

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

October 21, 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.: 2021-655**

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 with recommendation for RLD-60**

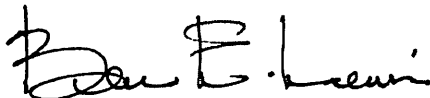
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were two speakers in opposition and their concerns were the narrowness of the road and flooding. The agent indicated that the development will bring water and sewer to the project. The Commissioners felt the benefit of the utilities offset the smaller lots.

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	Absent
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 2021-0655

OCTOBER 7, 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 **2021-0655**.

Location: 2835 Stratton Road; between Goble Road and Stratton Road

Real Estate Numbers: 012860 0000; 012839 0030; 012867 0000

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

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Agent: Curtis Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, Florida 32216

Owner: Donnie Miller
9369 County Road 121
Bryceville, FL 32009

Staff Recommendation: **APPROVE w/ recommendation for RLD-60**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0655** seeks to rezone 23.00± acres from Residential Rural-Acre (RR-Acre) to Residential Low Density-50 (RLD-50) to develop the property with single-family homes. According to the submitted JEA Availability Letter (2021-2788) the applicant is looking to develop 140 homes. The proposed development will be required to connect to JEA utilities for water and sewer to achieve the minimum lot sizes in the zoning district.

The properties directly adjacent to the North, East, and South of the subject property are zoned as RR-Acre, which requires a minimum lot width of 100 feet and 1-acre lot size. To the west of the

subject property is PUD 2005-0694, which allows permits CCG-1 uses and is currently utilized as a used car sales facility.

There are multiple other Planned Unit Developments within the immediate area, however, most allow for larger lot sizes similar to RLD-60 and RLD-70 standards. To the west of the property is PUD 2001-1223, which permits RLD-70 sized lots. To the north of the subject property is PUD 2004-0132 which permits RLD-60 sized lots. To the east of the subject property is PUD 2001-0815 which permits 75 foot wide lots with 8,250 square feet in area.

Staff finds that a single-family residential subdivision is appropriate in this location and compatible with the surrounding uses; however, lot widths consistent with the RLD-60 Zoning District are recommended in order to provide a more gradual transition between lot sizes in the area.

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 subject site consists of three separate parcels, totaling 23 acres. Two parcels are located on the west side of Stratton Rd, a local road, and the other parcel is located on the east side of Stratton Rd. The applicant seeks to rezone the property from RR-Acre to RLD-50. The property is located with the Suburban Development Area, Planning District 4, and Council District 12.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Area is intended to provide for low density residential development. Single-family residential uses are a principal use within this land use category. The maximum gross density allowed in the Suburban Area is 7 units/acre when full urban services are available to the site.

The proposed RLD-50 zoning district is consistent with the LDR land use category.

According to the JEA Availability letter submitted with the application, water and sewer mains are available in close proximity to the application site within the Stratton Road right-of-way.

The property is surrounded by LDR land use. The requested RLD-50 rezoning is consistent with the LDR Land Use Category description however the Department believes that RLD-60 will provide a better transition to more intensive land use, given the surrounding Zoning Districts. The rezoning should demonstrate full consistency with the other identified Policies as described above to be deemed consistent with the general intent of the Comprehensive Plan.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The proposed rezoning to RLD-50 promotes a pattern of compatible uses (*i.e.* single family dwellings) consistent with the surrounding area and future development. However, the lot size is not consistent with the surrounding zoning districts. Therefore, the proposed rezoning to RLD-60, as recommended by Staff, will allow the property to be developed in a lot pattern that is a good transition for the surrounding area.

Future Land Use Element (FLUE):

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.

In reference to the attached JEA Availability Letter, 2021-2788, the proposed development shall connect to City water and sewer.

Objective 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

The proposed rezoning at the subject site would directly address the projected growth within the given vicinity by providing for a greater variety of housing options for residents.

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-60 in order to permit the development of a single-family subdivision—all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located along Stratton Road, south of Normandy Boulevard and east of Chaffee Road South. This corridor is developed almost exclusively with single-family dwellings. Other properties are either undeveloped or ranging in lot sizes from RR-Acre to RLD-60. Nearby PUD includes lots ranging from 75 foot wide lots to 60 foot wide lots. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-Acre	Vacant, Single-family dwellings
East	LDR	RR-Acre	Single-family dwellings
South	LDR	RR-Acre	Vacant, Single-family dwellings
West	LDR	PUD 2005-0694	Used car sales

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 29, 2021, 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 2021-0655 be **APPROVED** for RLD-60.



