



**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**

**APPLICATION FOR REZONING ORDINANCE 2022-0637**

**SEPTEMBER 22, 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 2022-0637.

***Location:*** 0 Gillespie Avenue

***Real Estate Number:*** 107584-0000

***Current Zoning District:*** Residential Low Density-60 (RLD-60)

***Proposed Zoning District:*** Commercial Residential Office (CRO)

***Current Land Use Category:*** Low Density Residential (LDR)

***Proposed Land Use Category:*** Residential Professional Institutional (RPI)

***Planning District:*** North, District 6

***Applicant/Owner:*** Curtis Hart  
Hart Resources LLC  
8051 Tara Lane  
Jacksonville, FL 32216

***Owner:*** Lawanda Bachara  
201 White Avenue NW  
Branford, FL 32008

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2022-0637 seeks to rezone approximately 1.44± acres of property from Residential Low Density-60 (RLD-60) to Commercial Residential Office (CRO) in order to develop the property consistent with the surrounding properties. 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. There is a companion Land Use Amendment, **2022-0636 (L-5739-22C)**. The proposed LUA is for Low Density Residential (LDR) to Residential Professional Institutional (RPI).

## **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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5739-22C (Ordinance 2022-0636) that seeks to amend the portion of the site that is within the Low Density Residential (LDR) land use category to Residential Professional Institutional (RPI). 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 RPI land use category within the Suburban Development Area permits mostly low to medium density residential, with a maximum gross density of 20 units/acre, and professional office use. Generally, multi-family dwellings, office, institutional, commercial retail sales and service establishments are permitted in appropriate locations. Plan amendment requests for RPI are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. In the RPI land use category, single use developments are limited to residential, or office uses.

The proposed zoning change to CRO is consistent with the proposed RPI land use category.

**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 Area and According to the JEA Availability letter dated June 16, 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.*

**Airport Environment Zone**

The site is located within the 300-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 300 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.

**Jacksonville International Airport (JIA) CRA**

The application site lies within the Jacksonville International Airport JIA CRA. Therefore, the application was routed to the City's Office of Economic Development (OED) for review. According to OED, applications do not require review from the JIA CRA Advisory Board. They are informational items only. Therefore, no recommendations were made for the proposed land use amendment.

**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 RLD-60 to CRO to develop the property consistent with the surrounding properties.

**SURROUNDING LAND USE AND ZONING**

The subject site is located Southside of Airport Center Drive East and east of Main Street North. The site is surrounded by single-family residential uses to the south, east and west and vacant commercial land is located directly to the north across Airport Center Drive East. The land use designation of the abutting property to the west was amended with Ordinance 2019-0070-E from LDR to RPI for the development of office and low intensity commercial support uses. The site currently sits as a sing-family use, as it was never developed after the previous land use amendment under Ordinance 2019-0070-E. The request would be a down zoning and if approved would allow for a horse and sheep pasture. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwelling
South	LDR	RLD-60	Single Family Dwelling
East	LDR	RLD-60	Single Family Dwelling
West	RPI	CRO	Single Family Dwelling

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

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **September 7, 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 **2022-0637** be **APPROVED**.



