

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

August 4, 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.: 2022-484**

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**

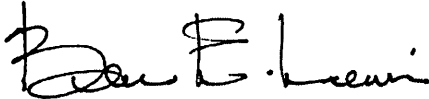
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Absent
Marshall Adkison	Aye
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 fluid and cursive, with the first name "Bruce" being the most prominent.

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 2022-0484****AUGUST 4, 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 **2022-0484**.

Location: 3701 Buckman Street

Real Estate Number: 131742-0000

Current Zoning District: Commercial Neighborhood (CN)

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

Current Land Use Category: Neighborhood Commercial (NC)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Urban Core, District 1

Applicant/ Agent: Zach Miller, Esq.
Law Office of Zach Miller
3203 Old Barn Court
Ponte Vedra Beach, FL 32082

Owner: Chanell Davis
1538 W. 27th Street
Jacksonville, FL 32209

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0484** seeks to rezone approximately 0.09± acres of a property from Commercial Neighborhood (CN) to Residential Low Density-40 (RLD-40) in order to develop the property with a single family dwelling. The Planning and Development Department finds that the subject property is located in the Neighborhood Commercial (NC) 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, **2022-0483 (L-5719-22C)**. The proposed LUA is for Neighborhood Commercial (NC) to Low Density Residential (LDR).

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 Neighborhood Commercial (NC) 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 **2022-0483 (L-5719-22C)** that seeks to amend the portion of the site that is within the Neighborhood Commercial (NC) land use category to Low Density Residential (LDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series **L-5719-22C** be approved.

According to the Category Descriptions of the Future Land Use Element (FLUE), LDR in the Urban Priority Area is intended to provide for low density residential development. Further, it is intended to promote neighborhoods in need of redevelopment and to provide a compact single-family development typology that is supportive of transit, neighborhood commercial uses and services. In these instances, the category provides a higher density than LDR in other Development Areas of the City. The application of this higher density should be supported by a neighborhood plan or study. Single-family residential is permitted at up to 7 dwelling units per acre. The single-family dwelling is permitted within the LDR land use category.

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 proposed rezoning of RLD-40 will allow the applicant to continue current uses of the surrounding area, which is primarily single-family dwellings. If approved the proposed residential development would allow for the construction of one new single-family dwellings. The proposed construction of one new single-family dwellings will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.

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.

The subject properties is located in the Urban Priority Development Area and According to the JEA Availability letter dated March 8, 2022, submitted with the application, the site has access to water and sewer service. The proposed use will be in compliance with Policy 1.2.9.

Policy 3.1.6

The City shall provide for the development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Brownfield Area

The property is located within the Downtown Brownfield Pilot Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. The property owner may request the property be designated as a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. **The property owner may qualify for tax credits.**

Evacuation Zone

The subject site is within Evacuation Zone C. As such, the land use application was routed to the City’s Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD, no impacts to countywide evacuation times are anticipated from the amendment proposed in L-5719-22C. Proximity to Martin Luther King Jr. Parkway indicates sufficient access to evacuation routes (I-295 and I-95). Site design techniques that minimize disruption to existing traffic flow are encouraged

Policy 7.1.6

The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

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 to allow for the development of a single family dwelling.