Source: Planning & Development Department, 9/30/2021

Aerial view of the subject property.



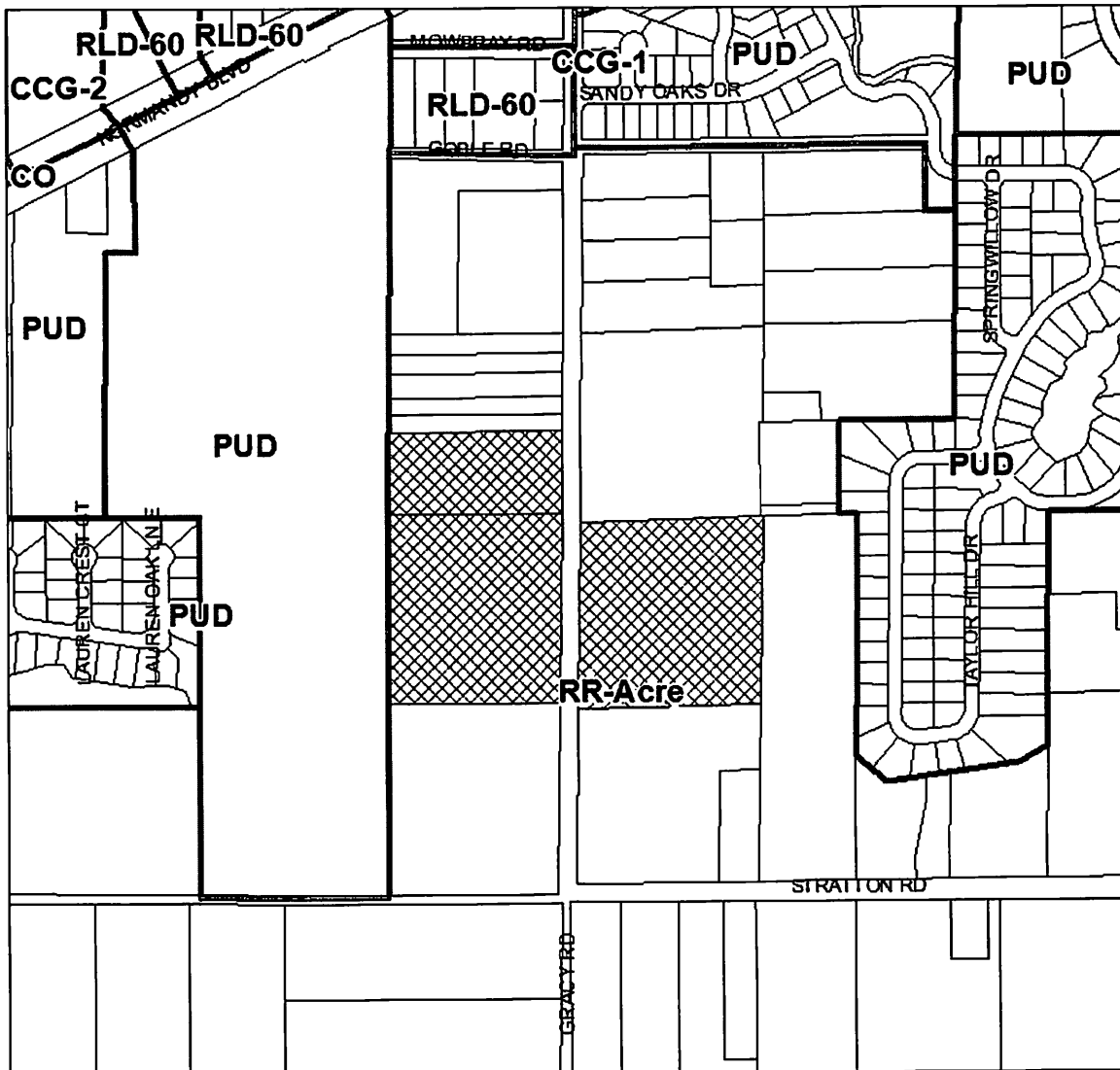
Source: Planning & Development Department, 9/29/2021

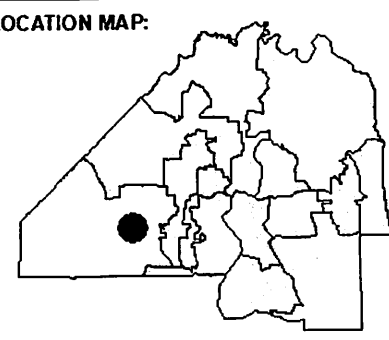
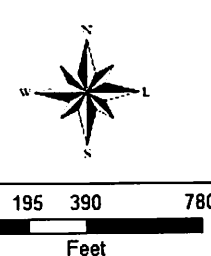
View of the subject property.