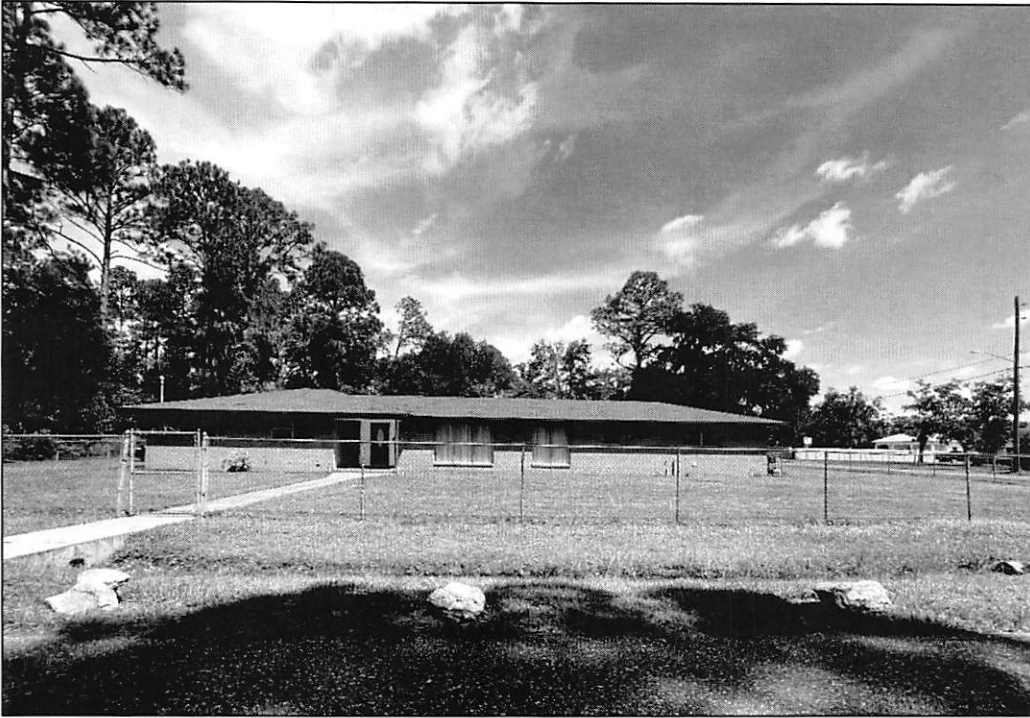
**Aerial View**

**Source: JaxGIS Map**



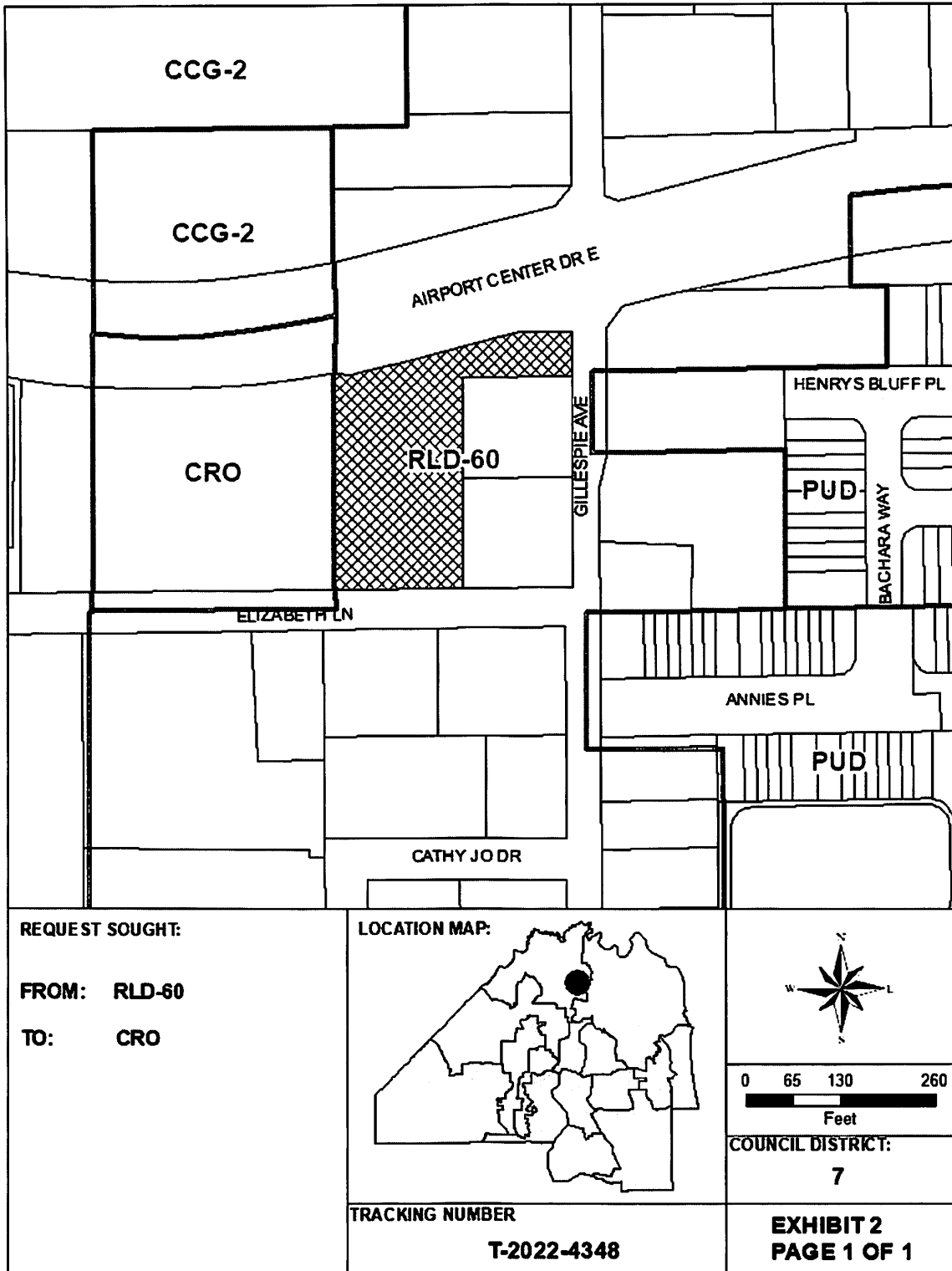
**View of Subject Property**

**Source: JaxGIS Map**



**View of Property to the East**

**Source:** Planning and Development Department, COJ (Date: September 7, 2022)



Legal Map  
Source: JaxGIS Map



### Application For Rezoning To Conventional Zoning District

#### Planning and Development Department Info

**Ordinance #** 2022-0637 **Staff Sign-Off/Date** ELA / 08/04/2022  
**Filing Date** 08/24/2022 **Number of Signs to Post** 3  
**Hearing Dates:**  
**1st City Council** 09/27/2022 **Planning Commission** 09/22/2022  
**Land Use & Zoning** 10/04/2022 **2nd City Council** 10/11/2022  
**Neighborhood Association** MAIN STREET FARMS CIVIC ASSOCIATION, M & M DAIRY INC, GILLESPIE GARDENS HOA, THE EDEN GROUP INC.  
**Neighborhood Action Plan/Corridor Study** JIA-CRA

#### Application Info

**Tracking #** 4348 **Application Status** FILED COMPLETE  
**Date Started** 06/16/2022 **Date Submitted** 06/28/2022

#### General Information On Applicant

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
HART	CURTIS	L
<b>Company Name</b>		
HART RESOURCES LLC		
<b>Mailing Address</b>		
8051 TARA LANE		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32216
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9049935008		CURTISHART@HARTRESOURCES.NET

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
BACHARA	LAWANDA	M
<b>Company/Trust Name</b>		
LAWANDA M. BACHARA LIFE ESTATE		
<b>Mailing Address</b>		
201 WHITE AVENUE NW		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
BRANFORD	FL	32008
<b>Phone</b>	<b>Fax</b>	<b>Email</b>

#### Property Information

**Previous Zoning Application Filed For Site?**

**If Yes, State Application No(s)**

<b>Map RE#</b>	<b>Council District</b>	<b>Planning District</b>	<b>From Zoning District(s)</b>	<b>To Zoning District</b>
Map 107584 0000	7	6	RLD-60	CRO

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 #**  
5739

**Total Land Area (Nearest 1/100th of an Acre)** 1.44

#### Justification For Rezoning Application

THIS PROPERTY IS ADJACENT TO CRO. THE PROPOSED REZONING WOULD BE CONSISTENT WITH THE SURROUNDING PROPERTIES.

