

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

November 17, 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.: 2022-788**

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**

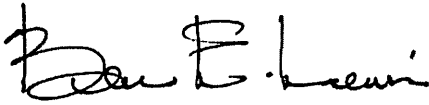
Planning Commission Recommendation: **Approve**

Planning Commission Vote: 5-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Absent
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Abstain
Jordan Elsbury	Aye
Joshua Garrison	Aye
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 2022-0788****NOVEMBER 17, 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 2022-0788.

Location: 2317 Lamee Avenue, 0 Drexel Street

Real Estate Number: 135998-0000, 136006-0020

Current Zoning District: Residential Low Density-60 (RLD-60)
Commercial Community General-2 (CCG-2)

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

Current Land Use Category: Community General Commercial (CGC)
Residential Professional Institutional (RPI)

Proposed Land Use Category: Medium Density Residential (MDR)
Residential Professional Institutional (RPI)

Planning District: Southeast, District 3

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Blvd Suite 1500
Jacksonville, FL 32207

Owner: Southern Impression Homes Inc.
5711 Richard Street Suite 1
Jacksonville, FL 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0788 seeks to rezone approximately 1.02± acres of property from Residential Low Density-60 (RLD-60)/Commercial Community General-2 (CCG-2) to Residential Medium Density-D (RMD-D) in order to develop the property with multi-family residential dwelling units. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC)/ Residential Professional Institutional (RPI) 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. There is a companion Land Use Amendment, **2022-0787 (L-5761-22C)**. The proposed LUA is for 0 Drexel Street to go from Community General Commercial (CGC) 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. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC)/ Residential Professional Institutional (RPI) 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-5761-22C (Ordinance 2022-0787)** that seeks to amend the portion of the site that is within the Community General Commercial (CGC) land use category to Medium Density Residential (MDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series **L-5761-22C** be approved.

According to the Future Land Use Element (FLUE), 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 that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Urban Development Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre. In the absence of the availability of centralized water and sewer, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services, which is stated below:

Residential density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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.

Future Land Use Element

Policy 1.1.10

Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

The subject property is located south of Beach Boulevard and is developed primarily with commercial uses zoned CCG-2 and transitions to Residential Medium Density-D and Residential Low Density-60. Approval of the rezoning to RMD-D would allow for the gradual transition of commercial uses to the north and single family to the south therefore being in compliance with Policy 1.1.10.

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.

The subject properties is located in the Urban Area and According to the JEA Availability letter dated May 4, 2020, submitted with the application, the site has access to water and sewer service but would be required to connect through a gravity sewer main extension from the existing manhole within Drexel St. ROW, approx. 170 LF west of this property. Additionally, would be required to connect through a water main extension from the existing 6-inch water main within Drexel St. ROW, approx. 150 LF west of this property.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Airport Environment Zone

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 500 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 the safe navigation of aircraft as required by Section 656.1005.1(d). This land use amendment was reviewed by the Navy and recommended approval. The applicant is required to disclose requirements when the property is within the Military Notice Zone.

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.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Policy 1.2.6

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

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/CCG-2 to RMD-D in order to develop the property with multi-family residential dwelling units.

SURROUNDING LAND USE AND ZONING

The subject site is located at the corner of Lamee Avenue and Mente Street just south of Beach Boulevard (SR 212), a major arterial roadway. Lamee Avenue intersects with Beach Blvd where properties are developed for commercial uses including: a school, office spaces, and vehicle retail sales. Lamee Avenue transitions from Beach Blvd south from to properties zoned Medium Residential/Low Density residential. Properties to the West and South are developed with single family dwellings zoned RLD-60 and the adjacent property to the east is developed as a commercial shopping center. Further south along Carmichael Avenue is Clearview Townhouses development zoned RMD-D. Approval of the rezoning request to RMD-D would allow for development similar in nature to surrounding properties. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-2	Private School
South	LDR	RLD-60	Single Family Dwellings
East	CGC	CCG-2	Shopping Center
West	LDR	RLD-60	Single Family Dwellings

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

SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on **October 31, 2022** to the Planning and Development Department, that the 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 2022-0306 be **APPROVED**.



