

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

8 October 2020

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.: 2020-548**

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 (Change to CCG-1)**

Planning Commission Recommendation: **Approve**

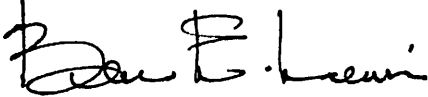
Planning Commission Commentary: There were no speakers in opposition. The Commissioners felt that due to the new interstate exit and the lack of commercial uses in the area that CCG-2 is appropriate.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Aye
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	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 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 2020-0548

OCTOBER 8, 2020

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 **2020-0548**.

Location: 0 Beaver Street (SR 10); Between Railroad Avenue and Limann Road

Real Estate Number: Portion of 000913-0010

Current Zoning District: Agriculture (AGR)

Proposed Zoning District: Commercial Community/General-2 (CCG-2)

Current Land Use Category: Agriculture-IV (AGR-IV)

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

Planning District: District 4—Southwest

Applicant/Agent: Lara Diane Hipps
Hipps Group, Inc.
1650 Margaret Street, Suite 323
Jacksonville, Florida 32204

Owner: Brian M. Blaquiere / Monica Blaquiere
8560-12 Old Kings Road South
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE WITH CCG-1 ZONING AND
REMOVAL OF THE SOUTHERN 7.5 ACRES,
WHICH CONSISTS OF WETLANDS, FROM
THE REZONING APPLICATION**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0548** seeks to rezone 9.85± acres of a property from Agriculture (AGR) to Commercial Community/General-2 (CCG-2). The request is being sought

to allow for commercial development near the new Baldwin Bypass interchange. The subject property is currently undeveloped and is primarily covered in Category III wetlands.

There is also companion Small Scale Land Use Amendment L-5452-20C (**Ordinance 2020-0381**) that seeks to amend the land use on the property from Agriculture-IV (AGR-IV) 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 that with the approval of companion Small-Scale Land Use Amendment L-5452-20C (**Ordinance 2020-0381**), the subject property will 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.

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

Yes and No. The proposed CCG-2 and the recommended CCG-1 rezoning districts are consistent with the proposed future land use category of CGC. **However, CCG-2 and CCG-1 are inconsistent with the land use amendment application Planning and Development Department recommendation to remove the southern 7.5 acres, consisting primarily of wetlands, from the land use amendment application leaving that 7.5-acre area to continue with the current land use of AGR-IV.**

Nonetheless, the subject site is located along the south side of Beaver Street West (US 90), a 2-lane principal roadway, and approximately 800 feet west of the Town of Baldwin. Directly abutting the east side of the site is the ongoing construction of the new Baldwin Bypass roadway project that will include a signalized intersection at Beaver Street. The

applicant seeks to rezone the property from AGR to CCG-2 to allow for commercial development of the property. The rezoning includes a companion land use amendment from AGR- 4 to CGC on this 9.85 acre portion of the property with Ordinance 2020-381. According to the Future Land Use Element (FLUE), Community/General Commercial

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

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.

In reference to the attached JEA Availability Letter, 2020-1768, the proposed development shall connect to City water and sewer with an estimated flow of 3,000 gpd.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed request to commercial zoning would allow for small infill development on a traditionally underutilized parcel.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning to a commercial district 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 CCG-11 in order to permit for commercial development.

Additionally the southern portion of the site includes a substantial area of Category III wetlands. According to the City's geographic information data, approximately 6.48± acres of the total site (9.85± acres) includes Category III wetlands. These wetlands are connected to a larger wetland of the surrounding area and provide floodwater storage during storm events. Due to the size and connectivity to other wetlands, Staff does not recommend intensification of the wetlands. **Instead, Staff recommends that the southern 7.5± acres (6.48± acres of which contain wetlands) be removed from the rezoning application and remain under AGR zoning.**

SURROUNDING LAND USE AND ZONING

The subject site is located along the south side of Beaver Street West (US 90), a 2-lane principal roadway, and approximately 800 feet west of the Town of Baldwin. Directly abutting the east side of the site is the ongoing construction of the new Baldwin Bypass roadway project that will include a signalized intersection at Beaver Street. However, Staff finds the applicant's request for CCG-2 zoning to be too intense, premature, and intrusive for the surrounding single-family dwellings and agricultural uses. **In order to discourage suburban sprawl and premature intensification in the Rural Development Area, Staff recommends that the subject property be rezoned to a more a gradual and scalable commercial zoning district of CCG-1.**

