

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0428

JULY 18, 2019

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 **2019-0428**.

Location: 11915 New Kings Road; on the east side of New Kings Road between Dunn Avenue and Woodley Road

Real Estate Numbers: 003820 0125

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

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

Current Land Use Category: Community General Commercial (CGC)

Planning District: District 6 - North

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

Owner Dr. Alan Weldon
Jacksonville Equine Medical Center, LLC
3750 Riverside Avenue
Jacksonville, Florida. 32205

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0428** seeks to rezone approximately 3.61 acres of land from the RR-Acre Zoning District to the CCG-1 Zoning District. The parcel is currently undeveloped, other than containing a mobile home on the site. The rezoning is being sought to permit the construction of a large animal veterinary office (roughly 1,200 square feet in size) and an additional small building with two stalls for the occasional on-site treatment of animals.

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 request is for a rezoning from RR-Acre to CCG-1 to allow for commercial development that would be consistent with the adjacent developments to the north, south and west of the property. The subject property is located along the east side of New Kings Road, a four lane arterial highway between Dunn Avenue and Woodley Road.

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) 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. 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 furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's 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 request to rezone from RR-Acre to CCG-1 for a large animal veterinary practice will provide for a transition in uses. The proposed changes are in compliance with Policy 1.1.10.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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 future development will allow for land that is currently underutilized for its location to be developed. The proposed veterinary office for large animals would be appropriate for the area as the properties to the west have moved into primarily commercial developments. It is the opinion of the Planning and Development Department that the proposed development is in compliance with Objective 6.3 of the 2030 Comprehensive Plan.

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

No. If approved, the proposed rezoning will not be in conflict with any portion of the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The subject parcel is located approximately $\frac{3}{4}$ of a mile north of Dunn Avenue. The surrounding land uses and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	AGR III	PUD (2005-419)	Undeveloped land (JEA powerline easement)
East	LI	PUD (2004-1090)	Open storage area
South	CGC	RR-Acre	COJ drainage easement and single-family home beyond that
West	CGC	CCG-2	Auto storage/service garage

There are intensive commercial uses to the west and south of the subject property, beyond the three single-family homes to the immediate south of the site. A service garage with the outside storage of automobiles is to the west. An open storage yard is to the east.

