

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 6, 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.: 2022-670**

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**

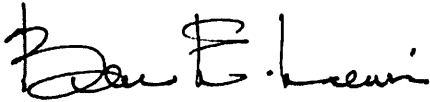
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 5-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Absent
David Hacker	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 FOR
APPLICATION FOR REZONING ORDINANCE 2022-0670

OCTOBER 6, 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 2022-0670.

Location: 15311 Main Street North;
Between Bird Road and Park Avenue

Real Estate Number(s): 108288-0000; 108284-0000; 108287-0000;
108290-0100; 108284-0500

Current Zoning District(s): Planned Unit Development (PUD)
Commercial Community/General-2 (CCG-2)
Residential Low Density-100A (RLD-100A)

Proposed Zoning District: Residential Medium Density-D (RMD-D)

Current Land Use Category: Community General Commercial (CGC)
Low Density Residential (LDR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: North, District 6

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow,
PLLC
1 Independent Drive, Suite 1200
Jacksonville, Florida. 32202

Owner: Main Objective A LLC
Main Objective B LLC
731 Duval Station Road, Suite 107-415
Jacksonville, Florida. 32218

Kayla Breeding
Donnette Williams
Karen Beck
2830 Cold Creek Boulevard
Jacksonville, Florida. 32221

Jacqueline Upton
4983 Greenland Road
Jacksonville, Florida. 32258

Staff Recommendation:

APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0670 seeks to rezone approximately 11.38 acres of land from Planned Unit Development Planned Unit Development (PUD), Commercial Community/General-2 (CCG-2) and Residential Low Density-100A (RLD-100A) to Residential Medium Density-D (RMD-D). The rezoning is being sought to construct multi-family dwellings consistent with the density of RMD-D on the property.

There is a companion Land Use Amendment Ord. 2022-0669 to change the property from Community/ General Commercial (CGC) and Low Density Residential (LDR) to Medium Density Residential (MDR). The Planning and Development Department is also recommending approval on the proposed Land Use Amendment.

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 request is to amend the zoning district from PUD, CCG-2, and RLD-100A to RMD-D to allow for a multi-family development. The subject property is adjacent to CGC and LDR land use categories. The proposed land use change to MDR would be compatible with the surrounding properties.

The zoning application, Ordinance 2022-0670, has a companion land use application, Ordinance 2022-0669 (L-5741-22C), that is changing the land use from CGC and LDR to MDR on 11.38 acres. The property is located on the east side of Main Street between Main Street North and Kirk Road. According to the City's Functional Highway Classification Map, Main Street North is

classified as a major arterial roadway. The site is mostly undeveloped land with single-family houses. The land use amendment site is in the Suburban Development Area, Planning District 6, and Council District 2 and has access to full urban services.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses, and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Development within the category should be compact and connected and should support multi-modal transportation. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept and Transit Oriented Development (TOD) are permitted. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. The maximum gross density for MDR in the Suburban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre.

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

Yes. This proposed rezoning to RMD-D is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The proposed project has connection points available and will be served by centralized wastewater and potable water distribution per the provided JEA Letter dated July 22 ,2022. The proposed project is consistent with Policy 1.2.9

Policy 3.1.6 The City shall provide for 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.

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 PUD, CCG-2, and RLD-100A to

RMD-D in order to permit the development of multi-family complex, all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC/LDR	CCG-2/ RLD-100A	Office / Single Family Dwellings
South	CGC/LDR	CCG-2/ RLD-100A	Single Family Dwellings
East	LDR	PUD/ RLD-100A	Single Family Dwellings
West	CGC	CCG-2	Train Tracks

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 26, 2022, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