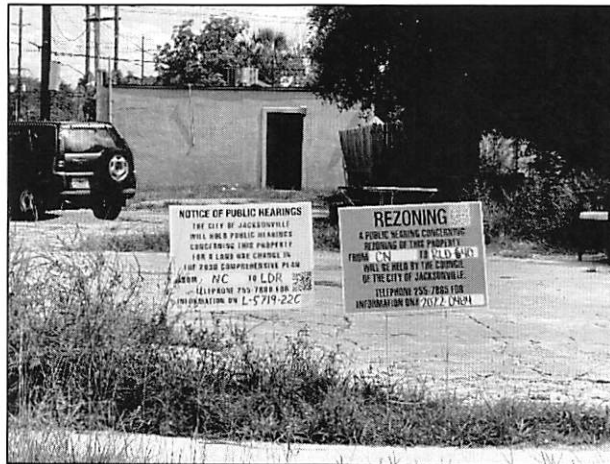
SURROUNDING LAND USE AND ZONING

The subject site is located on the northeast corner of Buckman Street and 27th Street East, both classified as local roadways. The section of Buckman Street between 28th Street East and 27th Street East is zoned Commercial Neighborhood (CN) with two properties developed with neighborhood retail stores and two vacant properties including the subject parcel. Expanding out from this intersection the main form of development is single family dwellings. 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. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	NC	CN	Neighborhood Retail Store
South	LDR	RLD-60	Multi-Family Dwelling
East	LDR	RLD-60	Single Family Dwelling
West	LDR	RLD-60	Vacant

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 20, 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 **2022-0484** be **APPROVED**.



Aerial View

Source: JaxGIS Map



View of Subject Property

Source: Planning & Development Department, COJ
Date: July 20, 2022



View of Property to the East

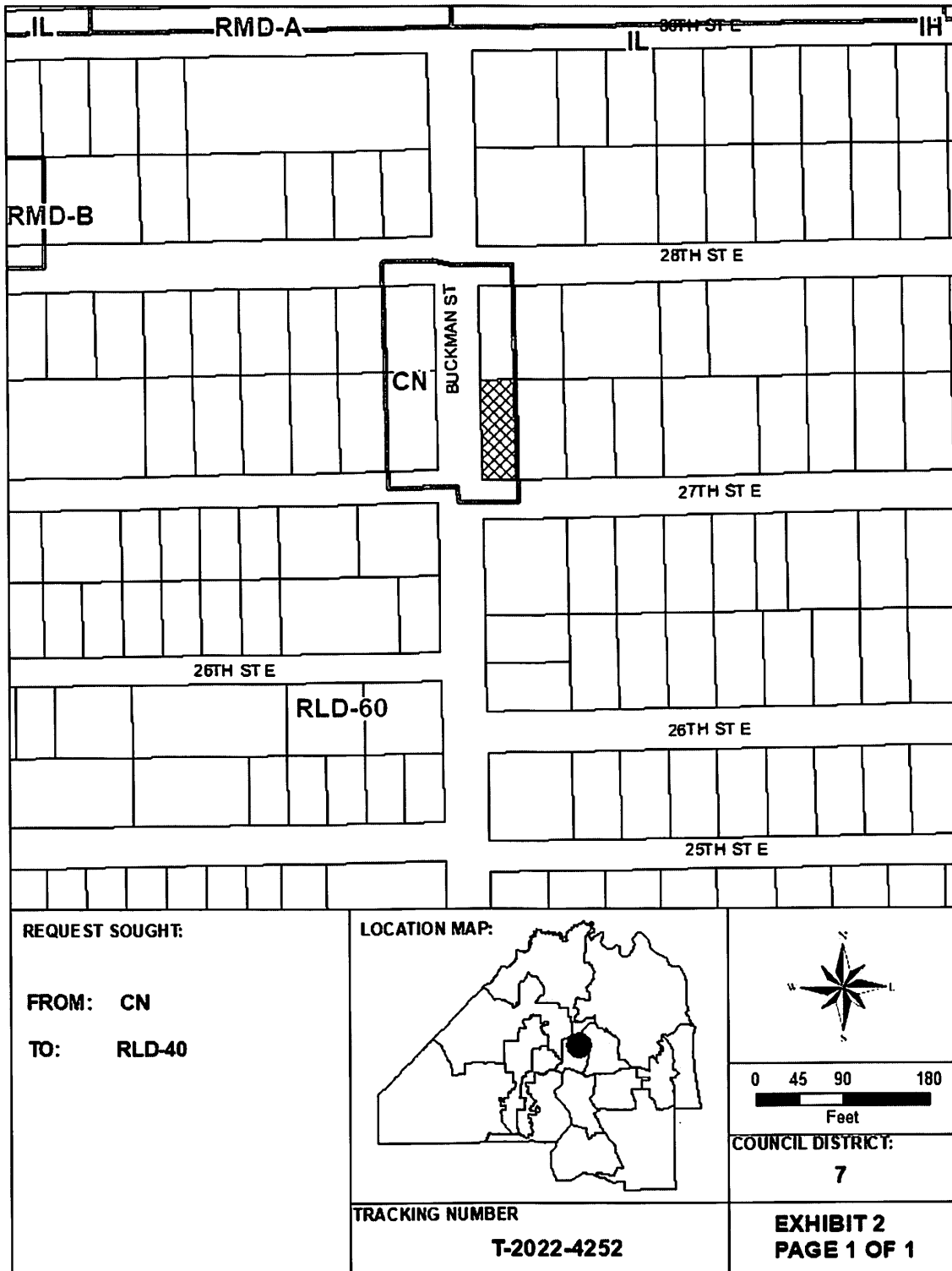
Source: Planning & Development Department, COJ
Date: July 20, 2022