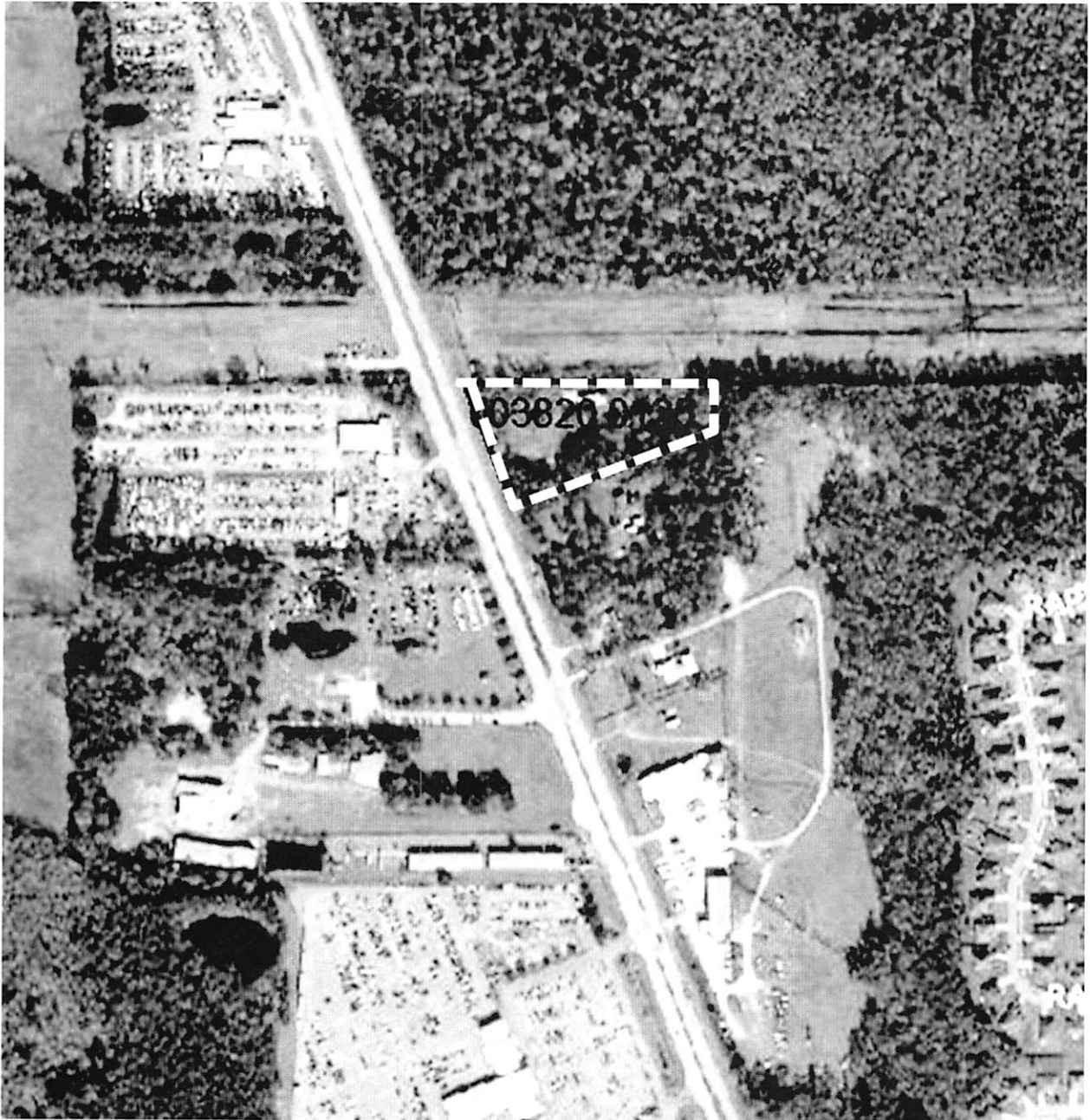
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 24, 2019, the required Notice of Public Hearing signs was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2019-0428 be **APPROVED**.