Source: Planning & Development Department, 9/29/2021

View of the subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: RLD-50</p>	<p>LOCATION MAP:</p> 	 <p>0 195 390 780 Feet</p> <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2021-0655</p>	<p>TRACKING NUMBER</p> <p>T-2021-3663</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0655 **Staff Sign-Off/Date** KPC / 08/17/2021
Filing Date 08/30/2021 **Number of Signs to Post** 8
Hearing Dates:
1st City Council 10/12/2021 **Planning Comission** 10/07/2021
Land Use & Zoning 10/19/2021 **2nd City Council** N/A
Neighborhood Association WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3663 **Application Status** PENDING
Date Started 07/13/2021 **Date Submitted** 07/13/2021

General Information On Applicant

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

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MILLER **First Name** DONNIE **Middle Name** J
Company/Trust Name
Mailing Address 9369 COUNTY ROAD 121
City BRYCEVILLE **State** FL **Zip Code** 32009
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
Map 012860 0000	12	4	RR-ACRE	RLD-50
Map 012839 0030	12	4	RR-ACRE	RLD-50
Map 012867 0000	12	4	RR-ACRE	RLD-50

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) 23.00

Justification For Rezoning Application

THE PROPERTY ABUTS A ZONING WITH A PUD WITH RESIDENTIAL LOTS AND RESIDENTIAL NEIGHBORHOOD. THE CURRENT USE OF THE NEIGHBORHOOD IS MOBILE HOMES FOR RENT. THE PROPOSED ZONING CHANGE WOULD BE A GOOD TRANSITION WITH THE SURROUNDING USES AND WOULD POSITIVELY IMPACT THE SURROUNDING RESIDENTS.

Location Of Property

General Location

SOUTH OF NORMANDY BLVD

House #	Street Name, Type and Direction	Zip Code
2835	STRATTON RD	32221

Between Streets

GOBLE ROAD and STRATTON 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
23.00 Acres @ \$10.00 /acre: \$230.00
- 3) Plus Notification Costs Per Addressee
28 Notifications @ \$7.00 /each: \$196.00
- 4) Total Rezoning Application Cost: \$2,426.00