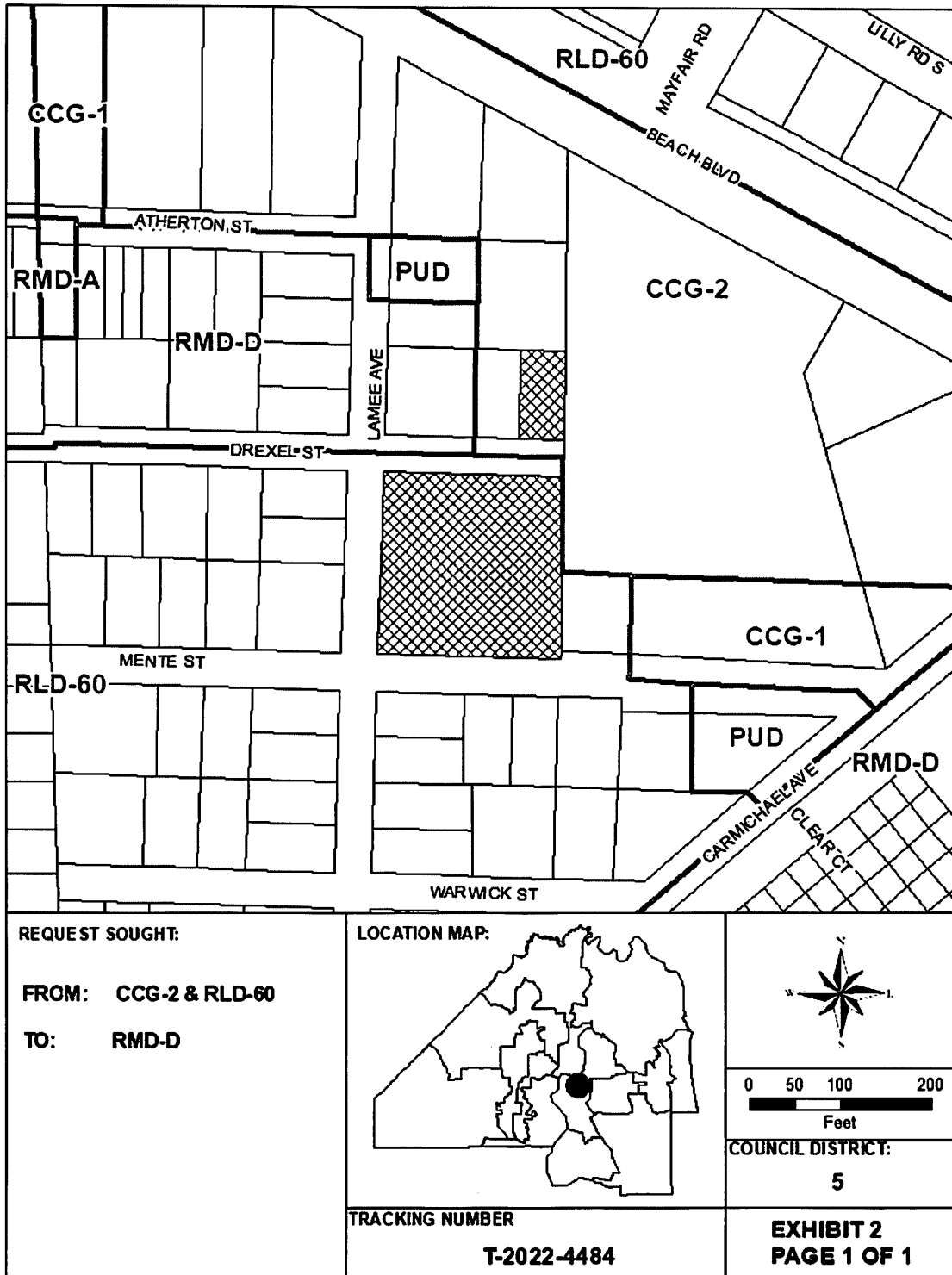
Aerial View

Source: JaxGIS Map



View of Subject Property

Source: JaxGIS Maps



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0788 Staff Sign-Off/Date ELA / 10/06/2022
 Filing Date 10/25/2022 Number of Signs to Post 2