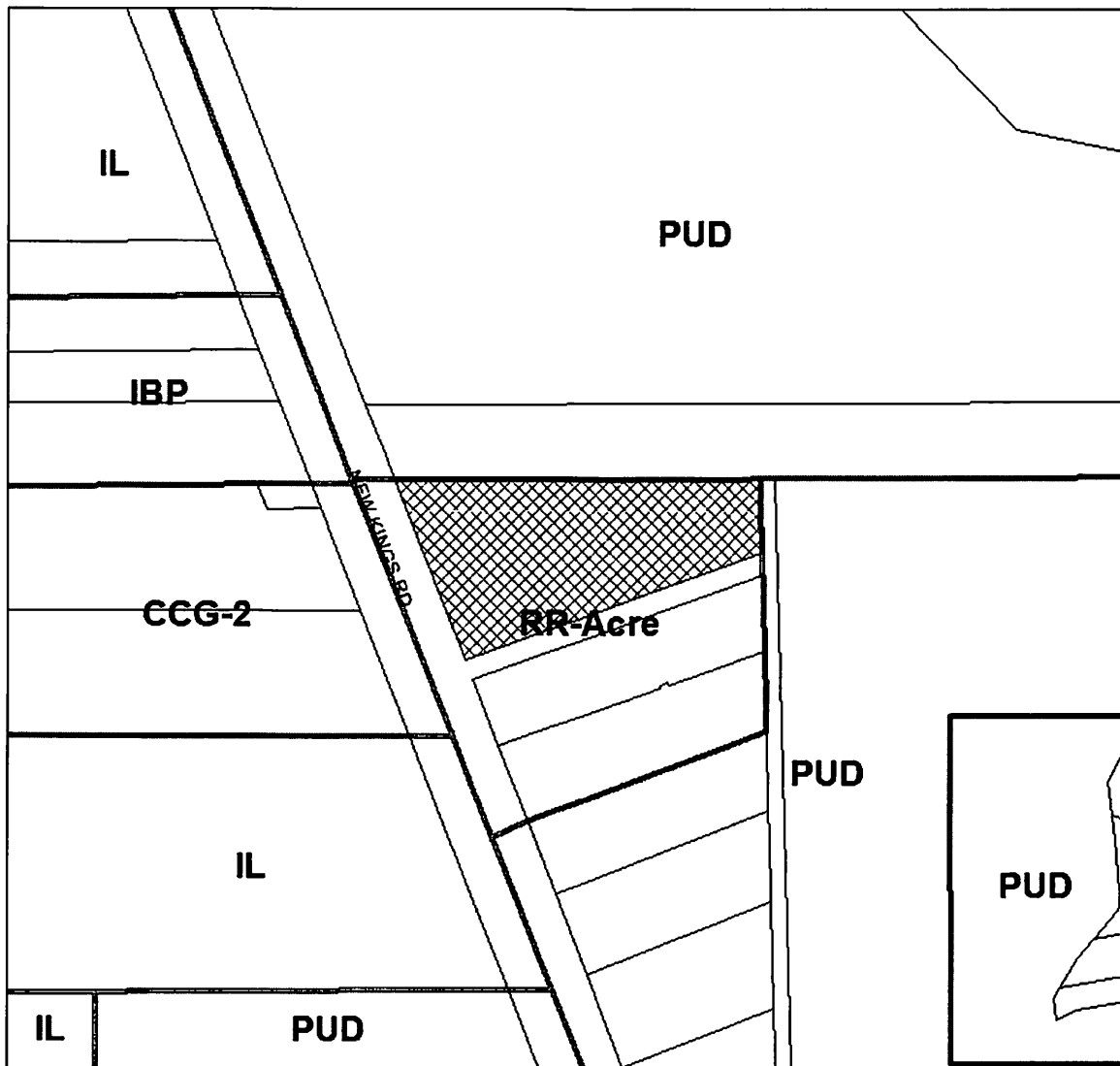
Aerial view of subject property

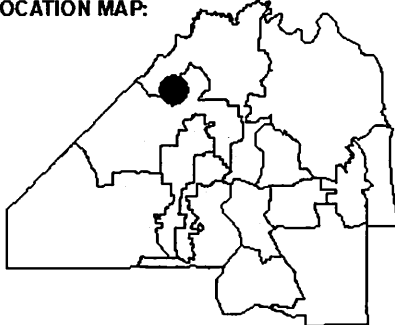

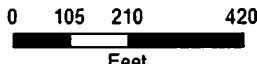


The subject site on the right facing north along New Kings Rd.



The subject site facing east from New Kings Rd.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: CCG-1</p> <p>ORD 2019-0428</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2019-2296</p>	  <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>7</p> <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>
---	---	---

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2019-0428 **Staff Sign-Off/Date** AH / 05/01/2019

Filing Date 06/11/2019 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 07/23/2019 **Planning Comission** 07/18/2019

Land Use & Zoning 08/06/2019 **2nd City Council** N/A

Neighborhood Association THE EDEN GROUP, INC.

Neighborhood Action Plan/Corridor Study

Application Info

Tracking # 2296

Application Status PENDING

Date Started 03/12/2019

Date Submitted 03/12/2019

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
WELDON	ALAN	

Company/Trust Name
JACKSONVILLE EQUINE MEDICAL CENTER, LLC

Mailing Address
3750 RIVERSIDE AVENUE

City	State	Zip Code
JACKSONVILLE	FL	32205

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	003820 0125	7	6	RR-ACRE	CCG-1

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 #**

Total Land Area (Nearest 1/100th of an Acre) 3.61

Justification For Rezoning Application

TO PERMIT THE CONSTRUCTION OF A LARGE ANIMAL VETERINARIAN OFFICE (APPROX. 1,200 SQ FT) ALONG WITH A SMALL BUILDING CONTAINING TWO STALLS FOR OCCASIONAL ON-SITE TREATMENT AND CARE (APPROX. 2,000 SQ FT).

