

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

February 4, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-688**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

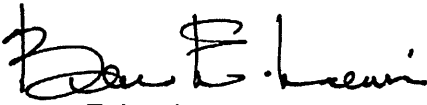
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Ian Brown	Aye
Alex Moldovan	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 written in a cursive style with a large initial "B".

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 2020-0688****FEBRUARY 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 2020-0688.

Location: 2026 Ashland Street

Real Estate Number: 070046-0010

Current Zoning District: Residential Medium Density-B (RMD-B)

Proposed Zoning District: Commercial Community/General-1 (CCG-1)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Community/General Commercial (CGC)

Planning District: District 3—Southeast

Applicant: Cyndy Trimmer
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

Owner: James Soderlund, Jr.
SBTA Trust
3481 Saint Augustine Road
Jacksonville, FL 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0688 seeks to rezone 0.11± acres of undeveloped property from Residential Medium Density-B (RMD-B) to Commercial Community/General-1 (CCG-1) in order to unify the zoning for the subject property with the adjacent properties to the west owned by SBTA Trust. The Planning and Development Department finds that the subject property is located in the Medium Density Residential (MDR) 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-5486-20C (Ordinance 2020-0689) that seeks to amend the portion of the site that is within the Medium Density Residential (MDR) land use category to Community/General Commercial (CGC).

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 the subject property to be located in the Community/General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The Commercial Community/General-1 (CCG-1) Zoning District is a primary zoning district within the Community/General Commercial (CGC) functional land use category. The site is also located in Planning District 3 and Council District 5.

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. Community/General Commercial (CGC) in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

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 Urban Area and According to the JEA Availability letter dated October 19, 2020, 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 3.2.7

The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

The subject property will be an extension of the business operated on the adjacent properties to the west. The request for commercial uses will not deviate from the character of the area from which it serves therefore being in compliance with Policy 3.2.7.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Jacksonville Naval Air Station (NAS Jax). 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.

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 RMD-A to CCG-1 in order to unify the zoning for the subject property with the adjacent properties to the west.

SURROUNDING LAND USE AND ZONING

The subject site is located on the south side of Ashland Street, a local street and is located in the Urban Development Area. The site is located in Council District 5, Planning District 3. The properties that surround the subject site on the north, south and east are all developed with single family dwellings zoned Residential Medium Density-B (RMD-B). The properties to the west of the subject property along St. Augustine Road is a commercial property zoned CCG-2.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR	RMD-B	Single Family Dwellings
South	MDR	RMD-B	Single Family Dwellings
East	MDR	RMD-B	Single Family Dwellings
West	CGC	CCG-2	Office Space

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses.

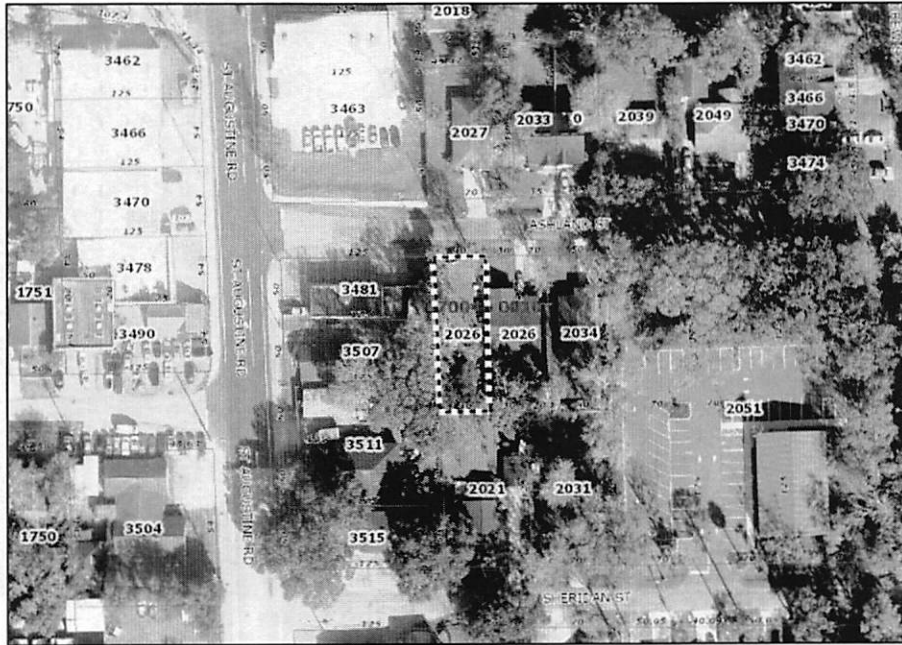
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 16, 2020 by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-0688** be **APPROVED**.