View of Property to the South

Source: Planning & Development Department, COJ

Date: July 20, 2022



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District**Planning and Development Department Info**

Ordinance # 2022-0484 **Staff Sign-Off/Date** ELA / 06/06/2022
Filing Date 06/28/2022 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 08/09/2022 **Planning Commission** 08/04/2022
Land Use & Zoning 08/16/2022 **2nd City Council** 08/23/2022
Neighborhood Association HISTORIC EASTSIDE COMMUNITY DEV CORP, EAST 21ST ST
 NEIGHBORHOOD ASSOCIATION, WE MAKE THE SHIRTS
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4252 **Application Status** FILED COMPLETE
Date Started 05/03/2022 **Date Submitted** 05/03/2022

General Information On Applicant

Last Name MILLER **First Name** ZACH **Middle Name** WATON
Company Name
 LAW OFFICE OF ZACH MILLER
Mailing Address
 3203 OLD BARN COURT
City PONTEVEDRABEACH **State** FL **Zip Code** 32082
Phone 9046518958 **Fax** 904 **Email** ZWMILLERLAW@GMAIL.COM

General Information On Owner(s)**Check to fill first Owner with Applicant Info**

Last Name DAVIS **First Name** CHANELL **Middle Name** L
Company/Trust Name
Mailing Address
 1538 W. 27TH STREET
City JACKSONVILLE **State** FL **Zip Code** 32209
Phone 9046518958 **Fax** **Email** ZWMILLERLAW@GMAIL.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 131742 0000	7	1	CN	RLD-40

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

Existing Land Use Category

NC

Land Use Category Proposed?**If Yes, State Land Use Application #**

5719

Total Land Area (Nearest 1/100th of an Acre) 0.09

Justification For Rezoning Application

PROPERTY IS A VACANT LOT OF RECORDED SURROUNDING BY SINGLE FAMILY RESIDENTIAL USES.