Location Of Property**General Location**

ON THE EAST SIDE OF NEW KINGS ROAD, NORTH OF DUNNE AVENUE

House #	Street Name, Type and Direction	Zip Code
11915	NEW KINGS RD	32219

Between Streets

DUNN AVENUE and FOREST TR NO. 2

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

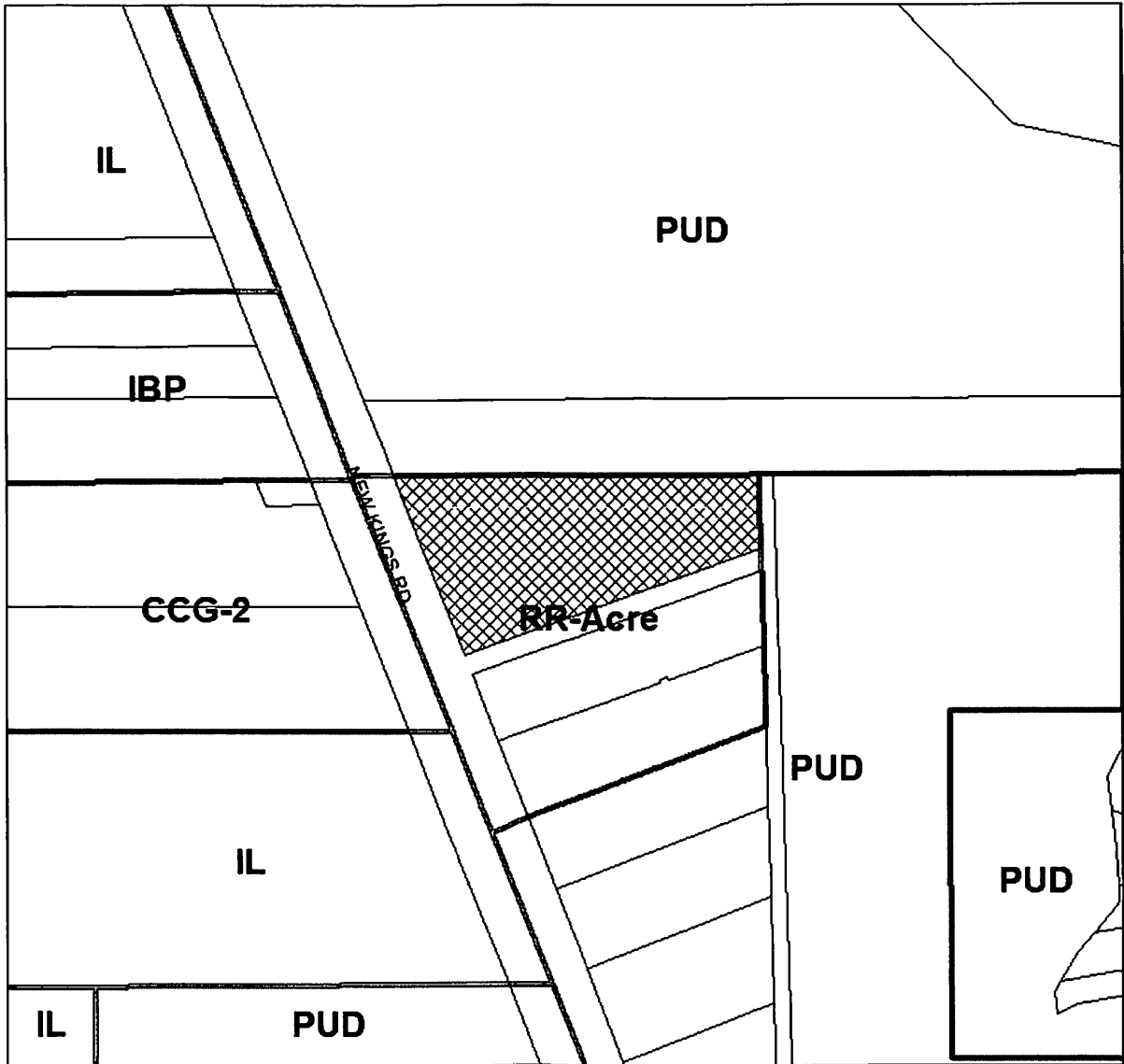
- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
3.61 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee
10 Notifications @ \$7.00 /each: \$70.00
- 4) Total Rezoning Application Cost: \$2,110.00