Aerial View

Source: JaxGIS Map



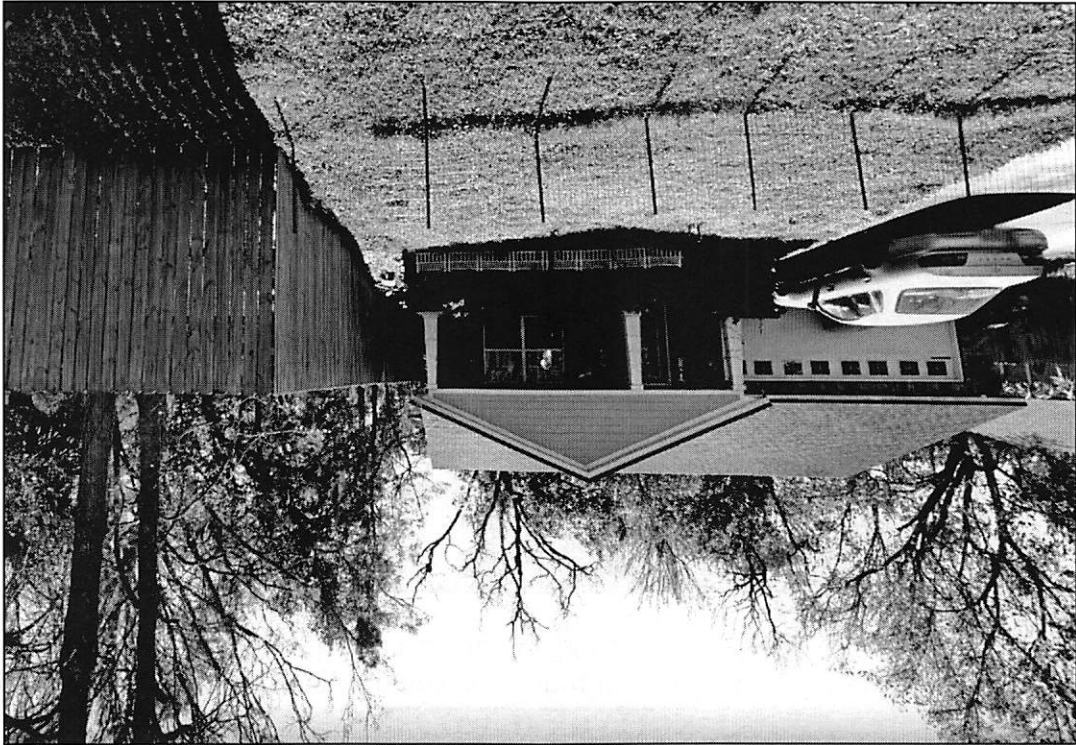
View of Subject Property

Source: Planning & Development Department 11/16/2020

View of Property to the North
Source: Planning & Development Department 11/16/2020



View of Property to the East
Source: Planning & Development Department 11/16/2020





