

# 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.: 2021-871**

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	Absent
Daniel Blanchard	Aye
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, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

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 2021-871**

**JANUARY 20, 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 2021-871

***Location:*** 0 Lake Shore Boulevard; Between McGirts Point Boulevard and Parrish Cemetery Road

***Real Estate Number:*** 067219-0150; 067219-0100; 067219-0000; 061218-0000; 067220-0500

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

***Proposed Zoning District:*** Residential Medium Density-A (RMD-A)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** District 4—Southwest

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

***Owner:*** American Classic Homes, LCC.  
4550 St Augustine Road, Suite 1  
Jacksonville, FL 32207

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2021-871 seeks to rezone 8.65± acres of a property from Residential Low Density-60 (RLD-60) to Residential Medium Density-A. The request is being sought to allow for the development of 49 single-family dwellings (per the JEA letter). Two adjacent lots were rezoned in 2021 to allow for more density, one project is for townhomes and the other is for duplexes.

**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 Residential Professional Institutional (RPI) 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. The 8.65 acre site is located off of the west side of Lake Shore Boulevard, a collector roadway, between Radio Lane and Royce Avenue. The site is in the LDR land use category and within the Urban Development Area (UA). The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. The intent of the UA is to encourage revitalization and infill development at moderate urban densities. Principal uses in the LDR land use category in the Urban Development Area include single-family and multi-family dwellings.

LDR in the Urban Area is intended to provide for low density residential development. The maximum gross density in the Urban Area is 7 units/acre when full urban services are available to the site and there shall be no minimum density except as otherwise provided.

- The maximum gross 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 1/4 of an acre if either one of centralized potable water or wastewater services are not available.

The proposed zoning change to RMD-A is consistent with the LDR land use category.

**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):**

**Objective 1.1**

Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The proposed development is for single-family dwellings, which if serviced by full utilities can be a minimum of 4,000 square feet, in RMD-A. The proposed development density is consistent with the existing Land Use Category.

**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.

According to the JEA letter, dated September 17, 2021, a water connection point runs along Lake Shore Boulevard. A sewer connection runs along Lake Shore Boulevard. As provided in the letter of availability, connection to the JEA-owned sewer system for the project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

**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 provide for a greater variety of housing products for Jacksonville residents on the Westside and has convenient access to both I-10 and Roosevelt Boulevard.

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

**SURROUNDING LAND USE AND ZONING**

The subject property is located along Lake Shore Boulevard and south of Plymouth Street. The proposed rezoning to RMD-A is consistent with LDR. Nonetheless, adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LDR	RLD-60	Single Family Dwellings
East	LDR	RLD-60	Single Family Dwellings
South	LDR	PUD 2021-535-E	Proposed Duplexes
West	LDR	PUD 2021-340-E	Proposed Townhomes

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

**SUPPLEMENTARY INFORMATION**

On **November 24, 2021** the applicant provided evidence that the required Notice of Public Hearing signs were posted on the subject properties.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2021-871 be **APPROVED**.