Hearing Dates:
 1st City Council 11/22/2022 Planning Commission 11/17/2022
 Land Use & Zoning 12/06/2022 2nd City Council 12/13/2022

Neighborhood Association SPRINGPARK NEIGHBORHOOD ASSOCIATION
 Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4484 Application Status FILED COMPLETE
 Date Started 08/19/2022 Date Submitted 08/19/2022

General Information On Applicant

Last Name First Name Middle Name
 DUGGAN WYMAN R

Company Name
 ROGERS TOWERS, P.A.

Mailing Address
 1301 RIVERPLACE BOULEVARD, SUITE 1500

City State Zip Code
 JACKSONVILLE FL 32207

Phone Fax Email
 9043983911 9043960663 WDUGGAN@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name
 SEE BELOW

Company/Trust Name
 SOUTHERN IMPRESSION HOMES INC

Mailing Address
 5711 RICHARD STREET SUITE 1

City State Zip Code
 JACKSONVILLE FL 32210

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 135998 0000	5	3	CCG-2	RMD-D
Map 136006 0020	5	3	RLD-60	RMD-D

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

Existing Land Use Category
 CGC

Land Use Category Proposed?

If Yes, State Land Use Application #
 5761

Total Land Area (Nearest 1/100th of an Acre) 1.02