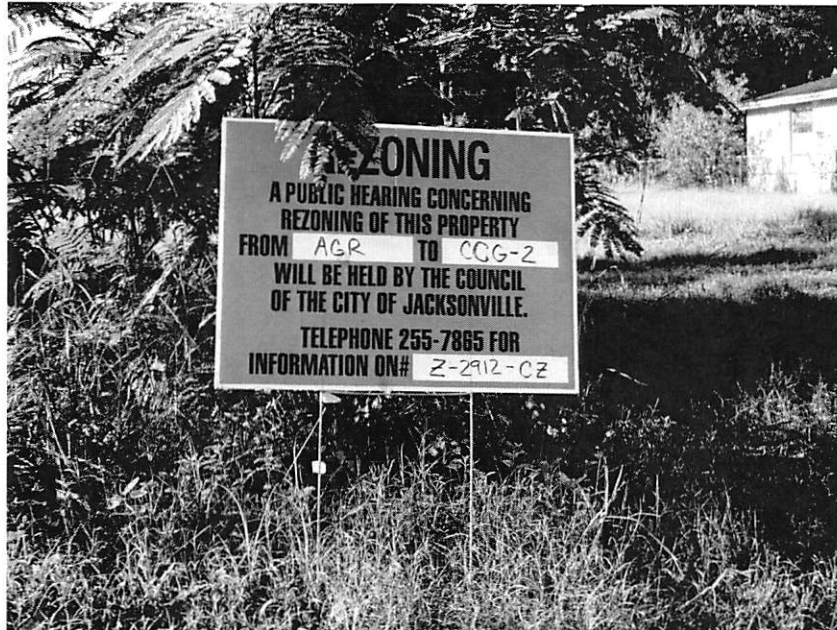
Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RR/AGR-IV	RR-ACRE/AGR	Single-Family Dwellings/Church
East	AGR-IV	AGR	Baldwin Bypass (Under Construction)
South	AGR-IV	AGR	CSX Rail Line / Wetlands
West	AGR-IV	AGR	Single-Family Dwellings

Based on Staff's findings mentioned above, 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 **October 1, 2020** 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 **2020-0548** be **APPROVED WITH CCG-1 ZONING AND REMOVAL OF THE SOUTHERN 7.5 ACRES, WHICH CONSISTS OF WETLANDS, FROM THE REZONING APPLICATION.**

Figure A:



Source: Planning & Development Dept, 08/18/20

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

Figure B:



Source: Planning & Development Dept, 10/01/20

View of the subject property, facing south on Beaver Street (US-90).

Figure C:



Source: Planning & Development Dept, 10/01/20

An abutting single-family dwelling (17210 Beaver Street), facing south.

Figure D:



Source: Planning & Development Dept, 10/01/20

A Single-family dwelling (21 Limann Road) across the street from the parcel, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p> <p>A small map showing the location of the site (indicated by a black dot) within a larger geographic area.</p>	<p>A north arrow pointing upwards and a scale bar showing 0, 130, 260, and 520 feet.</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0548</p>	<p>TRACKING NUMBER</p> <p>T-2020-2912</p>	<p>COUNCIL DISTRICT:</p> <p>12</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0548 **Staff Sign-Off/Date** ATW / 08/18/2020

Filing Date 09/02/2020 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 10/13/2020 **Planning Commission** 10/08/2020

Land Use & Zoning 10/20/2020 **2nd City Council** 10/27/2020

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 2912

Application Status FILED COMPLETE

Date Started 05/27/2020

Date Submitted 06/18/2020

General Information On Applicant

Last Name	First Name	Middle Name
HIPPS	LARA	DIANE

Company Name
HIPPS GROUP INC.

Mailing Address
1650 MARGARET STREET #323

City	State	Zip Code
JACKSONVILLE	FL	32204

Phone	Fax	Email
9047812654	9047812655	LARA@HIPPSGROUPINC.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
BLAQUIERE	BRIAN	

Company/Trust Name

Mailing Address
43526 RED DIRT RIDGE TRAIL

City	State	Zip Code
CALLAHAN	FL	32011

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	000913 0010	12	4	AGR	CCG-2

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

Existing Land Use Category

AGR-IV

Land Use Category Proposed?

If Yes, State Land Use Application #

5452

Total Land Area (Nearest 1/100th of an Acre) 9.85

Justification For Rezoning Application

TO ALLOW FOR DEVELOPMENT UNDER USES IN THE CCG-2 ZONING DISTRICT.