Location Of Property

General Location

EAST OF TALLEYRAND AVENUE

House #	Street Name, Type and Direction	Zip Code
3701	BUCKMAN ST	32206

Between Streets

27TH STREET and 28TH 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

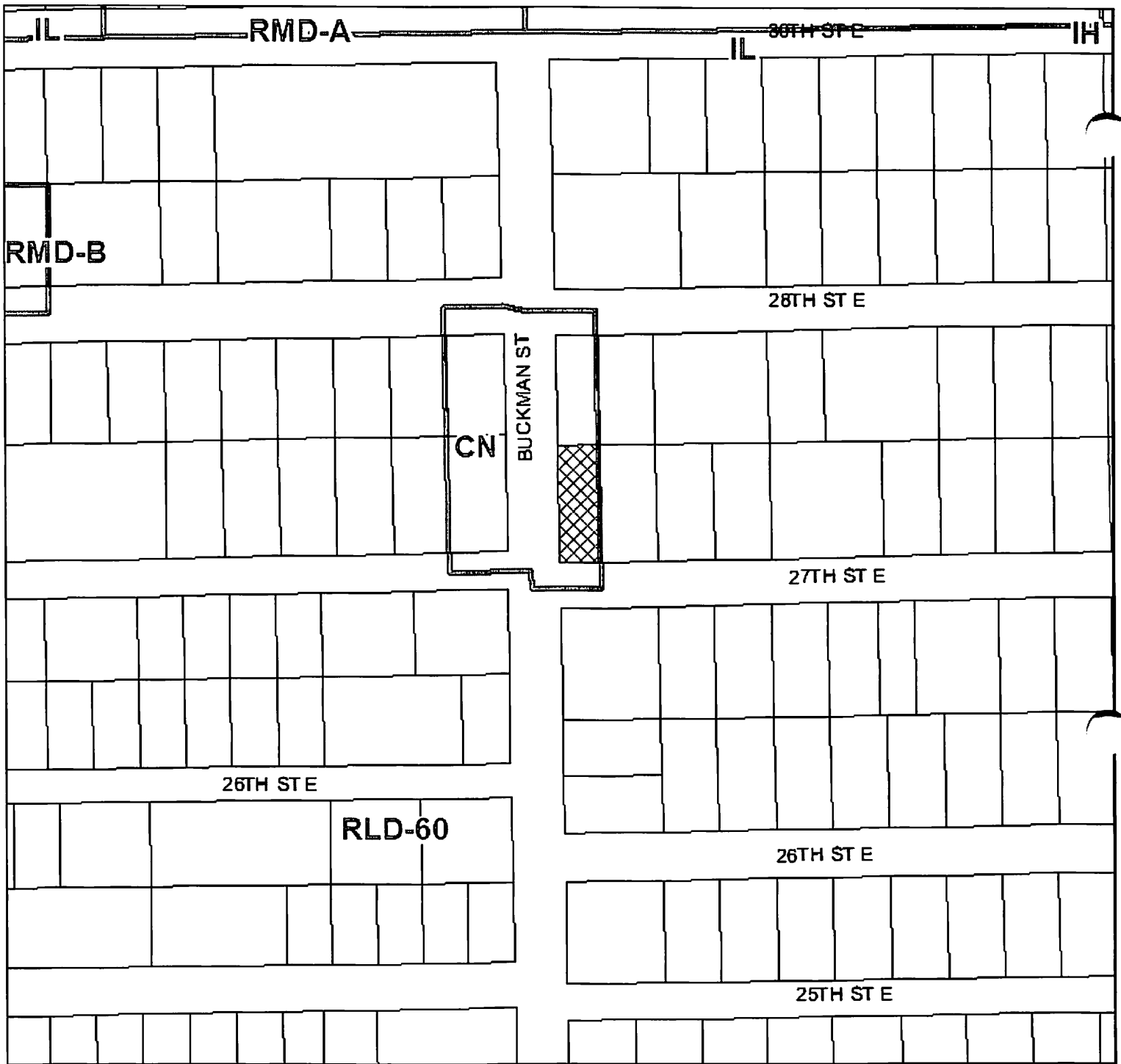
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
0.09 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
76 Notifications @ \$7.00 /each: \$532.00
- 4) Total Rezoning Application Cost: \$2,542.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

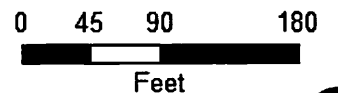
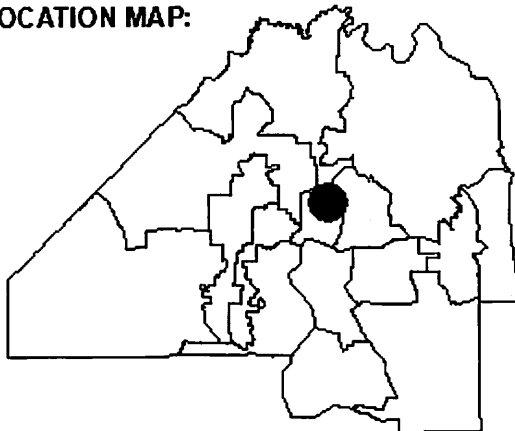