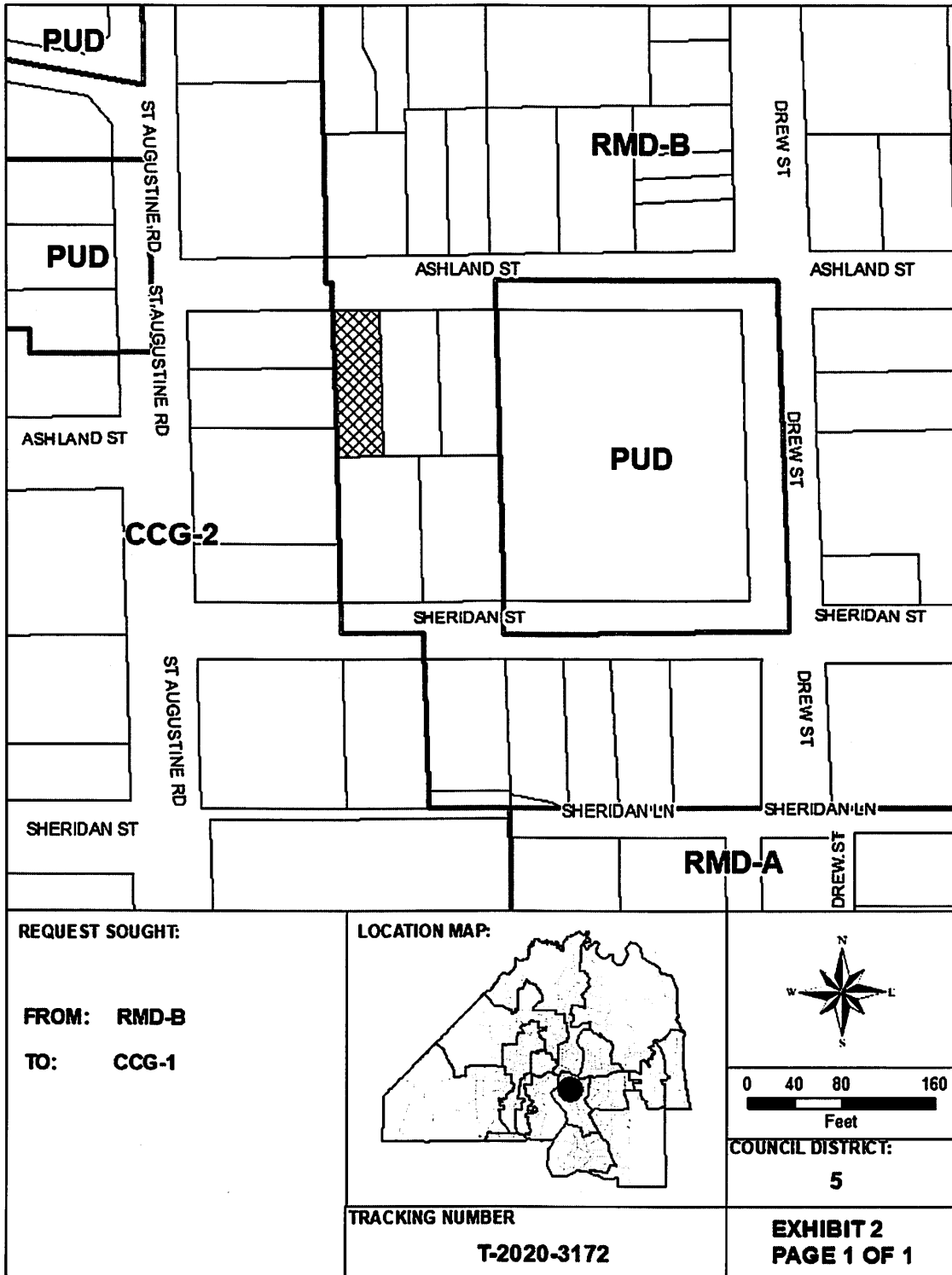
View of Properties to the West

Source: Planning & Development Department 11/16/2020



View of Property to the South

Source: Planning & Development Department 11/16/2020



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0688 Staff Sign-Off/Date ELA / 11/10/2020

Filing Date 11/10/2020 Number of Signs to Post 1

Hearing Dates:

1st City Council 12/08/2020 Planning Commission 12/03/2020

Land Use & Zoning 01/05/2021 2nd City Council N/A

Neighborhood Association NORTH ST AUGUSTINE ROAD NEIGHBORHOOD

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3172

Application Status FILED COMPLETE

Date Started 10/06/2020

Date Submitted 10/06/2020

General Information On Applicant

Last Name	First Name	Middle Name
TRIMMER	CYNDY	

Company Name
DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address
1 INDEPENDENT DRIVE, SUITE 1200

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9048070185	904	CKT@DRIVERMCAFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SODERLUND, JR.	JAMES	

Company/Trust Name
SBTA TRUST DATED 4/2/2013

Mailing Address
3481 SAINT AUGUSTNE ROAD

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9043011269		

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	070046 0010	5	3	RMD-B	CCG-1

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

Existing Land Use Category

MDR

Land Use Category Proposed? **If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre)** 0.11**Justification For Rezoning Application**

TO UNIFY THE ZONING ON THE PROPERTIES OWNED BY SBTA TRUST.

Location Of Property**General Location**

SOUTHEASTERN CORNER OF ST AUGUSTINE ROAD AND ASHLAND STREET

House #	Street Name, Type and Direction	Zip Code
2026	ASHLAND ST	32207

Between Streets

ST AUGUSTINE ROAD and DREW 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

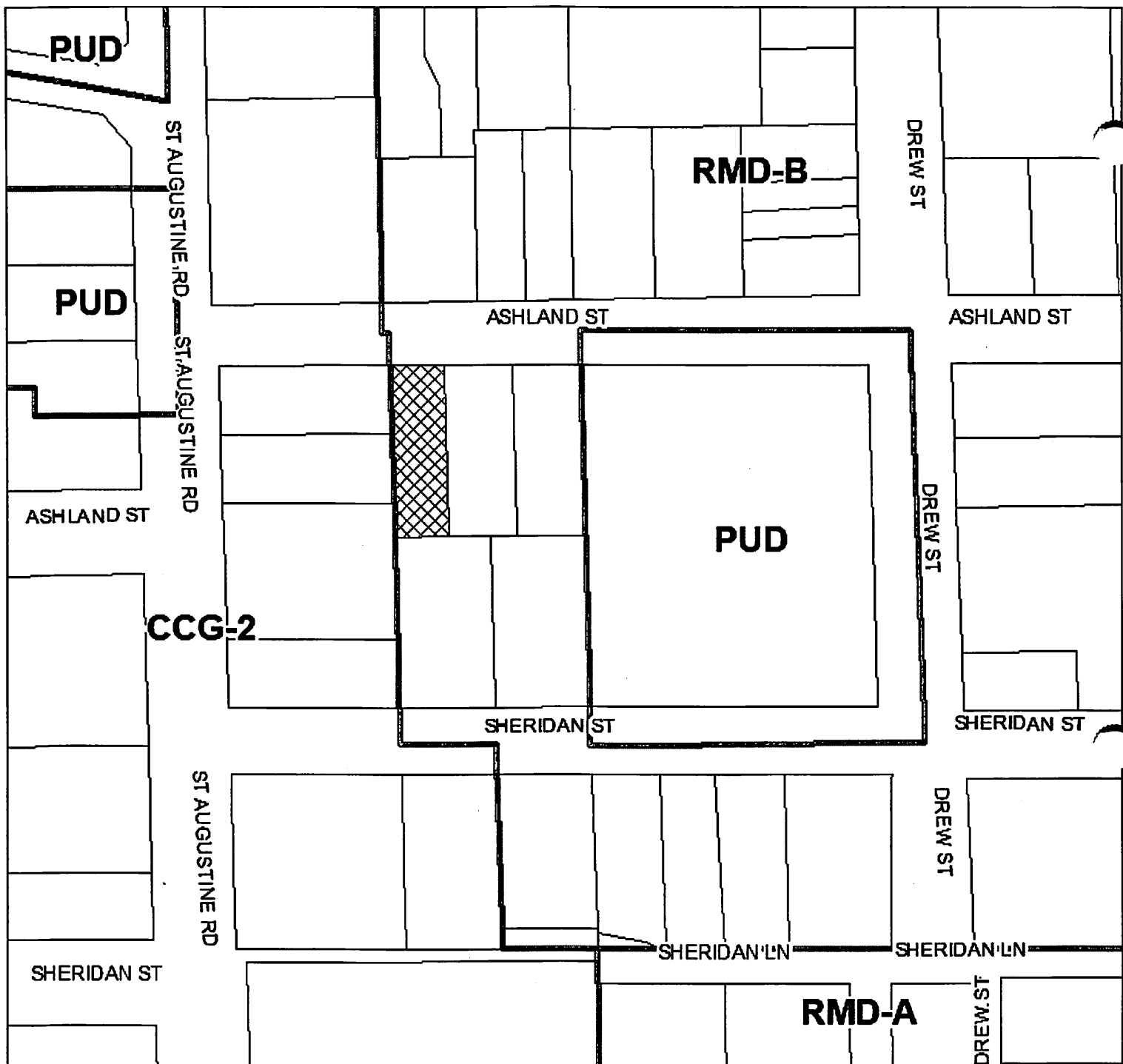
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
0.11 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
41 Notifications @ \$7.00 /each: \$287.00
- 4) Total Rezoning Application Cost: \$2,297.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