Justification For Rezoning Application

TO PERMIT DEVELOPMENT OF MULTIFAMILY RESIDENTIAL DWELLING UNITS

Location Of Property

General Location

ST. NICHOLAS

House #	Street Name, Type and Direction	Zip Code
2317	LAMEE AVE	32207

Between Streets

BEACH BLVD and MENTE 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

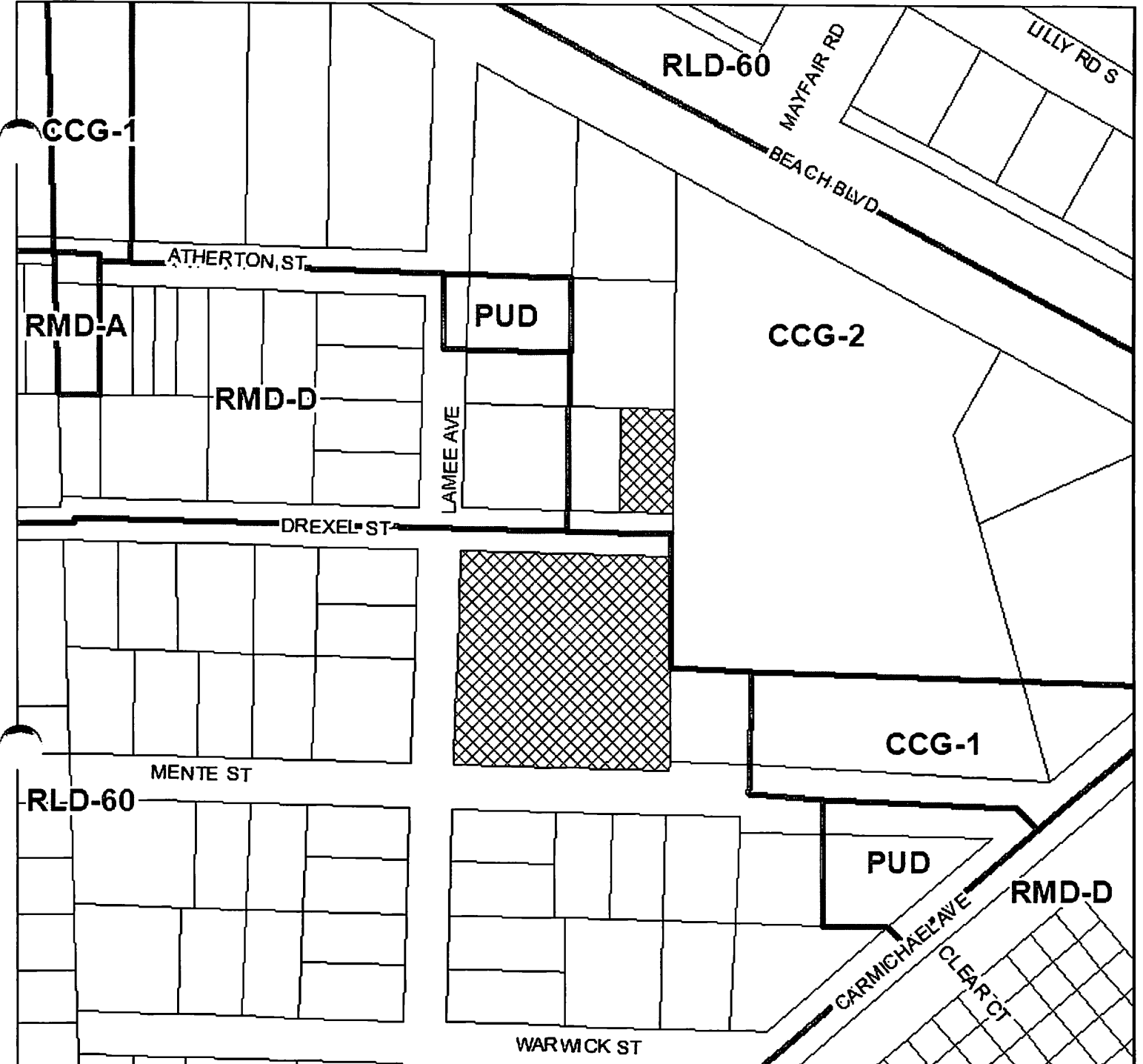
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**
1.02 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
72 Notifications @ \$7.00 /each: \$504.00
- 4) Total Rezoning Application Cost:** \$2,514.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

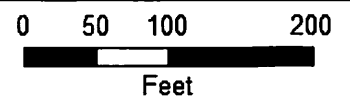
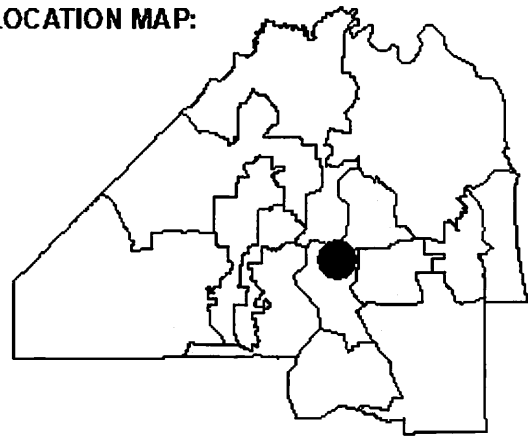


REQUEST SOUGHT:

FROM: CCG-2 & RLD-60

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

5

TRACKING NUMBER

T-2022-4484

**EXHIBIT 2
PAGE 1 OF 1**

LEGAL DESCRIPTION

OVERALL LEGAL

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7 AND 8, OF BLOCK "C", "HIGGINBOTHAM'S ADDITION TO ST. NICHOLAS, AN UNRECORDED SUBDIVISION, LYING WITHIN THE "RICHARD MILL GRANT", SECTION 52, TOWNSHIP 27 SOUTH, RANGE 27 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA.

