

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 19, 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.: 2020-657**

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**

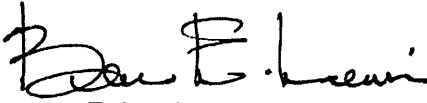
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
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 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 2020-0657

NOVEMBER 19, 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 2020-0657.

Location: 12050 Kevin Allen Lane; Between Kevin Allen Lane and Presidents Court

Real Estate Number: 003325-1150

Current Zoning District: Planned Unit Development-Satellite Community (PUD-SC) / Ordinance 2005-0412-E

Proposed Zoning District: Residential Rural-Acre (RR-Acre)

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

Planning District: District 5—Northwest

Applicant/Agent: Emily G. Pierce, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Jack Floyd Griner
3937 Nazworth Road
Jacksonville, Florida 32210

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0657 seeks to rezone 1.51± acres of land from Planned Unit Development-Satellite Community (PUD-SC)/Ordinance 2005-0412-E to Residential Rural-Acre (RR-Acre). The subject property's current zoning is proposing to be amended via the Cope's Landing PUD-SC (Ordinance 2020-0659). Because the applicant no longer wishes to be bounded to a PUD-SC, the proposed rezoning will allow for the continued use of their property as a single-family dwelling.

There is a companion Small-Scale Land Use Amendment L-5478-20C (**Ordinance 2020-0657**) that seeks to amend the land use on the property from Agriculture II (AGR-II) to Rural Residential (RR).

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-5478-20C (**Ordinance 2020-0657**), the subject property will be located in the Rural Residential (RR) 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 1.51 acre subject site is located along the south side of Kevin Allen Lane, a local road, and currently contains a single-family dwelling unit and an accessory structure rezoning from Planned Unit Development - Satellite Community (PUD-SC) to Residential Rural - Acre (RR-Acre) in order to remove the site from the existing Dorothy's Landing PUD-SC (Ordinance 2005-0412) while continuing the existing use of the property. The proposed request would revert the zoning back to its previous zoning category before the adoption of the PUD-SC.

The Rural Residential (RR) land use category is intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. The maximum gross density for the RR land use category in the Rural Area is 1 DU per acre when the site is served with on-site potable water and wastewater.

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 1.1.20

Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services

The proposed rezoning would permit for residential uses within the Rural Development Area, which would conserve natural space and prevent urban sprawl, considering no new residential structures are anticipated.

Policy 1.1.2

As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

The proposed rezoning at the subject site is being requested solely for residential uses only— with no additional residential development planned.

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 PUD-SC to RR-Acre in order to allow for agricultural uses—all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located west of Cisco Drive West in the Northwest Planning District. Primary frontage is along Kevin Allen Lane, a private road. The rezoning request to the RR-Acre Zoning District will allow for the property owners to continue using their property for single-family residential as they intended. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	AGR-IV	AGR	Single-Family Dwellings
East	AGR-IV	AGR	Single-Family Dwellings
South	AGR-II	PUD-SC 2005-0412	Single-Family Dwelling/Pond
West	AGR-II	PUD-SC 2005-0412	Single-Family Dwelling

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 5, 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 **2020-0657** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 10/06/20

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

Figure B:



Source: Planning & Development Dept, 11/05/20

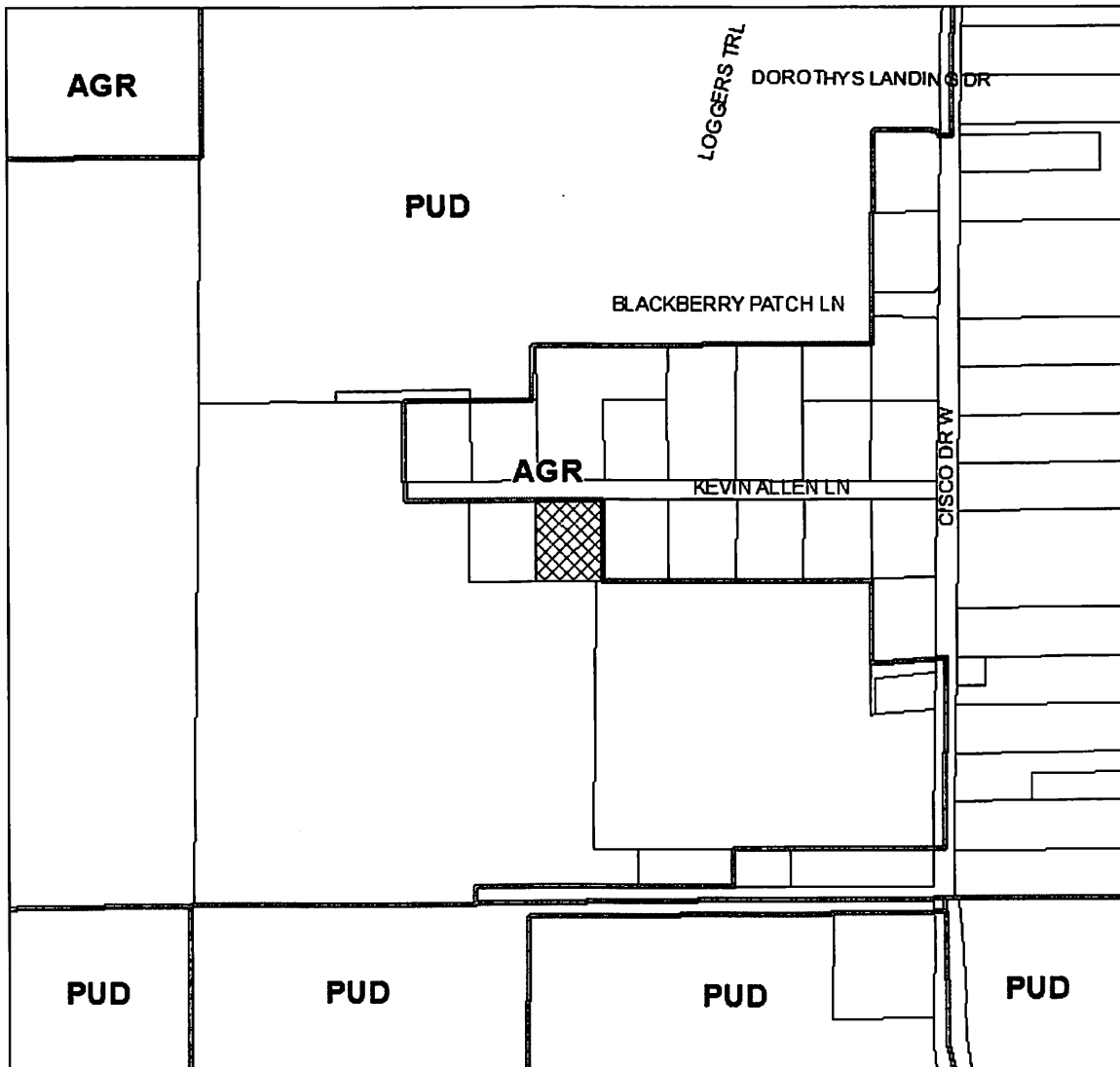
View of the subject property, facing south on Kevin Allen Road.

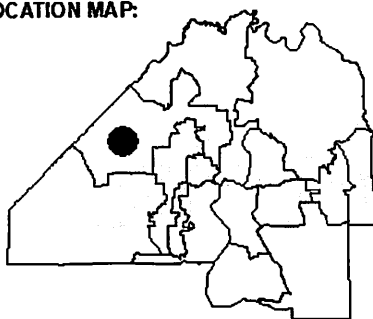

Figure C:



Source: Planning & Development Dept, 11/05/20

Intersection of Cisco Drive West and Kevin Allen Road (a private road), facing west.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD-SC</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p> 	 <p>0 195 390 780 Feet</p> <p>COUNCIL DISTRICT:</p> <p>8</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0657</p>	<p>TRACKING NUMBER</p> <p>T-2020-3127</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0657 Staff Sign-Off/Date ATW / 10/06/2020

Filing Date 10/21/2020 Number of Signs to Post 2

Hearing Dates:

1st City Council 11/24/2020 Planning Commission 11/19/2020

Land Use & Zoning 12/01/2020 2nd City Council 12/08/2020

Neighborhood Association CISCO GARDEN CIVIC ASSOCIATION

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 3127

Application Status FILED COMPLETE

Date Started 09/11/2020

Date Submitted 09/11/2020

General Information On Applicant

Last Name	First Name	Middle Name
PIERCE	EMILY	G.

