

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

January 20, 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.: 2021-740**

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**

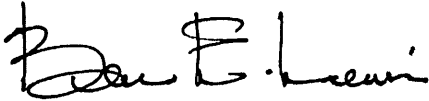
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	5-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Abstain
Joshua Garrison	Aye
Dawn Motes	Absent
Jason Porter	Absent

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 2021-0740

NOVEMBER 4, 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 2021-0740.

Location: 5902 Seaboard Avenue; Between Talton Lane and 110th Street

Real Estate Number: 103147-0000

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

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

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 4—Southwest

Applicant/Agent: Wyman R. Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Ivis Garcia
Evangelistic Missionary Movement, Inc.
1850 Manitoba Court North
Middleburg, Florida 32068

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0740 seeks to rezone 5.08± acres of a property from Residential Low Density-60 (RLD-60) to Residential Medium Density-D (RMD-D). The request is being sought to allow for the development of approximately ten (10) individually-platted quadruplex buildings—for a cumulative total of 40 residential units.

Staff notes a companion Small Scale Land Use Amendment L-5608-21C (**Ordinance 2021-0739**) that seeks to amend the land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that with the approval of companion Small Scale Land Use Amendment L-5608-21C (**Ordinance 2021-0739**), the subject property will be located in the Medium Density Residential (MDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 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. There is a companion land use application L-5608-21C seeking a land use change from Low Density Residential (LDR) to Medium Density Residential (MDR) on the subject site. MDR in the Urban Development Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations 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.

According to the applicant, the proposed use for this subject site is for the development of quadruplex units on individually platted lots. The maximum gross density in the Suburban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

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, 2021-3946, the proposed development shall connect to City water and sewer with an estimated flow of 10,000 gpd.

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 growth expected in Planning District #4 and provide for a greater variety of housing products for Jacksonville residents.

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.

If approved, the proposed rezoning affirms the policy mentioned above by providing a greater mixed housing product within the Wesconnett neighborhood area.

Recreation and Open Space Element (ROSE):

Policy 2.2.2

The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

Once the applicant is granted approval for the rezoning and land use amendment, they will be required to reserve a portion of the development site to link to existing parks, open space

and recreational facilities by either streets, sidewalks, bicycle paths, or other acceptable alternatives as approved by the Department.

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 RMD-D in order to permit for a multi-family residential development—all while adhering to local, state, and federal regulations governing wetlands.

SURROUNDING LAND USE AND ZONING

The subject property is located on the west side of Seaboard Avenue between Talton Lane and 110th Street. The proposed rezoning to RMD-D would allow for an appropriate transitional use and promote denser residential activity along Seaboard Avenue, a local road and emerging corridor. The applicant's request would also be consistent and compatible with the adjacent located at 5929 Seaboard Avenue (RE: 103180-0000) and 0 Seaboard Avenue (RE: 103183-0000)—both of which were recently rezoned from RLD-60 to RMD-D via **Ordinance 2020-0050**. Furthermore, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Dwellings
East	MDR	RMD-D	Undeveloped Land
South	LDR	RLD-60	Single-Family Dwellings
West	LDR	RLD-60	Wetlands/Single-Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 11, 2021** 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 **2021-0740** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 09/08/21