FOR A POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE MONUMENTED NORTHERLY RIGHT-OF-WAY LINE OF "MENTE STREET", (A 40 FOOT PUBLIC ROAD RIGHT-OF-WAY, AS CURRENTLY MONUMENTED), WITH THE EASTERLY RIGHT-OF-WAY LINE OF "LAMEE AVENUE", (A 40 FOOT PUBLIC ROAD RIGHT-OF-WAY, AS SHOWN ON THE PLAT OF "LAMEE AND WALTONS SUBDIVISION OF GOLDMAN'S 10 ACRE TRACT", AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 60 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, AND RUN THENCE, NORTH 02°00'03" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID "LAMEE AVENUE", AND ALSO BEING THE WESTERLY LINE OF SAID BLOCK "C", A DISTANCE OF 200.00 FEET, TO THE MONUMENTED NORTHWESTERLY CORNER OF SAID LOT 1, BLOCK "C", RUN THENCE, SOUTH 87°58'43" EAST, ALONG THE NORTHWESTERLY CORNER OF SAID LOT 1, BLOCK "C", RUN THENCE, SOUTH 01°59'10" WEST, ALONG THE MONUMENTED EASTERLY LINE OF SAID BLOCK "C", A DISTANCE OF 200.00 FEET, TO A MONUMENTED POINT LYING ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF "MENTE STREET", RUN THENCE, NORTH 87°58'55" WEST, ALONG THE AFORESAID MONUMENTED NORTHERLY RIGHT-OF-WAY LINE OF "MONTE STREET", A DISTANCE OF 199.89 FEET, TO THE MONUMENTED INTERSECTION OF "MENTE STREET" WITH THE EASTERLY RIGHT OF WAY LINE OF "LAMEE AVENUE", AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED CONTAINS 39,977 SQUARE FEET OR 0.91 ACRE, MORE OR LESS, IN AREA.

ALL OF LOT 7, OF BLOCK "B", "HIGGINBOTHAM'S ADDITION TO ST. NICHOLAS, AN UNRECORDED SUBDIVISION, LYING WITHIN THE "RICHARD MILL GRANT", SECTION 52, TOWNSHIP 2 SOUTH, RANGE 27 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA.

FOR A POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE MONUMENTED SOUTHEASTERLY CORNER OF SAID BLOCK "B", "HIGGINBOTHAM'S ADDITION TO ST. NICHOLAS", SAID POINT LYING AT THE INTERSECTION OF THE EASTERLY LINE OF BLOCK "B", WITH THE NORTHERLY RIGHT-OF-WAY LINE OF "DREXEL STREET", (A 40 FOOT ROAD RIGHT-OF-WAY, AS PER THE UNRECORDED PLAT OF "HIGGINBOTHAM'S ADDITION TO ST. NICHOLAS", AND RUN THENCE, NORTH 87°58'43" WEST, ALONG THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF "DREXEL STREET", AND ALSO BEING THE SOUTHERLY LINE OF BLOCK "B", A DISTANCE OF 49.96 FEET, TO THE SOUTHWESTERLY CORNER OF LOT 7, BLOCK "B", RUN THENCE, NORTH 01°59'10" EAST, ALONG THE COMMON BOUNDARY LINE BETWEEN LOTS 7 AND 8, BLOCK "B", A DISTANCE OF 100.91 FEET, TO THE MONUMENTED NORTHWESTERLY CORNER OF SAID LOT 7, BLOCK "B", RUN THENCE, SOUTH 87°58'43" EAST, ALONG THE COMMON BOUNDARY LINE BETWEEN LOTS

6 AND 7, BLOCK "B", A DISTANCE OF 49.96 FEET, TO THE MONUMENTED NORTHEASTERLY CORNER OF SAID LOT 7, BLOCK "B"; RUN THENCE, SOUTH 01 °59'10" WEST, ALONG THE AFORESAID EASTERLY BOUNDARY OF BLOCK "B", "HIGGINBOTHAM'S ADDITION TO ST. NICHOLAS", A DISTANCE OF 100.85 FEET, TO A POINT ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF "DREXEL STREET", AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED CONTAINS 5,038 SQUARE FEET OR 0.11 ACRE, MORE OR LESS, IN AREA.