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	EPIERCE@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
GRINER	JACK	FLOYD

Company/Trust Name

Mailing Address
3938 NAZWORTH ROAD

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	003325 1150	8	5	PUD-SC	RR-Acre

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

Existing Land Use Category

AGR-II

Land Use Category Proposed? **If Yes, State Land Use Application #**

5478

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

1.51

Justification For Rezoning Application

THE PROPERTY IS CURRENTLY PART OF THE DOROTHYS LANDING PUD-SC. THE PUD-SC IS PROPOSED TO BE AMENDED. THE OWNERS OF THE PROPERTY DO NOT WANT TO BE INCLUDED IN THE PUD-SC. THE RR-ACRE ZONING, WITH THE RR FLUM DESIGNATION, WILL ALLOW THE CONTINUED USE OF THE PROPERTY AS A SINGLE-FAMILY RESIDENTIAL HOME.

Location Of Property**General Location**

SOUTHSIDE OF KEVIN ALLEN LANE

House #	Street Name, Type and Direction	Zip Code
12050	KEVIN ALLEN LN	32219

Between Streets

KEVIN ALLEN LANE and PRESIDENTS COURT

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
1.51 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
11 Notifications @ \$7.00 /each: \$77.00
- 4) Total Rezoning Application Cost: \$2,097.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