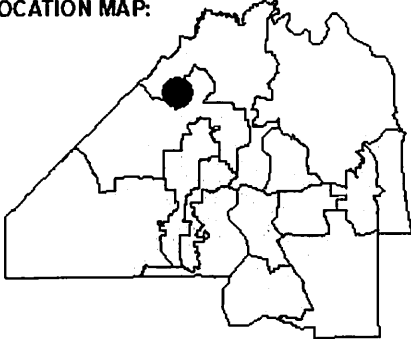
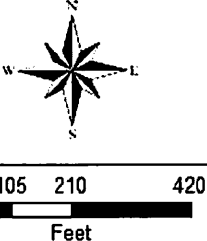
NOTE: Advertising Costs To Be Billed to Owner/Agent

Part of Section 2 and a part of the Rain and Bailey Grant, Section 41, all in Township 1 South, Range 25 East, Duval County, Florida, also being known as a part of Lots 10 and 11, Dinsmore Farms, Unrecorded, being more particularly described as commencing at the intersection of the North line of said Section 2 with the Northeasterly right of way line of U.S. Highway No. 1 (a 150 foot right of way); thence South 21°19'40" East along the Northeasterly right of way line of said U.S. Highway No. 1, 251.62 feet to a point for the point of beginning; thence continue South 21°19'40" East, 131.11 feet to the Northerly right of way line of a 42 foot drainage right of way; thence North 68°40'20" East along said right of way line 602.48 feet; thence North 1°27'40" West 139.4 feet to a point in the North line of said Section 2; thence South 68°40'20" West 649.85 feet to the point of beginning.

AND

Part of Section 2 and a part of the Rain and Bailey Grant, Section 41, all in Township 1 South, Range 25 East, Duval County, Florida, also being known as a part of Lots 10 and 11, Dinsmore Farms, Unrecorded, being more particularly described as beginning at the intersection of the North line of said Section 2 with the Northeasterly right of way line of U.S. Highway No. 1 (a 150 foot right of way); thence South 21°19'40" East along the Northeasterly right of way line of U.S. Highway No. 1, 251.62 feet; thence North 68°40'20" East 649.85 feet to a point in the North line of said Section 2; thence South 89°50'20" West 696.86 feet to the point of beginning.

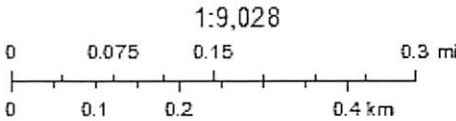


<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER T-2019-2296</p>	 <p>COUNCIL DISTRICT: 7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
---	---	---

Duval Map



April 17, 2019





21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Alan Weldon
Jacksonville Equine Medical Center, LLC
3750 Riverside Avenue
Jacksonville, FL, 32205

April 23, 2019

Project Name: 11915 New Kings Rd - Jacksonville Equine Medical Center
Availability#: 2019-1308

Attn: Alan Weldon,

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 one year 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.

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 at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit www.jea.com
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2019-1308
 Request Received On: 4/17/2019
 Availability Response: 4/23/2019
 Prepared by: Roderick Jackson

Project Information

Name: 11915 New Kings Rd - Jacksonville Equine Medical Center
 Type: Office Building
 Requested Flow: 280 gpd
 Location: 11915 New Kings Road, north of Dunn Ave
 Parcel ID No.: 003820 0125
 Description: 1,200 sq ft office , plus two barns (2,000 sq ft total for both barns)

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: No water main abuts this property. Existing 16-inch water main within the New Kings Rd ROW, approx. 150 LF S of the property.
 Connection Point #2: NA
 Special Conditions: Lot will require water main construction in right-of-way and individual water services. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. JEA must approve construction and accept the lines prior to meter issuance.

Sewer Connection

Sewer Treatment Plant: BUCKMAN
 Connection Point #1: No sewer main abuts this property. Existing 6" sewer force main within the New Kings Rd ROW, approx. 160 LF S of the property.
 Connection Point #2: NA
 Special Conditions: 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, and a JEA dedicated force main (min. 4" dia.). Send force main connection condition requests, with availability number, to fmconnections@jea.com.

Reclaimed Water Connection

Sewer Region/Plant: N/A
 Connection Point #1: No reclaim in the foreseeable future
 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. POC location to be field verified by developer during project design. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If needed a pre-design meeting may be scheduled prior to submitting a plan set. Send pre-design meeting requests, with availability number, to wsdevprojrequests@jea.com. Copies of reference drawings may be requested from the JEA Record online at https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/.