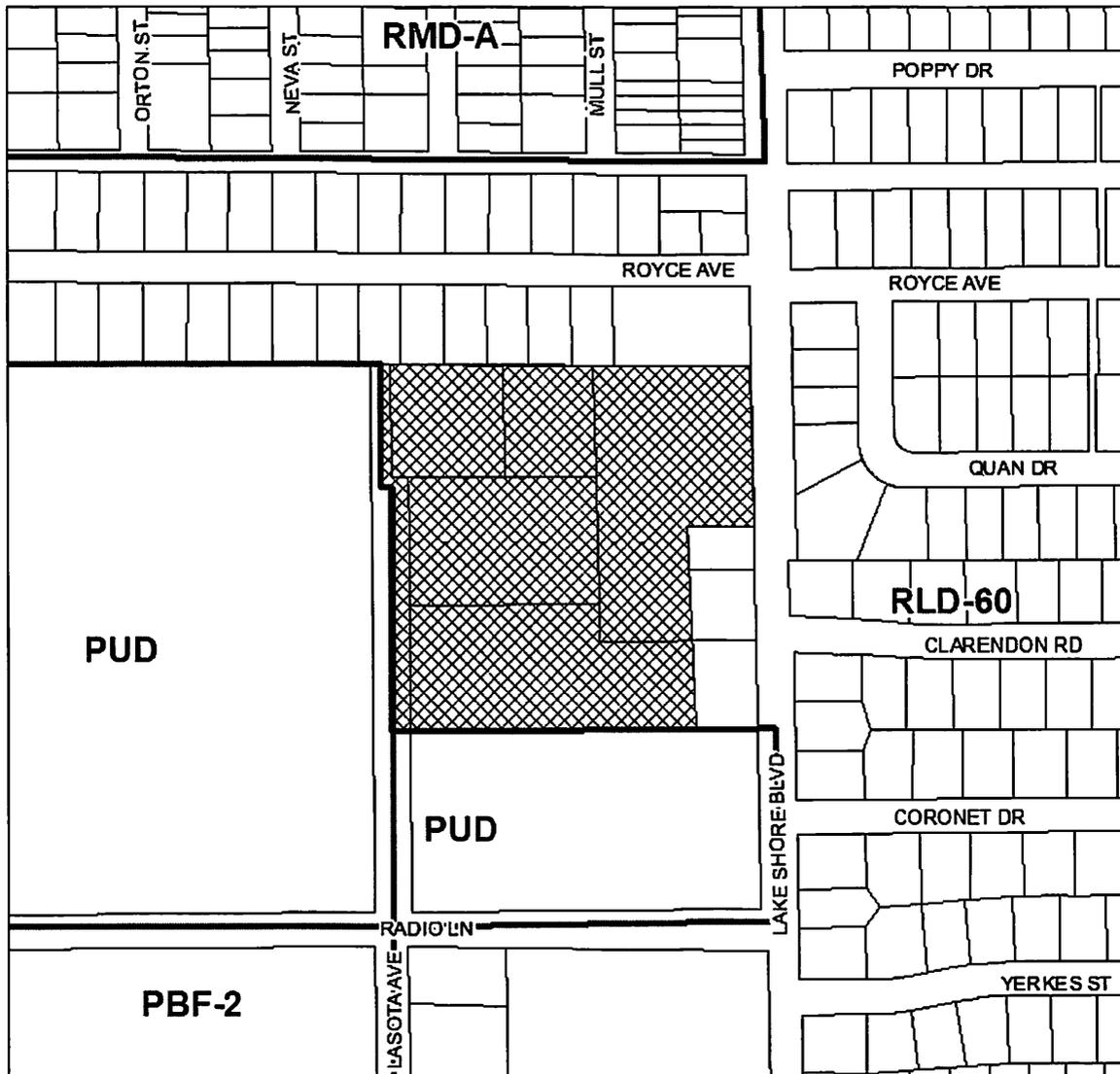


**Aerial**



**Subject Property**

*Source: Google Streetview  
Date: 2019*



<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: RLD-60</b></p> <p><b>TO: RMD-A</b></p>	<p><b>LOCATION MAP:</b></p>	
<p><b>ORDINANCE NUMBER</b></p> <p><b>ORD-2021-0871</b></p>	<p><b>TRACKING NUMBER</b></p> <p><b>T-2021-3835</b></p>	<p><b>0 95 190 380</b></p> <p><b>Feet</b></p> <hr/> <p><b>COUNCIL DISTRICT:</b></p> <p><b>14</b></p> <hr/> <p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>

### Application For Rezoning To Conventional Zoning District

#### Planning and Development Department Info

**Ordinance #** 2021-0871 **Staff Sign-Off/Date** CMQ / 10/28/2021  
**Filing Date** 12/14/2021 **Number of Signs to Post** 3  
**Hearing Dates:**  
**1st City Council** 01/25/2022 **Planning Commission** 01/20/2022  
**Land Use & Zoning** 02/01/2022 **2nd City Council** N/A  
**Neighborhood Association**  
**Neighborhood Action Plan/Corridor Study**

#### Application Info

**Tracking #** 3835 **Application Status** PENDING  
**Date Started** 10/11/2021 **Date Submitted** 10/11/2021

#### General Information On Applicant

**Last Name** HAINLINE **First Name** T.R. **Middle Name**  
**Company Name**  
 ROGERS TOWERS, P.A.  
**Mailing Address**  
 1301 RIVERPLACE BOULEVARD, SUITE 1500  
**City** JACKSONVILLE **State** FL **Zip Code** 32207  
**Phone** 9043465531 **Fax** 9043960663 **Email** THAINLINE@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**  
 AMERICAN CLASSIC HOMES, LLC  
**Mailing Address**  
 4550 ST. AUGUSTINE ROAD, SUITE 1  
**City** JACKSONVILLE **State** FL **Zip Code** 32207  
**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 067219 0150	14	4	RLD-60	RMD-A
Map 067219 0100	14	4	RLD-60	RMD-A
Map 067219 0000	14	4	RLD-60	RMD-A

Map	067218 0000	14	4	RLD-60	RMD-A
Map	067220 0500	14	4	RLD-60	RMD-A

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 #**

**Total Land Area (Nearest 1/100th of an Acre)** 8.65

**Justification For Rezoning Application**

TO ALLOW FOR SINGLE FAMILY DETACHED RESIDENTIAL OR TOWNHOME DEVELOPMENT OF THE PROPERTY.