Location Of Property

General Location

BEAVER STREET WEST JUST WEST OF THE NEW BALDWIN INTERCHANGE

House #	Street Name, Type and Direction	Zip Code
0	BEAVER ST W	32234

Between Streets

RAILROAD AVE and LIMANN 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
 9.85 Acres @ \$10.00 /acre: \$100.00
- 3) Plus Notification Costs Per Addressee
 Notifications @ \$7.00 /each:
- 4) Total Rezoning Application Cost:
 NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

Parcel A

BEGINNING 320 FEET EAST OF NW CORNER OF THE WEST ¼ OF THE NORTH ¼ OF THE NORTHEAST ¼ OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 23 EAST RUNNING THENCE SOUTH 210 FEET; THENCE EAST 210 FEET; THENCE NORTH 210 FEET; THENCE WEST 210 FEET TO THE PLACE OF BEGINNING, AS RECORDED IN DEED BOOK 977, PAGE 82 OF THE PUBLIC RECORD OF DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART DESCRIBED IN OFFICIAL RECORDS VOLUME 3665, PAGE 567, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Parcel B

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF EAST LINE OF THE NORTHEWEST ¼, SECTION 27, TOWNSHIP 2 SOUTH, RANGE 23 EAST AND THE CENTER LINE OF THE 120.0 FOOT RIGHT OF WAY OF THE SEABOARD COASTLINE R.R. THENCE CONTINUE NORTH 82°29'50" EAST ALONG SAID LINE 915.0 FEET; THENCE NORTH 0°16'26" WEST 324.0 TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 0°16'26" WEST 341.0 FEET; THENCE SOUTH 82°29'50" WEST 410.0 FEET; THENCE SOUTH 0°16'26" EAST 341.0 FEET TO A POINT; THENCE NORTH 82°29'50" EAST 410.0 FEET TO THE POINT OF BEGINNING.