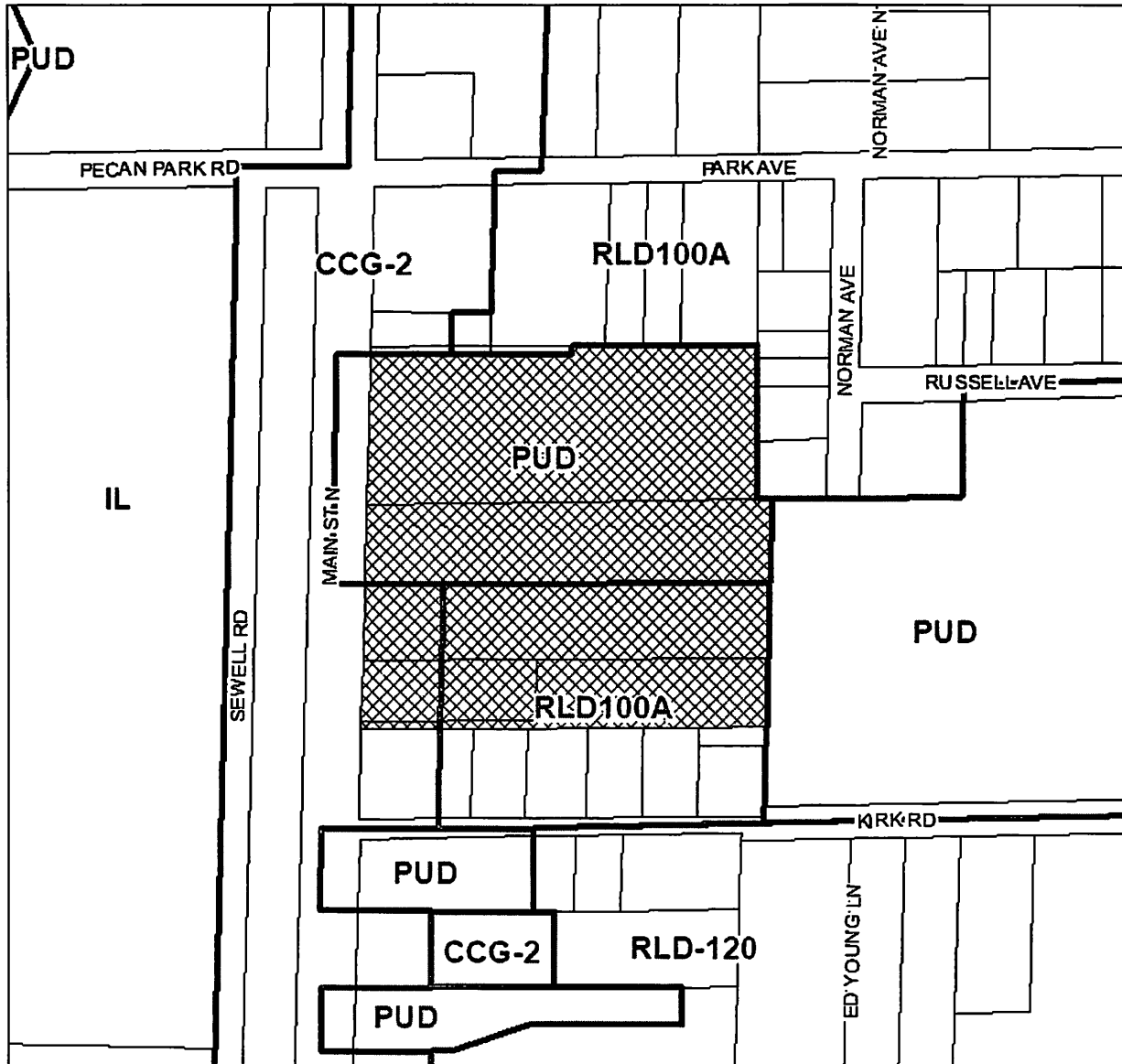
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2022-0670** be **APPROVED**.