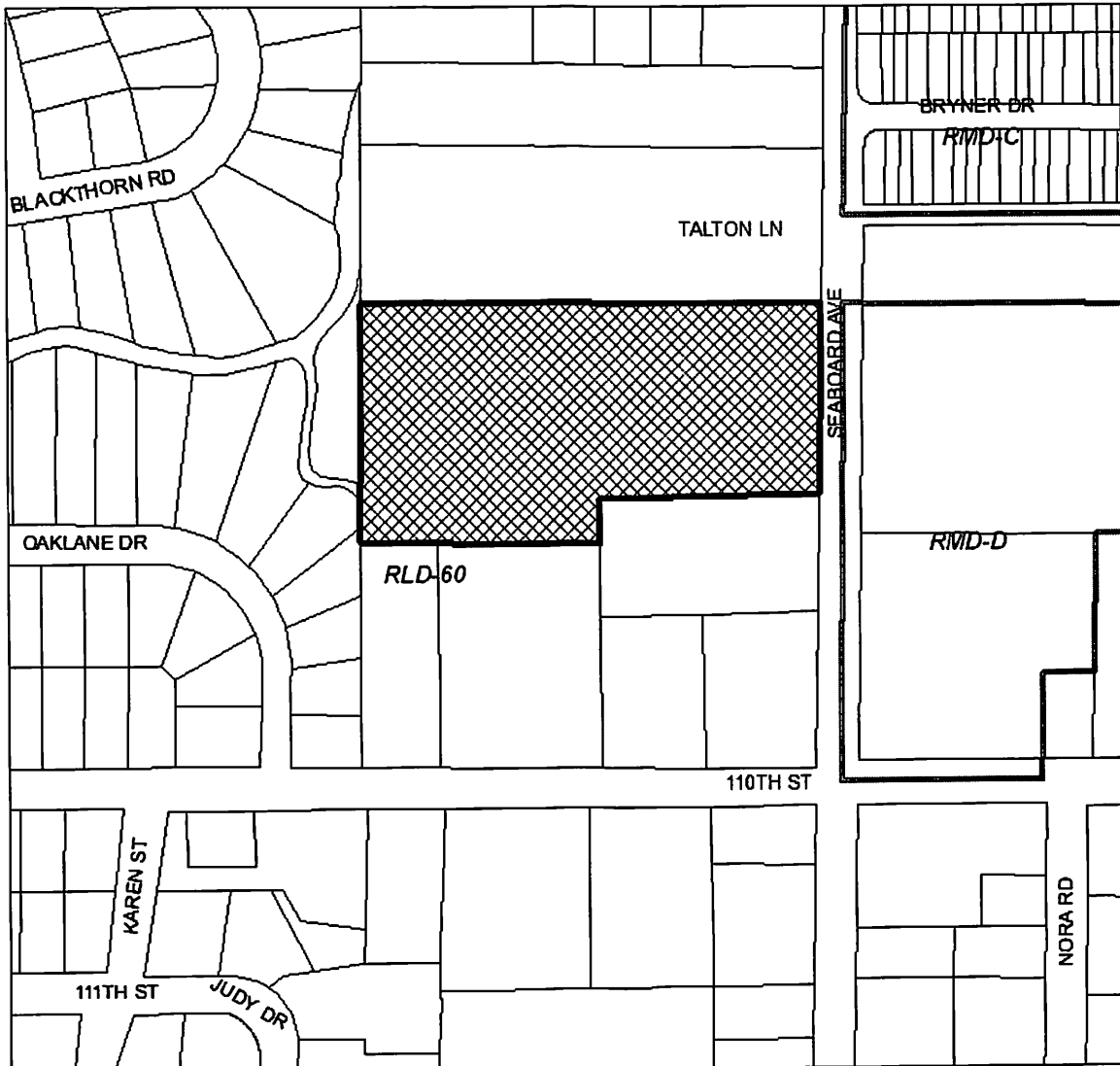
Aerial view of the subject site and parcel, facing north.

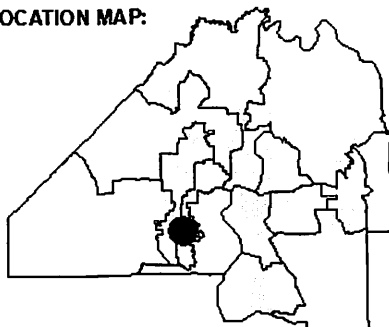
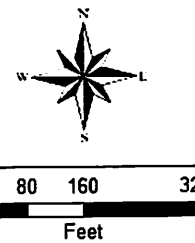
Figure B:



Source: Planning & Development Dept, 10/11/21

View of the subject parcel, facing west along Seaboard Avenue.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: RMD-D</p>	<p>LOCATION MAP:</p> 	 <p>0 80 160 320 Feet</p> <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2021-0740</p>	<p>TRACKING NUMBER</p> <p>T-2021-3749</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0740 **Staff Sign-Off/Date** ATW / 09/24/2021
Filing Date 10/06/2021 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 11/09/2021 **Planning Commission** 11/04/2021
Land Use & Zoning 11/16/2021 **2nd City Council** 11/23/2021
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3749 **Application Status** FILED COMPLETE
Date Started 08/26/2021 **Date Submitted** 08/30/2021

General Information On Applicant

Last Name DUGGAN **First Name** WYMAN **Middle Name** R
Company Name
 ROGERS TOWERS, P.A.
Mailing Address
 1301 RIVERPLACE BOULEVARD, SUITE 1500
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043983911 **Fax** 9043960663 **Email** WDUGGAN@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SEE **First Name** BELOW **Middle Name**
Company/Trust Name
 EVANGELISTIC MISSIONARY MOVEMENT INC.
Mailing Address
 C/O IVIS GARCIA, 1850 MANITOBA CT. N.
City MIDDLEBURG **State** FL **Zip Code** 32068
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 103147 0000	9	4	RLD-60	RMD-D

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 #

5608

Total Land Area (Nearest 1/100th of an Acre) 4.91

Justification For Rezoning Application

TO PERMIT THE DEVELOPMENT OF QUADPLEX RESIDENTIAL UNITS ON INDIVIDUALLY PLATTED LOTS.

