Single Family Dwelling dwellings and if approved the property would be developed with single-family dwellings. The proposed development will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the OLF Whitehouse and 150 feet height and Hazard Zone for Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 300 and 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.

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 RR-Acre to RLD-40/RLD-50 in order to permit the development single-family homes.

SURROUNDING LAND USE AND ZONING

The subject site is located on the east side of Hammond Boulevard and south of Lenox Avenue, both classified as a collector roadway. The subject property is surrounded by single-family dwelling developments ranging in lot sizes from 60 feet to 100 feet in width. Majority of the developments are zoned RLD-60 and increasing to RR-Acre. Subdivision to the east Leverrock Place zoned PUD 2006-0333 is developed with single family dwelling with lot sizes 80 feet in width. This rezoning request would not be creating a lot out of character for the area due to surrounding subdivisions have lots smaller in size than the lots that would be created from this rezoning. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Single Family Dwellings
South	LDR	RR-Acre	Single Family Dwellings
East	LDR	PUD 2006-0333	Single Family Dwellings
West	LDR	PUD: 2019-0038	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-40/50 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **April 13, 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 2022-0201 be **APPROVED**.



Aerial View

Source: JaxGIS Map



View of Subject Property

Source: Planning & Development Department
Date: 04/13/2022



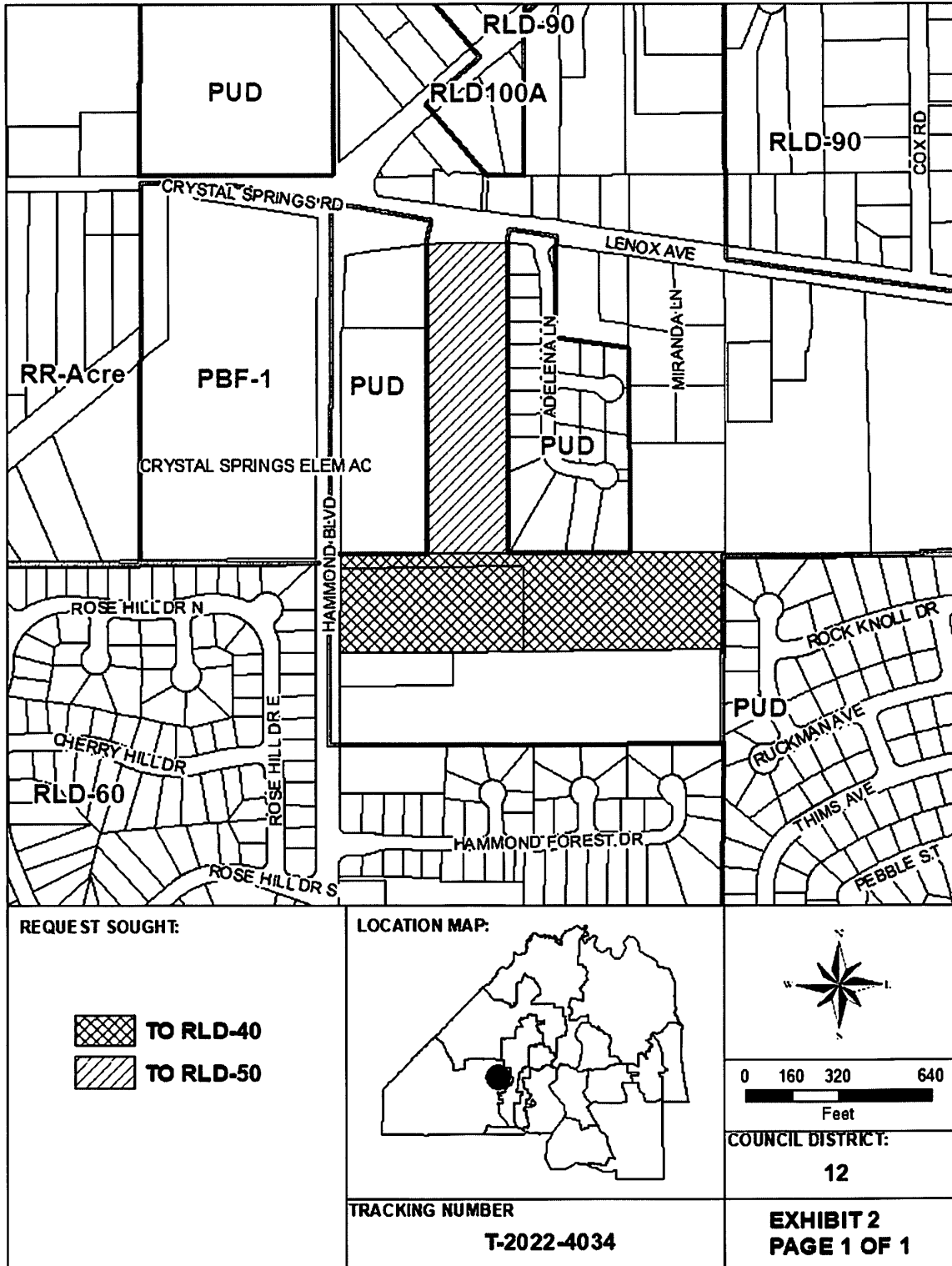
View of Subject Property

*Source: Planning & Development Department
Date: 04/13/2022*



View of Leverrock Place Subdivision

Source: JaxGIS Maps



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0201 **Staff Sign-Off/Date** ELA / 03/07/2022
Filing Date 03/22/2022 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 04/26/2022 **Planning Commission** 04/21/2022
Land Use & Zoning 05/03/2022 **2nd City Council** N/A
Neighborhood Association HAMMOND FOREST HOA, WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4034 **Application Status** FILED COMPLETE
Date Started 01/25/2022 **Date Submitted** 01/25/2022

General Information On Applicant

Last Name HAINLINE **First Name** T.R. **Middle Name**
Company Name ROGERS TOWERS, P.A.
Mailing Address 1301 RIVERPLACE BOULEVARD, SUITE 1500
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043465531 **Fax** 9043960663 **Email** THAINLINE@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name LALLY **First Name** ROBERT **Middle Name** E
Company/Trust Name
Mailing Address 325 BEEBE ROAD
City MINEOLA **State** NY **Zip Code** 11501
Phone **Fax** **Email**

Last Name WALTON **First Name** PATRICIA **Middle Name** P
Company/Trust Name
Mailing Address 325 BEEBE ROAD
City MINEOLA **State** NY **Zip Code** 11501
Phone **Fax** **Email**

Last Name LALONDE **First Name** THELMA **Middle Name**