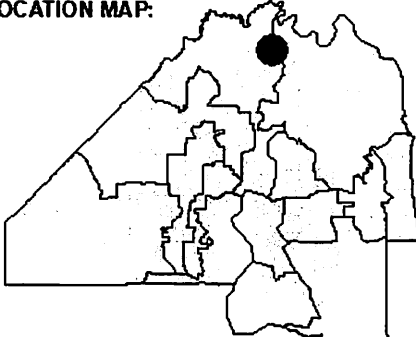



Aerial



View of the Subject Sites



<p>REQUEST SOUGHT:</p> <p>FROM: PUD, RLD-100A, & CCG-2</p> <p>TO: RMD-D</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 2</p>
<p>ORDINANCE NUMBER ORD-2022-0670</p>	<p>TRACKING NUMBER T-2022-4397</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0670 **Staff Sign-Off/Date** CMC / 08/24/2022

Filing Date 09/09/2022 **Number of Signs to Post** 4

Meeting Dates:

1st City Council 10/11/2022 **Planning Commission** 10/06/2022

Land Use & Zoning 10/18/2022 **2nd City Council** 10/25/2022

Neighborhood Association M&M DAIRY INC; THE EDEN GROUP INC.

Neighborhood Action Plan/Corridor Study DUNN & MAIN

Application Info

Tracking # 4397

Application Status FILED COMPLETE

Date Started 07/14/2022

Date Submitted 07/22/2022

General Information On Applicant

Last Name TRIMMER **First Name** CYNDY **Middle Name**

Company Name

DRIVER, MCAFFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address

1 INDEPENDENT DRIVE, SUITE 1200

City JACKSONVILLE **State** FL **Zip Code** 32202

Phone 9048070185 **Fax** 904 **Email** CKT@DRIVERMCAFFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name N/A **First Name** N/A **Middle Name**

Company/Trust Name

MAIN OBJECTIVE A LLC

Mailing Address

731 DUVAL STATION ROAD, SUITE 107-415

City JACKSONVILLE **State** FL **Zip Code** 32218

Phone **Fax** **Email**

Last Name N/A **First Name** N/A **Middle Name**

Company/Trust Name

MAIN OBJECTIVE B LLC

Mailing Address

731 DUVAL STATION ROAD, SUITE 107-415

City JACKSONVILLE **State** FL **Zip Code** 32218

Phone **Fax** **Email**

BREEDING

KAYLA

ANN

Company/Trust Name

Mailing Address

2830 COLD CREEK BOULEVARD

City	State	Zip Code
JACKSONVILLE	FL	32221
Phone	Fax	Email

Last Name	First Name	Middle Name
WILLIAMS	DONNETTE	CHRISTINE

Company/Trust Name

Mailing Address

2830 COLD CREEK BOULEVARD

City	State	Zip Code
JACKSONVILLE	FL	32221
Phone	Fax	Email

Last Name	First Name	Middle Name
BECK	KAREN	LYNN

Company/Trust Name

Mailing Address

2830 COLD CREEK BOULEVARD

City	State	Zip Code
JACKSONVILLE	FL	32221
Phone	Fax	Email

Last Name	First Name	Middle Name
UPTON	JACQUELINE	

Company/Trust Name

Mailing Address

4983 GREENLAND ROAD

City	State	Zip Code
JACKSONVILLE	FL	32258
Phone	Fax	Email

Last Name	First Name	Middle Name
N/A	N/A	

Company/Trust Name

MAIN LAND TRUST

Mailing Address

4983 GREENLAND ROAD

City	State	Zip Code
JACKSONVILLE	FL	32258

Property Information

Previous Zoning Application Filed For Site?

Yes, State Application No(s) 2009-0141

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 108288 0000	2	6	PUD	RMD-D
Map 108284 0000	2	6	CCG-2,RLD-100A	RMD-D
Map 108287 0000	2	6	CCG-2,RLD-100A	RMD-D
Map 108290 0100	2	6	PUD	RMD-D
Map 108284 0500	2	6	CCG-2,RLD-100A	RMD-D

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

5741

Total Land Area (Nearest 1/100th of an Acre) 11.38

Justification For Rezoning Application

APPLICANT SEEKS THIS REZONING TO FACILITATE MULTI-FAMILY DEVELOPMENT.