Location Of Property

General Location

WESCONNETT NEIGHBORHOOD

House #

Street Name, Type and Direction

Zip Code

5902

SEABOARD AVE

32244

Between Streets

110TH STREET

and TALTON LANE

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

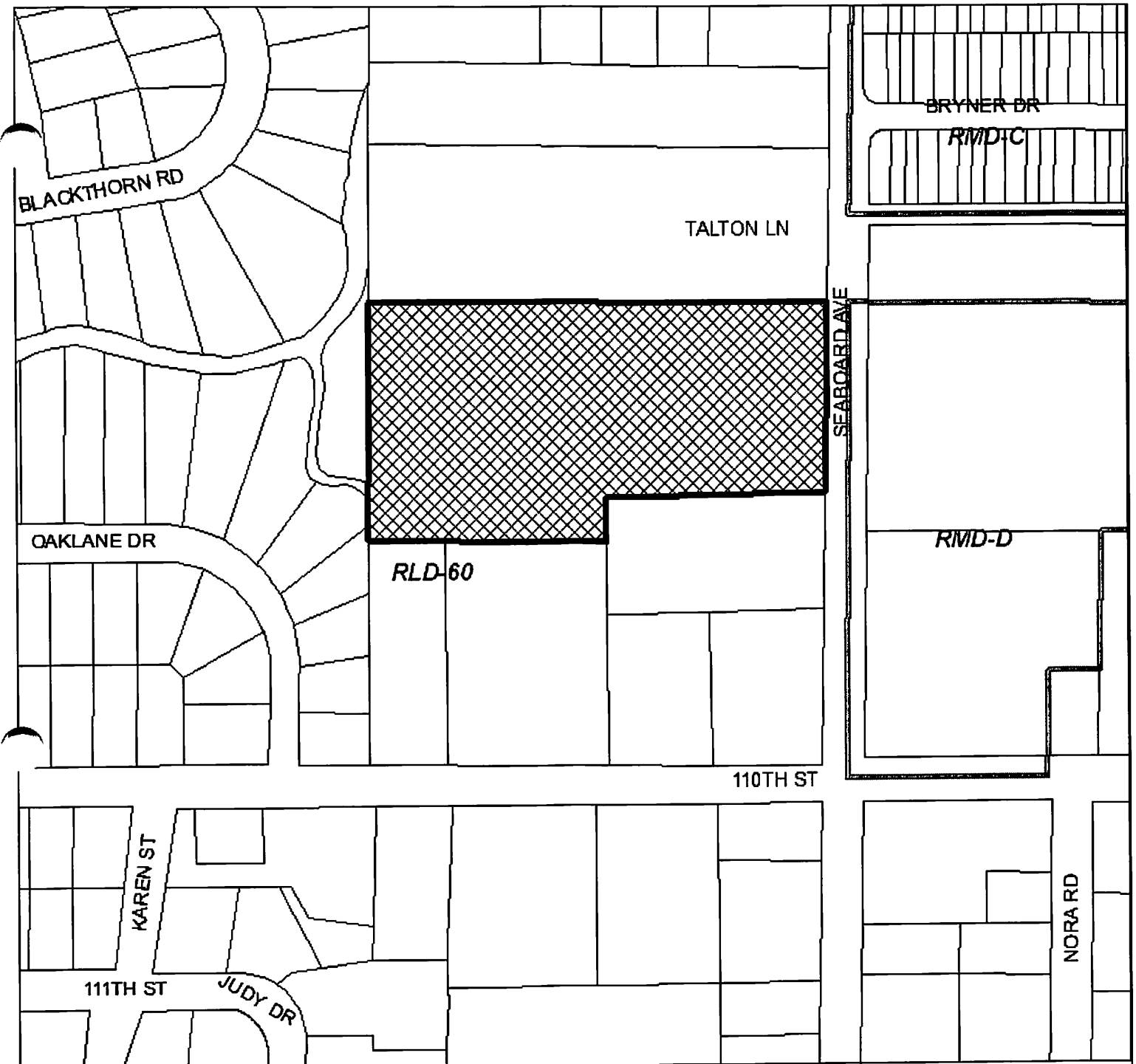
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**
 4.91 Acres @ \$10.00 /acre: \$50.00
- 3) Plus Notification Costs Per Addressee**
 52 Notifications @ \$7.00 /each: \$364.00
- 4) Total Rezoning Application Cost: \$2,414.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

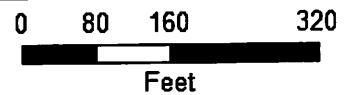
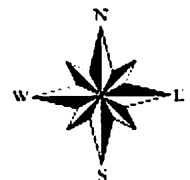
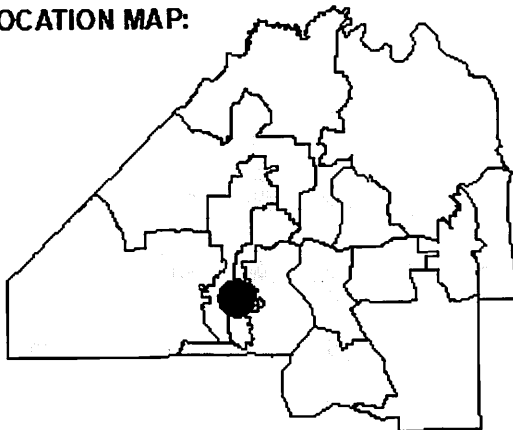


REQUEST SOUGHT:

FROM: RLD-60

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2021-3749

**EXHIBIT 2
PAGE 1 OF 1**