**Location Of Property**

**General Location**

MAIN STREET FARMS

House #	Street Name, Type and Direction	Zip Code
0	GILLESPIE AVE	32218

**Between Streets**

MAIN STREET and GILLESPIE AVE

**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**

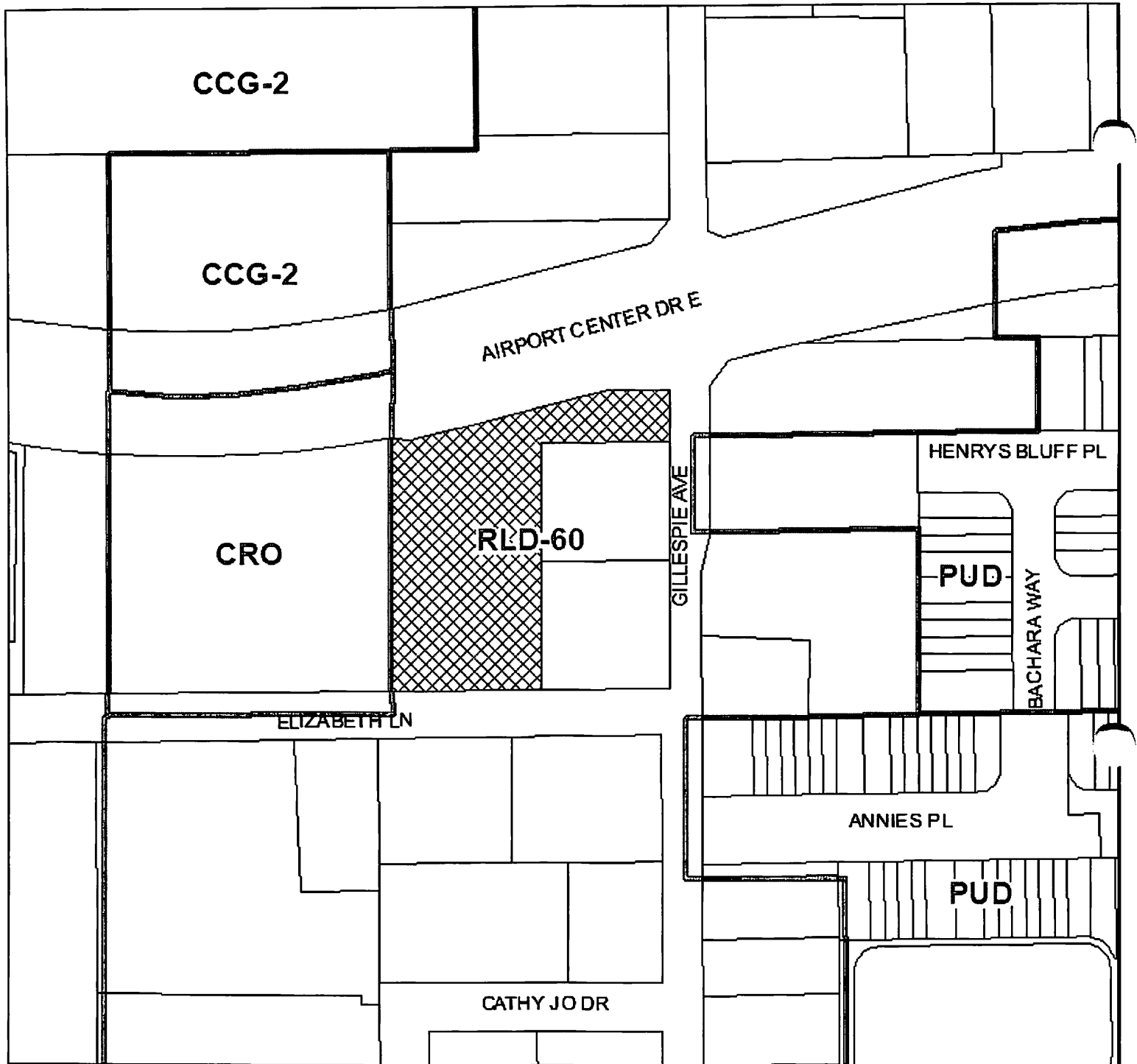
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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  
1.44 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee  
25 Notifications @ \$7.00 /each: \$175.00
- 4) Total Rezoning Application Cost: \$2,195.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