Location Of Property

General Location

EAST OF MAIN STREET NORTH AND NORTH OF KIRK ROAD

House #	Street Name, Type and Direction	Zip Code
15311	MAIN ST N	32218

Between Streets

BIRD ROAD and PARK AVENUE

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
11.38 Acres @ \$10.00 /acre: \$120.00
- 3) Plus Notification Costs Per Addressee
39 Notifications @ \$7.00 /each: \$273.00
- 4) Total Rezoning Application Cost: \$2,393.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

LEGAL DESCRIPTION

July 21, 2022

TRACT 1:

PARCEL I:

NORTH 125 FEET OF LOT 3, PLEASANT PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 9, AT PAGE 31, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

THE WEST 316 FEET OF THE NORTH 110 FEET OF NORTH 125 FEET OF LOT 3, PLEASANT PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 9, AT PAGE 31, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT ANY PART OF CAPTION IN ROAD RIGHT OF WAY.

PARCEL II:

WEST 316 FEET OF THE NORTH 110 FEET OF NORTH 125 FEET OF LOT 3, PLEASANT PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 9, AT PAGE 31, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT ANY PART OF CAPTION IN ROAD RIGHT OF WAY.

TRACT 2:

THE SOUTH 1/2 OF LOT 4, PLEASANT PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 31, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TRACT 3:

NORTH ONE-HALF (N 1/2) OF LOT FOUR (4), PLEASANT PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 31, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TRACT 4:

ALL OF THE SOUTH 1/2 OF LOT 5, AND PART OF THE NORTH 1/2 OF LOT 5, PLEASANT PARK, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 31 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID PART OF THE NORTH 1/2 OF LOT 5 BEING DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5, THENCE WESTERLY ALONG THE NORTH LINE THEREOF, 335.8 FEET TO AN IRON PIPE; THENCE AT RIGHT ANGLES SOUTH 14 FEET TO AN IRON PIPE; THENCE AT RIGHT ANGLES AND PARALLEL TO THE NORTH LINE OF SAID LOT 5, 366.4 FEET TO A POINT 14 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, PLEASANT PARK TERRACE, ACCORDING TO PLAT RECORDED IN PLAT BOOK 11, PAGE 39, DUVAL COUNTY, FLORIDA, PUBLIC RECORDS; THENCE AT RIGHT ANGLES ON A LINE PARALLEL TO THE WEST LINE OF SAID LOT 5, 130.33 FEET SOUTH TO A POINT; THENCE AT RIGHT ANGLES 702.2 FEET EAST TO THE EAST LINE OF SAID LOT 5; THENCE ALONG THE EAST LINE OF SAID LOT 5, 144.33 FEET TO THE POINT OF BEGINNING.

PUD

PECAN PARK RD

PARK AVE

NORMAN AVE N

CCG-2

RLD100A

NORMAN AVE

RUSSELL AVE

PUD

IL

MAIN ST N

SEWELL RD

PUD

RLD100A

KIRK RD

PUD

ED YOUNG LN

CCG-2

RLD-120

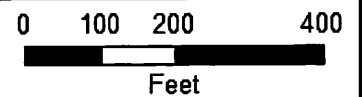
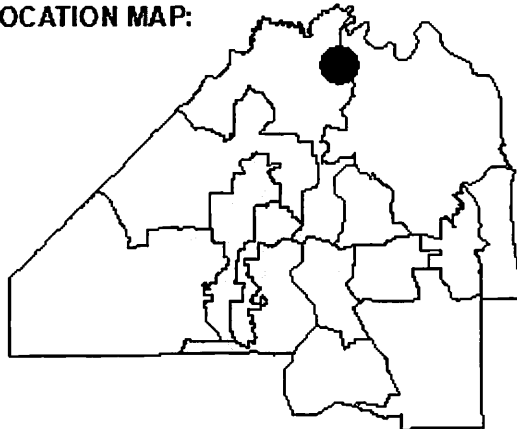
PUD

REQUEST SOUGHT:

FROM: PUD, RLD-100A, & CCG-2

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2022-4397

**EXHIBIT 2
PAGE 1 OF 1**