Company/Trust Name

Mailing Address

1305 HAMMOND ROAD

City	State	Zip Code
JACKSONVILLE	FL	32221

Phone	Fax	Email
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Last Name	First Name	Middle Name
STUTSMAN	BRUCE	E

Company/Trust Name

Mailing Address

1301 HAMMOND BOULEVARD

City	State	Zip Code
JACKSONVILLE	FL	32221

Phone	Fax	Email
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Last Name	First Name	Middle Name
STUTSMAN	SUSAN	E

Company/Trust Name

Mailing Address

1301 HAMMOND BOULEVARD

City	State	Zip Code
JACKSONVILLE	FL	32221

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 008756 0000	12	5	RR-ACRE	RLD-50
Map 008777 6000	12	5	RR-ACRE	RLD-40
Map 008779 0000	12	5	RR-ACRE	RLD-40

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 #

Total Land Area (Nearest 1/100th of an Acre) 17.03

Justification For Rezoning Application

TO ALLOW FOR SINGLE FAMILY DEVELOPMENT OF THE PROPERTY.

Location Of Property

General Location

LENOX AVENUE, BETWEEN HAMMOND BOULEVARD AND ALTMAN ROAD

House #	Street Name, Type and Direction	Zip Code
8714	LENOX AVE	32221

Between Streets

HAMMOND BOULEVARD and ALTMAN ROAD

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**
17.03 Acres @ \$10.00 /acre: \$180.00
- 3) Plus Notification Costs Per Addressee**
85 Notifications @ \$7.00 /each: \$595.00
- 4) Total Rezoning Application Cost:** \$2,775.00

NOTE: Advertising Costs To Be Billed to Owner/Agent



Availability Letter

Mike Atlee

12/27/2021

Atlee Development Group, Inc.

5851 Timiquana Rd, 301

Jacksonville, Florida 32210

Project Name: Lenox Court

Availability #: 2021-6014

Attn: Mike Atlee

Thank you for your inquiry regarding the availability of 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/eng/hearing_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,

Susan West
westsr@jea.com
(904) 665-7980

Availability Number: 2021-6014
Request Received On: 12/22/2021
Availability Response: 12/27/2021
Prepared by: Susan West
Expiration Date: 12/27/2023

Project Information

Name: Lenox Court
Address:
County: Duval County
Type: Sewer,Water
Requested Flow: 29750
Parcel Number: 008779 0000, 008777 6000, 008756 0000
Location:
Description: A proposed residential development of 85 single family homes.

Potable Water Connection

Water Treatment Grid: North Grid
Connection Point #1: Existing 16 inch water main along Lenox Ave
Connection Point #2: Existing 12 inch water main along Hammond Blvd
Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: Southwest
Connection Point #1: Existing 12 inch force main along Lenox Ave
Connection Point #2: Existing 8 inch force main along Hammond Blvd
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.

Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Request a Hydrant Flow Test by going to Step 1 in Sages. Request a Development Meeting with Subsequent steps you need the water/wastewater team by going to Step 2 in Sages. If you need representative from to take to get service: the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application. Submit your plans for water/waste water review by Step 2 in Sages.