**Location Of Property**

**General Location**

LAKE SHORE BOULEVARD, BETWEEN RADIO LANE AND ROYCE AVENUE

House #	Street Name, Type and Direction	Zip Code
0	LAKE SHORE BLVD	32205

**Between Streets**

RADIO LANE and ROYCE 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  
8.65 Acres @ \$10.00 /acre: \$90.00
- 3) Plus Notification Costs Per Addressee  
60 Notifications @ \$7.00 /each: \$420.00
- 4) Total Rezoning Application Cost: \$2,510.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

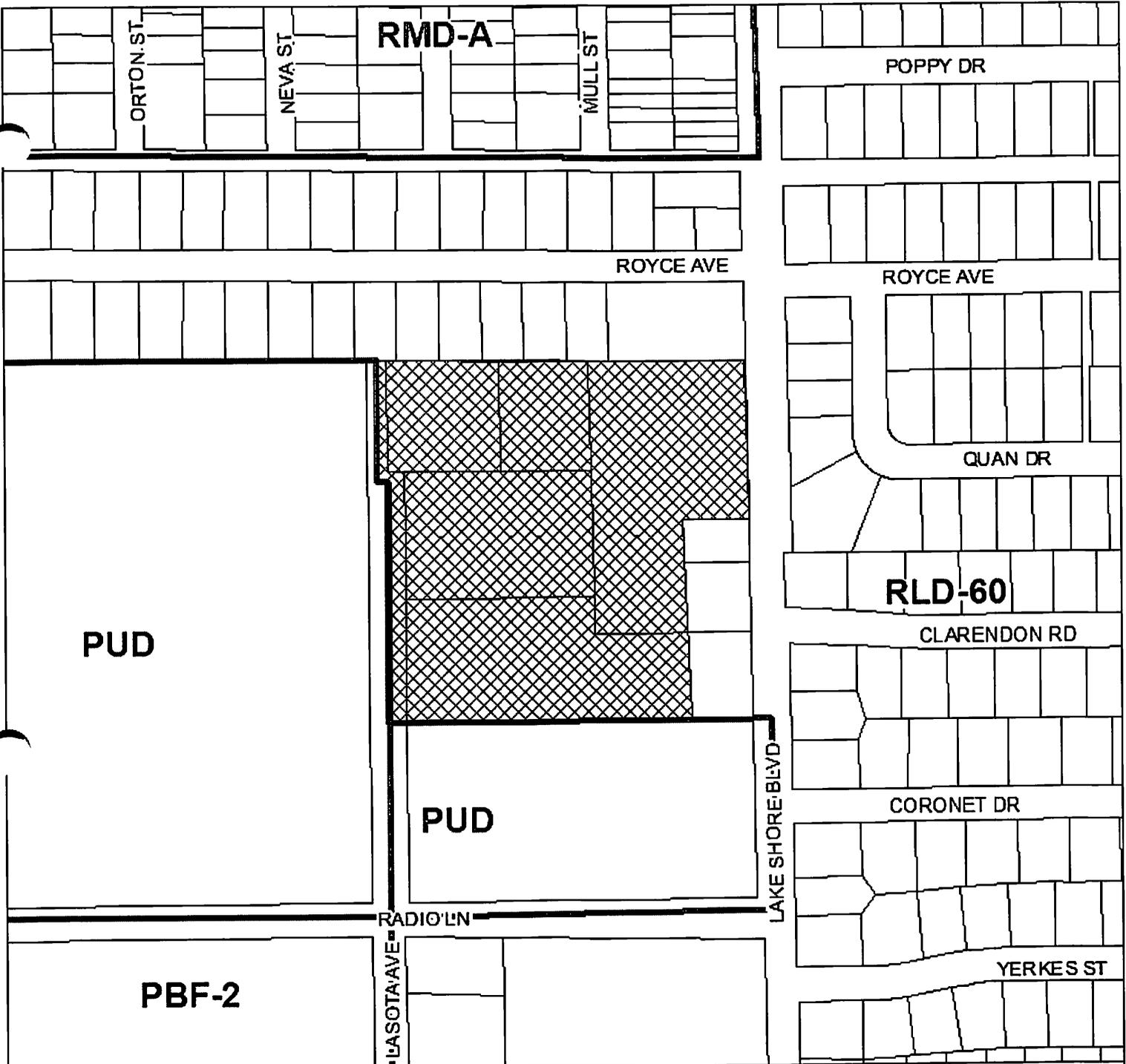
Exhibit 1

Dated Submitted: October 11, 2021

PART OF TRACTS 8 AND 10 AND A PORTION OF A 60 FOOT RIGHT OF WAY AS SHOWN ON MAP OF CEDAR CREEK FARMS AS RECORDED IN PLAT BOOK 3, PAGE 86 OF THE CURRENT PUBLIC RECORDS OF DUVAL CO., FL., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT 8; THENCE RUN NORTH 89°38'23" WEST ALONG THE NORTH LINE OF SAID TRACT 8 A DISTANCE OF 692.16 FEET TO THE WEST RIGHT OF WAY LINE OF LASOTA AVENUE; THENCE RUN SOUTH 01°32'27" EAST ALONG THE WEST RIGHT OF WAY LINE A DISTANCE OF 957.47 FEET TO THE NORTH RIGHT OF WAY LINE OF RADIO LANE; THENCE RUN SOUTH 89°34'30" EAST ALONG THE NORTH RIGHT OF WAY LINE, A DISTANCE OF 61.20 FEET TO THE WEST BOUNDARY LINE OF TRACT 12 AS DESCRIBED IN PLAT BOOK 3 PAGE 86; THENCE RUN NORTH 01°36'35" WEST ALONG THE WEST LINE OF TRACT 12, A DISTANCE OF 298.00 FEET TO THE SOUTH LINE OF SAID TRACT 10, THENCE RUN SOUTH 89°35'58" EAST ALONG THE SOUTH LINE OF TRACT 10, A DISTANCE OF 518.52 FEET TO THE 1/2" IRON ROD LB#8139; THENCE RUN NORTH 01°26'42" WEST, A DISTANCE OF 358.10 FEET TO A 1/2" UNNUMBERED IRON PIPE; THENCE RUN NORTH 89°07'34" EAST, A DISTANCE OF 111.66 FEET TO THE WEST RIGHT OF WAY LINE OF LAKE SHORE BOULEVARD (A 60 FOOT RIGHT OF WAY AS ESTABLISHED); THENCE RUN NORTH 01°32'12" WEST ALONG THE WEST RIGHT OF WAY LINE OF LAKE SHORE BOULEVARD, A DISTANCE OF 299.39 FEET TO THE POINT OF BEGINNING TO CLOSE.

LESS AND EXCEPT:

THAT PORTION OF UNIMPROVED LASOTA AVENUE (PLATTED AS DESOTO AVENUE IN PLAT BOOK 6 PAGE 20, PLAT BOOK 19 PAGE 79, AND PLAT BOOK 6 PAGE 20, ALL OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA) SITUATED BETWEEN PLAT BOOK 19 PAGE 46 TO THE WEST AND TRACTS 8, 10 AND 12 OF PLAT BOOK 3 PAGE 86 ON THE EAST AND BEING SOUTH OF PLAT BOOK 19 PAGE 79 AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF 51<sup>ST</sup> STREET AS SHOWN IN PLAT BOOK 6 PAGE 20.

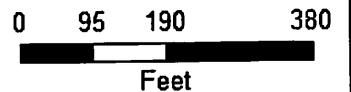
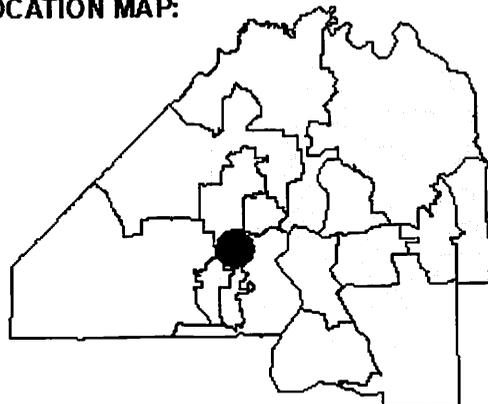


**REQUEST SOUGHT:**

**FROM: RLD-60**

**TO: RMD-A**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**14**

**TRACKING NUMBER**

**T-2021-3835**

**EXHIBIT 2  
PAGE 1 OF 1**



## Availability Letter

Mike Atlee

9/17/2021

Atlee Development Group, Inc.

5851 Timiquana Rd, 301

Jacksonville, Florida 32210

Project Name: Cedar Creek Estates

Availability #: 2021-4414

Attn: Mike Atlee

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/](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

Sincerely,

 Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2021-4414

Request Received On: 9/17/2021

Availability Response: 9/17/2021

Prepared by: Susan West

Expiration Date: 09/17/2023

### Project Information

Name: Cedar Creek Estates

Address:

County: Duval County

Type: Sewer,Water

Requested Flow: 17150

Parcel Number: 067219 0100, 067218 0000, 067219 0000, 067219 0150, 067220 0500

Location:

Description: A proposed single family development for 49 residential homes

### Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8 inch water main along Lake Shore Blvd

Connection Point #2:

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: Existing 8 inch gravity sewer and manhole along Lake Shore Blvd at Royce Ave

Connection Point #2:

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through Step 2 of the SagesGov portal.

### Reclaimed Water

## Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

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.

Point of connection location(s) to be field verified by developer during project design. If needed, General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.

**Subsequent steps you need  
to take to get service:**