REQUEST SOUGHT:

FROM: CN

TO: RLD-40

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

T-2022-4252

**EXHIBIT 2
PAGE 1 OF 1**

Exhibit 1
Legal Description
May 3, 2022

RE#: 131742-0000 Lot 26, (Except the Part in the City Street) Block 2, Plat of Jennings' Talleyrand Addition, Plat Book 2, Page 43, as Recorded in the Current Public Records of Duval County, Florida.



Infill Availability Letter

Elizabeth Andreu

3/8/2022

JWB Real Estate Capital

7563 Philips highway suite 208

Jacksonville, Florida 32256

Project Name: 3701 Buckman St-32206

Availability #: 2022-0870

Attn: Elizabeth Andreu

Thank you for your inquiry regarding the availability of Electric, 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 customer's responsibility to engage the services of a professional engineer, licensed in the State of Florida, to plan and permit the proposed main extension(s) as well as to engage the services of a contractor to construct the main extension(s).** 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/

Lot Splits:

If a lot is split and two or more homes will be built, a layout of the proposed lot split will be required to be submitted prior to processing of estimate requests or service applications. Submit layout via Step 2 in the Sages program. Review JEA Design Guidelines 2.4.1.1 for the required information needed to process the layout submittal.

Service Tap Cost (Special Estimate):

To receive the associated cost for water or sewer service tap(s), please submit a Special Estimate Request, via Step 2 in the Sages program. Field factors that would designate the need for a special estimate are as follows:

- Main Depth 8+ feet deep Required work within FDOT, St Johns County and Nassau County ROW
- Pavement less than 5 years old Multiple services being installed
- Taps on water mains 20-inch and larger Water taps larger than 2-inches
- Sewer taps greater than 6-inches Low Pressure Sewer Service Connections
- Installation of Sewer Vac Pods Approved Commercial Development plans

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

https://www.jea.com/water_and_wastewater_development

Sincerely,

Ji Soo Kim
kimjs@jea.com
(904) 625-8257

Availability Number: 2022-0870

Request Received On: 2/25/2022

Availability Response: 3/8/2022

Prepared by: Ji Soo Kim

Expiration Date: 03/10/2024

Project Information

Name: 3701 Buckman St-32206

Address:

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 350

Parcel Number: 131742 0000

Location:

Description: 1 SFH

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8-inch water main within 27th St. E. ROW.

Connection Point #2: Existing 8-inch water main within Buckman St. ROW.

An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit infill layouts through the JEA Sages program by entering your availability

Water Special Conditions: number and accessing Step 2 within the project portal. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing 8-inch gravity sewer main within 27th St. E. ROW.

Connection Point #2: Existing 8-inch gravity sewer main within Buckman St. ROW.

If gravity flow cannot be achieved, then Sewer POC cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately owned and operated pump system. Request an Alternative Connection approval through the JEA Sages program by entering your availability number and accessing the project

Sewer Special Conditions: portal. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program by entering your availability number and accessing the project portal. Alternative Connection team and Special Estimate requests can be made within Step 2 of the project portal. An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit infill layouts through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Reclaimed Water

Connection

Reclaim Grid:

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.

General Conditions:

If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1). After you receive the results of these, if applicable, submit your Infill Layout(s) (Sages Step 2). After your Infill Layout(s) are approved, Subsequent steps you need request a Special Estimate Determination (Sages Step 2) for the cost of your taps. After to take to get service: you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages and selecting Residential New Service Application. You will need to submit a separate application for each address, do not select the multiple addresses when asked what type of service application are you submitting for.