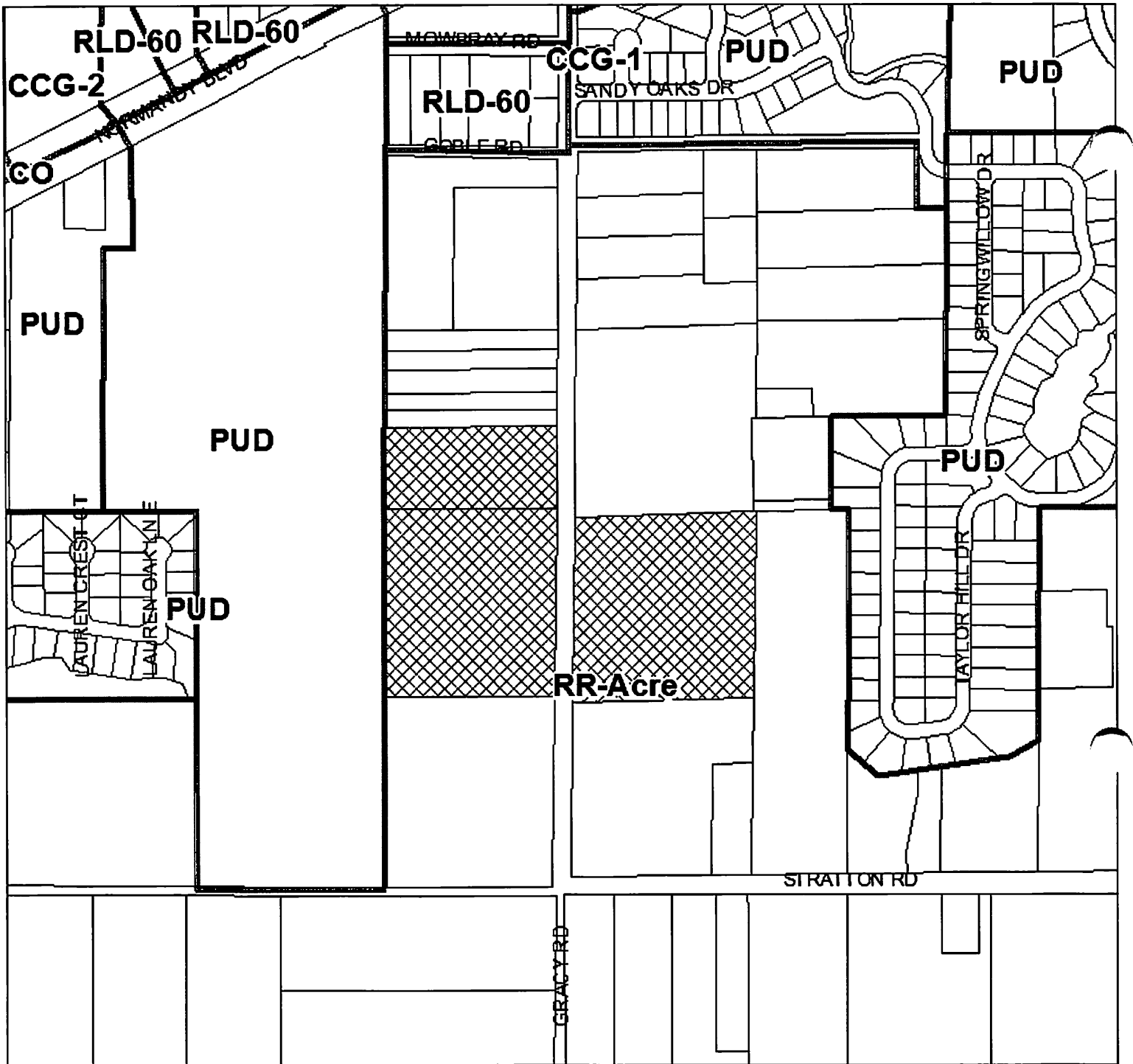
NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

THE SOUTH 290 FEET OF TRACT 2, BLOCK 3, SECTION 6, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 93, CURRENT PUBLIC RECORDS, DUVAL COUNTY, FLORIDA; EXCEPTING FROM SAID TRACT 2, THE EAST 15 FEET THEREOF, CONVEYED TO DUVAL COUNTY, FLORIDA, BY DEED RECORDED IN DEED BOOK 1539, PAGE 386.

NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 25 EAST, KNOWN AS TRACT 15, BLOCK 3, SECTION 6, TOWNSHIP 3 SOUTH, RANGE 25 EAST AS SHOWN ON THE PLAT OF JACKSONVILLE HEIGHTS.

NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 25 EAST, KNOWN AS TRACT 9, BLOCK 4 IN SAID SECTION 6, AS SHOWN ON THE PLAT OF JACKSONVILLE HEIGHTS, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGE 93, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

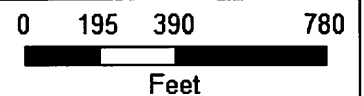
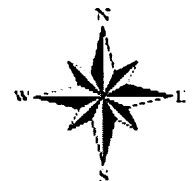
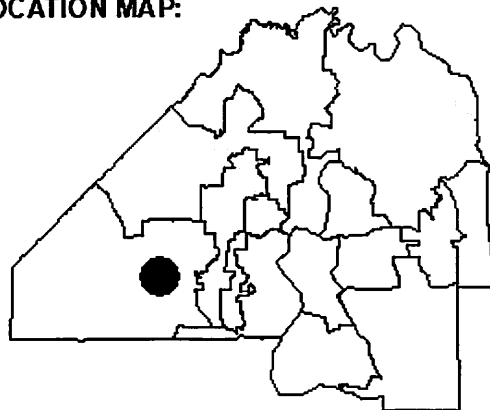


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-50

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2021-3663

**EXHIBIT 2
PAGE 1 OF 1**