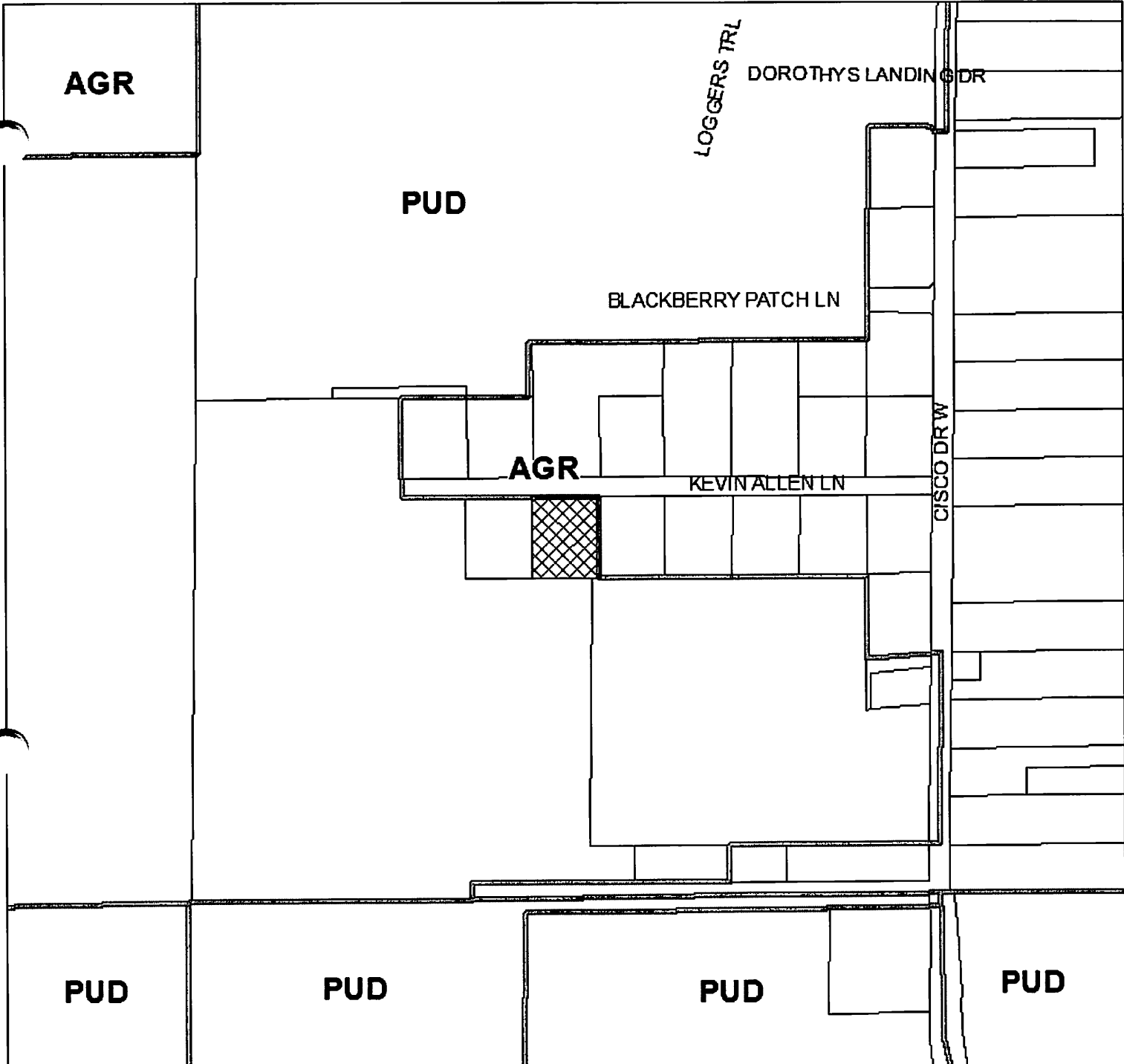
Legal Description

PART OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 WHICH IS SITUATED IN THE CENTERLINE OF CISCO DRIVE WEST (formerly Cisco Road); (a 60 foot right-of-way as now established); THENCE SOUTH 89° 35' 57" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID CISCO DRIVE WEST; THENCE NORTH 0° 37' 50" EAST ON SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1130.59 FEET; THENCE SOUTH 89° 35' 57" WEST PARALLEL TO SAID SOUTH LINE A DISTANCE OF 1154.40 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89° 35' 57" WEST A DISTANCE OF 232.6 FEET; THENCE NORTH 0° 37' 50" EAST PARALLEL TO SAID WEST RIGHT-OF-WAY A DISTANCE OF 281.0 FEET TO THE SOUTHERLY RIGHT-OF WAY LINE OF A PROPOSED 60 FOOT RIGHT-OF-WAY FOR INGRESS AND EGRESS; THENCE NORTH 89° 35' 57" EAST ON SAID SOUTHERLY RIGHT-OF-WAY LINE PARALLEL TO SAID SOUTHLINE OF THE SOUTHWEST 1/4 A DISTANCE OF 232.6 FEET; THENCE SOUTH 0° 37' 50" WEST PARALLEL TO SAID WEST RIGHT-OF WAY A DISTANCE OF 281.0 FEET TO THE POINT OF BEGINNING.

October 6, 2020

**Exhibit 1
Page 1 of 1**

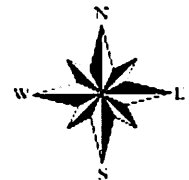
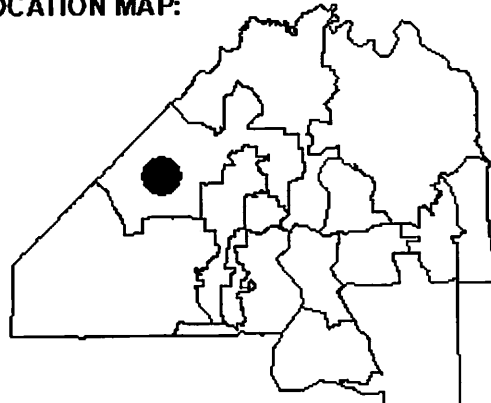


REQUEST SOUGHT:

FROM: PUD-SC

TO: RR-ACRE

LOCATION MAP:



0 195 390 780



Feet

COUNCIL DISTRICT:

8

TRACKING NUMBER

T-2020-3127

EXHIBIT 2

PAGE 1 OF 1