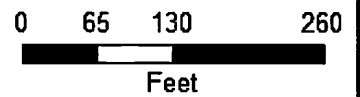
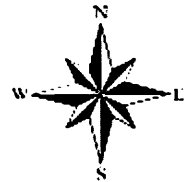
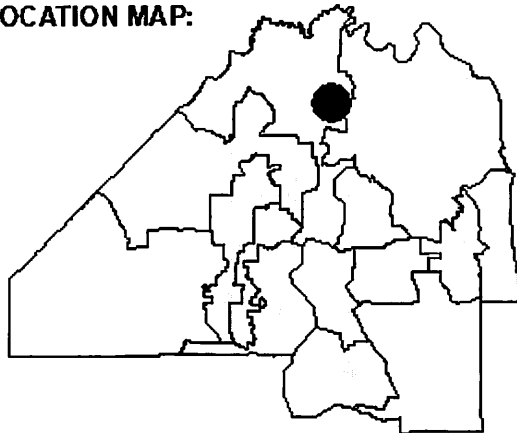


**REQUEST SOUGHT:**

**FROM: RLD-60**

**TO: CRO**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**7**

**TRACKING NUMBER**

**T-2022-4348**

**EXHIBIT 2  
PAGE 1 OF 1**

## LEGAL DESCRIPTION

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THAT CERTAIN PORTION OF FARM LOT 12 OF THE MAIN STREET FARMS CONSISTING OF A STRIP ON THE SOUTH SIDE MEASURING 327 FEET WIDE BY 337 FEET DEEP, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9 AT PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNT, FLORIDA,

LESS AND EXCEPT THOSE PARCELS CONVEYED OUT IN O.R. BOOK 4615, PAGE 615, AND O.R. BOOK 9962, PAGE 623, AND THAT PARCEL DEEDED OUT TO THE JACKSONVILLE TRANSPORTATION AUTHORITY FOR ROAD PURPOSES IN O.R. BOOK 13983, PAGE 931, ALL IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



## Availability Letter

Sharon Hudson

6/16/2022

Matovina & Company

12443 San Jose Blvd. Ste 504

Jacksonville, Florida 32223

Project Name: River City Villas

Availability #: 2022-1493

Attn: Sharon Hudson

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.

### **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/](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,

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

Availability Number: 2022-1493

Request Received On: 6/15/2022

Availability Response: 6/16/2022

Prepared by: Susan West

Expiration Date: 06/15/2024

### **Project Information**

Name: River City Villas

Address: 107 ELIZABETH LN, JACKSONVILLE, FL 32218

County: Duval County

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

Requested Flow: 13750

Parcel Number: 107587 0030

Location: North of Elizabeth Ln, South of Airport Center Dr

Description: 55 multifamily

### **Potable Water Connection**

Water Treatment Grid: North Grid

Connection Point #1: Existing 16 inch water main along Airport Center Dr E

Connection Point #2: Existing 16 inch water main along Elizabeth Way

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

### **Sewer Connection**

Sewer Grid: District 2/Cedar Bay

Connection Point #1: Existing 4 inch force main along Elizabeth Ln

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 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. Ownership and maintenance entity of pump station to be determined either at the preapplication meeting or during plan review.

## 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.

**Subsequent steps you need to take to get service:** **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 the water/wastewater team by going to Step 2 in Sages. If you need representative from 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. Submit your request for a Force Main Connection Pressure letter by accessing Step 2 in Sages.**