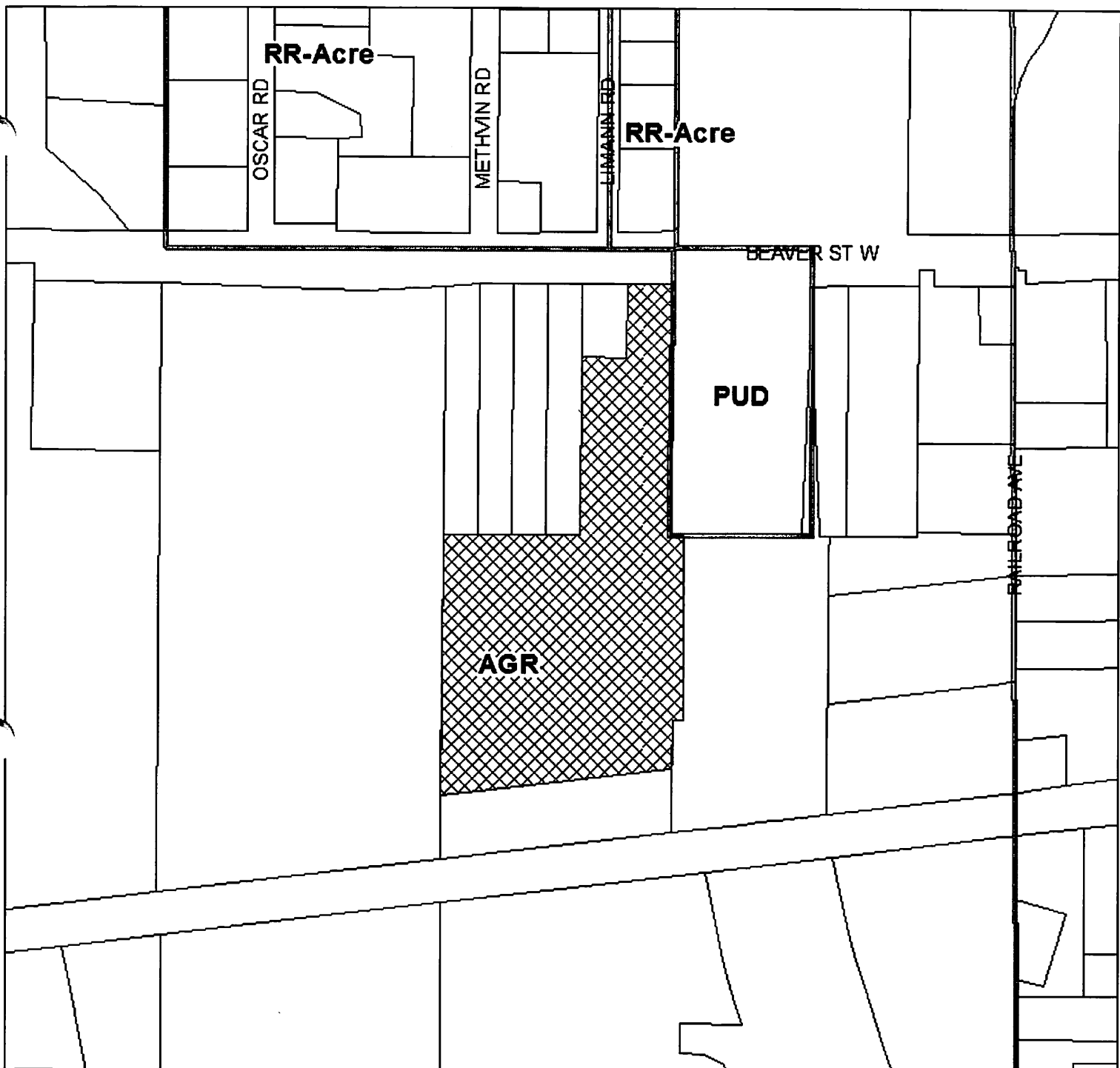
Parcel C

A PART OF THE NORTHEWEST ¼ OF THE NORTHEAST ¼ OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 23 EAST, OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF THE SEABOARD AIRLINE RAILROAD RIGHT OF WAY AND THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 27, RUN THENCE NORTH 0°19'30" WEST A DISTANCE OF 84.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 0°19'30" WEST, A DISTANCE OF 664.90 FEET; THENCE NORTH 89°33'32" EAST, A DISTANCE OF 321.87; THENCE NORTH 0°08'58" WEST, A DISTANCE OF 416 FEET; THENCE NORTH 89°33'32" EAST, A DISTANCE OF 210 FEET; THENCE SOUTH 0°08'58" EAST, A DISTANCE OF 416 FEET; THENCE NORTH 89°33'32" EAST, A DISTANCE OF 373.12 FEET; THENCE SOUTH 0°05' EAST, A DISTANCE OF 40.03 FEET; THENCE SOUTH 82°55'30" WEST, A DISTANCE OF 410 FEET; THENCE SOUTH 0°05' EAST, A DISTANCE OF 341 FEET; THENCE NORTH 82°55'30" EAST, A DISTANCE OF 43 FEET; THENCE SOUTH 0°05' EAST, A DISTANCE OF 236.96 FEET; THENCE SOUTH 89°3'10" WEST, A DISTANCE OF 537.10 FEET TO THE POINT OF BEGINNING, AND ALSO A PART OF THE NORTHEAST ¼ OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 23 EAST OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 27 AND THE NORTHERLY LINE OF THE SEABOARD AIRLINE RAILROAD; RUN THENCE NORTH 0°19'30" WEST A DISTANCE OF 84.86 FEET; THENCE NORTH 89°03'10" EAST A DISTANCE OF 537.10 FEET; THENCE SOUTH 0°05' EAST, A DISTANCE OF 27.04 FEET; THENCE SOUTH 82°55'30" WEST, A DISTANCE OF 540.84 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE SOUTH 150'.

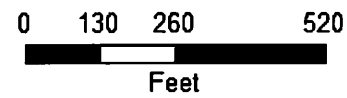
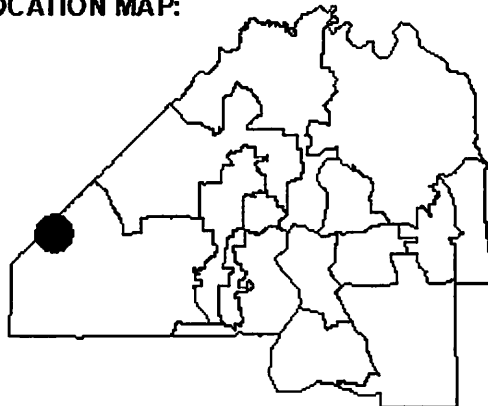


REQUEST SOUGHT:

FROM: AGR

TO: CCG-2

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2020-2912

**EXHIBIT 2
PAGE 1 OF 1**



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Lara Hipps
Hipps group Inc
1650 Margaret St #323
Jacksonville, FL, 32204

June 02, 2020

Project Name: Beaver St. West
Availability#: 2020-1768

Attn: Lara Hipps,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced 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 WS&R 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 strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. 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 from the third party owner providing applicant with the right to construct the utilities.

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 on jea.com.

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, https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2020-1768
Request Received On: 5/20/2020
Availability Response: 6/2/2020
Prepared by: Roderick Jackson

Project Information

Name: Beaver St. West
Type: OTHER
Requested Flow: 3,000 gpd
Location: Beaver St. West
Parcel ID No.: 000913 0010
Description: Commercial

Potable Water Connection

Water Treatment Grid: N/A
Connection Point #1: JEA is not the utility provider for this area
Connection Point #2: NA
Special Conditions: N/A

Sewer Connection

Sewer Treatment Plant: N/A
Connection Point #1: JEA is not the utility provider for this area
Connection Point #2: NA
Special Conditions: N/A

Reclaimed Water Connection

Sewer Region/Plant: N/A
Connection Point #1: JEA is not the utility provider for this area
Connection Point #2: NA
Special Conditions: N/A

General Comments:

Electric Availability: 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.