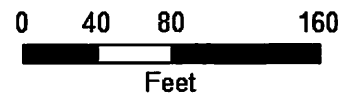
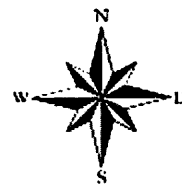
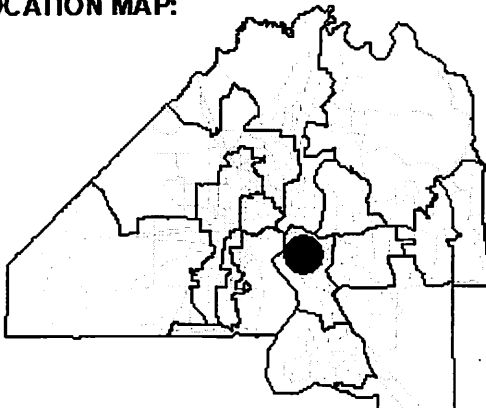


REQUEST SOUGHT:

FROM: RMD-B

TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:

5

TRACKING NUMBER

T-2020-3172

**EXHIBIT 2
PAGE 1 OF 1**

LEGAL DESCRIPTION

THE WEST 40 FEET OF LOT FIFTEEN (15), BLOCK TWENTY SIX (26), SECTION "A" SOUTH RIVERSIDE ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 14, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



Availability Letter

Krista Burby

10/19/2020

Driver, McAfee, Hawthorne & Diebenow, PLLC

One Independent Drive, Suite 1200

Jacksonville, Florida 32202

Project Name: Quality Discount Roofing

Availability #: 2020-3383

Attn: Krista Burby

Thank you for your inquiry regarding the availability of 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 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/

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,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2020-3383

Request Received On: 10/6/2020

Availability Response: 10/19/2020

Prepared by: Roderick Jackson

Expiration Date: 10/19/2022

Project Information

Name: Quality Discount Roofing

Address: 2026 ASHLAND ST, JACKSONVILLE, FL 32207

County: Duval County

Type: Sewer,Water

Requested Flow: 400.8

Parcel Number: 070046 0010, 070035 0000, 070036 0000

Location: SOUTHEAST CORNER OF ST AUGUSTINE ROAD AND ASHLAND STREET

Description: Commercial roofing business (existing business - rezoning residential parcel)

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Ex Service can be used if in good condition and supplies adequate water to the facility.

Connection Point #2: Ex 6-inch water mains within the Ashland St & St Augustine Rd ROW

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

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Ex Service can be used if in good condition and not in conflict with proposed construction.

Connection Point #2: Ex gravity sewer mains within the Ashland St(8-inch) & St Augustine Rd(12-inch) ROW

Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station,

Sewer Special Conditions: and a JEA dedicated force main (min. 4" dia.). If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, and Plan Submittal requests can be made within Step 2 of the project portal.

Reclaimed Water Connection

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

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: