

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

August 5, 2021

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.: 2021-373**

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**

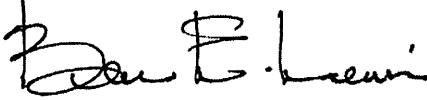
Planning Commission Recommendation: **Approve**

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	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Aye
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 2021-373****AUGUST 5, 2021**

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 **2021-373**

Location: 0 San Juan Avenue; between Niblick Drive & Cedar River

Real Estate Number: 068535-0200

Current Zoning District: Commercial Community/ General-1 (CCG-1)

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

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

Planning District: District 4-Southwest

Applicant: John Wesley Wallace
Smith Hulsey and Busey
1 Independent Drive, Suite 3300
Jacksonville, FL 32202

Owner: Robert A Bonner
Millennium Trust Company, LLC
2001 Spring Road, Suite 700
Oak Brook, IL 60523

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-373** seeks to rezone 0.89± acres of a property from Commercial Community/ General-1 (CCG-1) to Commercial Community/ General-2 (CCG-2). The property is located in the Community/General Commercial (CGC) land use category within the Urban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order expand the proposed marina to the east on the property addressed, 5700 San Juan Avenue.

The property has ±250 feet of street frontage along San Juan Avenue and is not developed. Properties along San Juan Avenue in the immediate area are in the RMD-D, CRO, CCG-1, and CCG-2 zoning districts. There is a clear commercial corridor along San Juan Avenue between Roosevelt Blvd and Lane Avenue. Ten (10) parcels are currently zoned CCG-2 in this area. Over 20 parcels are currently zoned CCG-1 in the immediate area. The Department feels the intensification to CCG-2 uses is consistent and compatible in this area.

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 Community/ Commercial General (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The Commercial Community General-2 Zoning District is a primary zoning district within the Community General Commercial functional land use category.

The subject site is approximately 0.89 of an acre and is located on the southeast quadrant of San Juan Avenue and Niblick Drive. San Juan Avenue (SR 128) is classified as a minor arterial roadway according to the City's Functional Highway Classification Map. Marinas are permitted within CGC land use category. The property is also located within Planning District 4, Council District 9 and within the Urban Development Area.

According to the Category Description of the Future Land Use Element (FLUE), CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure.

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

Yes. This rezoning does not further the Goals, Objectives and Policies of the 2030 Comprehensive Plan, including the following:

Future Land Use Element

Policy 3.2.1

The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Approving the intensification to CCG-2 would allow for additional uses, which are allowed in the general area and would keep a fabric of commercial uses in the area. The applicant seeks this zoning district to allow for an expansion of a proposed marina on the adjacent CCG-2 property.

Policy 3.2.2

The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The property is already in a zoning district that allows for commercial uses in CCG-1. The request to CCG-1 will allow for the subject property to be the same as the adjacent property and allow for the expansion of a proposed use.

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

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property will be permitted to be developed with a marina use, which would be held to standards of the City's land use regulations would support the Goals, Objectives and Policies of the 2030 Comprehensive Plan.

SURROUNDING LAND USE AND ZONING

The subject site is located on the south side of San Juan Avenue and is located in the Urban Development Area. The subject property is located within the CGC land use category. The surrounding land use, zoning districts, and uses are listed below:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RPI	CRO	Single Family Dwelling
East	CGC	CCG-2	Vacant Commercial
South	MDR	RMD-D	Apartments
West	CGC	CCG-1	Bar

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-2 is consistent with the pattern of growth in the area and would allow for a proposed use on the property and adjacent property.

SUPPLEMENTARY INFORMATION

On June 25, 2021 the applicant provided a signed Affidavit with signs proving the required Notice of Public Hearing signs **were** posted.

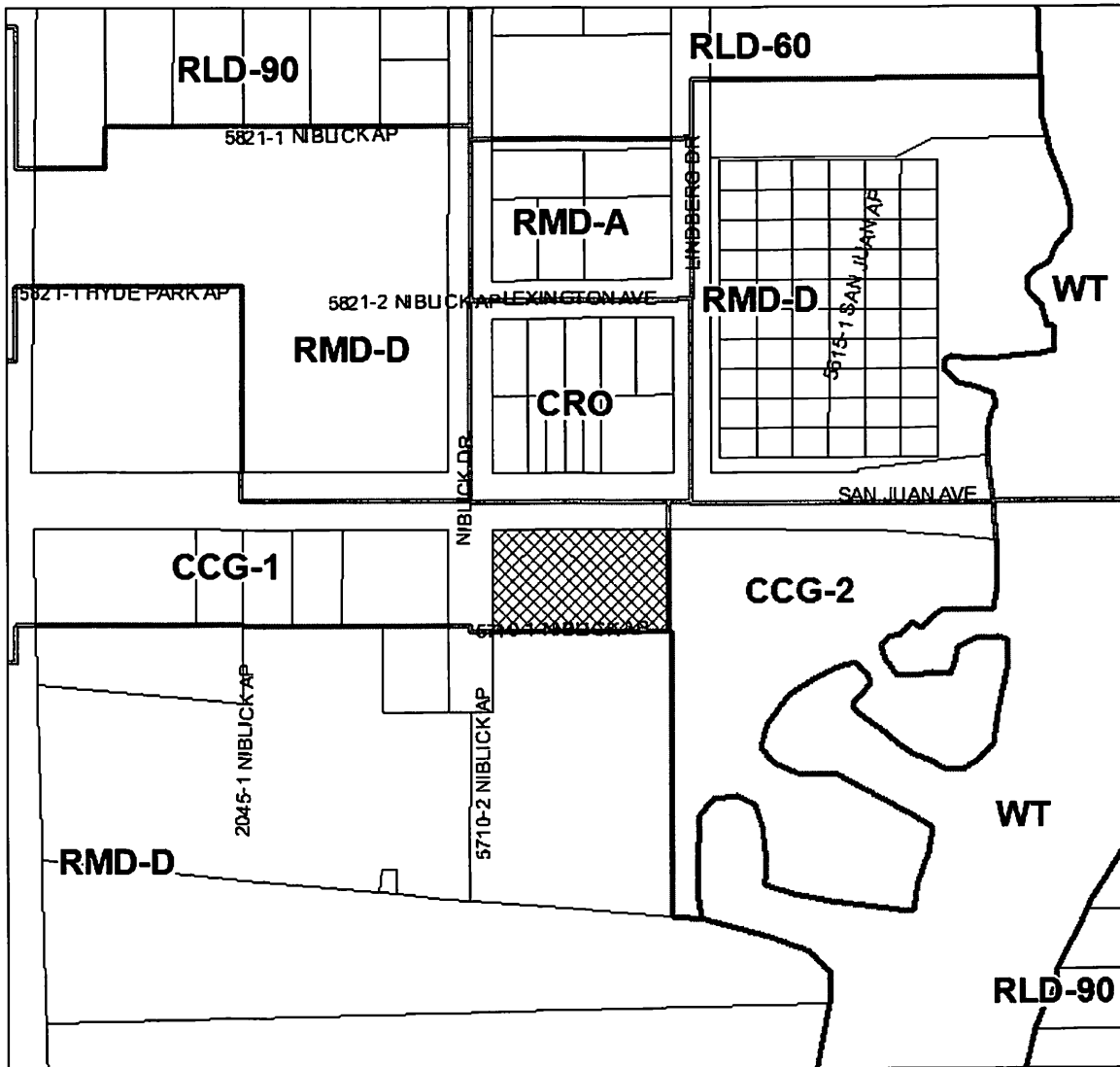


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-373** be **APPROVED**.



Aerial View



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p>	<p>0 80 160 320 Feet</p>
<p>ORDINANCE NUMBER ORD-2021-0373</p>	<p>TRACKING NUMBER T-2021-3485</p>	<p>COUNCIL DISTRICT: 9</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0373 **Staff Sign-Off/Date** CMQ / 05/18/2021
Filing Date 06/22/2021 **Number of Signs to Post** 3
Hearing Dates:
1st City Council 08/10/2021 **Planning Commission** 08/05/2021
Land Use & Zoning 08/17/2021 **2nd City Council** N/A
Neighborhood Association CEDAR CREEK LANDING HOA
Neighborhood Action Plan/Corridor Study

Application Info

Tracking # 3485 **Application Status** FILED COMPLETE
Date Started 04/15/2021 **Date Submitted** 04/16/2021

General Information On Applicant

Last Name WALLACE **First Name** JOHN **Middle Name** WESLEY
Company Name
 SMITH HULSEY AND BUSEY
Mailing Address
 1 INDEPENDENT DRIVE, STE. 3300
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9043597700 **Fax** 9043597708 **Email** JWALLACE@SMITHHULSEY.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name BONNER **First Name** ROBERT **Middle Name** A
Company/Trust Name
 MILLENNIUM TRUST COMPANY, LLC FBO ROBERT A. BONNER ROTH IRA
Mailing Address
 2001 SPRING ROAD, STE. 700
City OAK BROOK **State** IL **Zip Code** 60523
Phone 6303685600 **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 068535 0200	9	4	CCG-1	CCG-2

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)** 0.89**Justification For Rezoning Application**

REZONING IS BEING SOUGHT TO UTILIZE SUBJECT PROPERTY IN CONNECTION WITH PLANNED MARINA AT PARCEL TO THE IMMEDIATE EAST, ALREADY ZONED CCG-2. ZONING OF PARCELS BOTH NORTH AND SOUTH OF SAN JUAN AVENUE ON EAST SIDE OF CEDAR RIVER ARE ALSO BOTH ZONED CCG-2. ZONING TO THE IMMEDIATE WEST IS CCG-1, TO THE IMMEDIATE NORTH, CRO, AND TO THE SOUTH, RMD-D.

Location Of Property**General Location**

SOUTH SIDE OF SAN JUAN AVENUE WEST OF CEDAR RIVER

House #	Street Name, Type and Direction	Zip Code
0	SAN JUAN AVE	32202

Between Streets

NIBLICK DRIVE and LINDBERG DRIVE

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
0.89 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
71 Notifications @ \$7.00 /each: \$497.00
- 4) Total Rezoning Application Cost: \$2,507.00

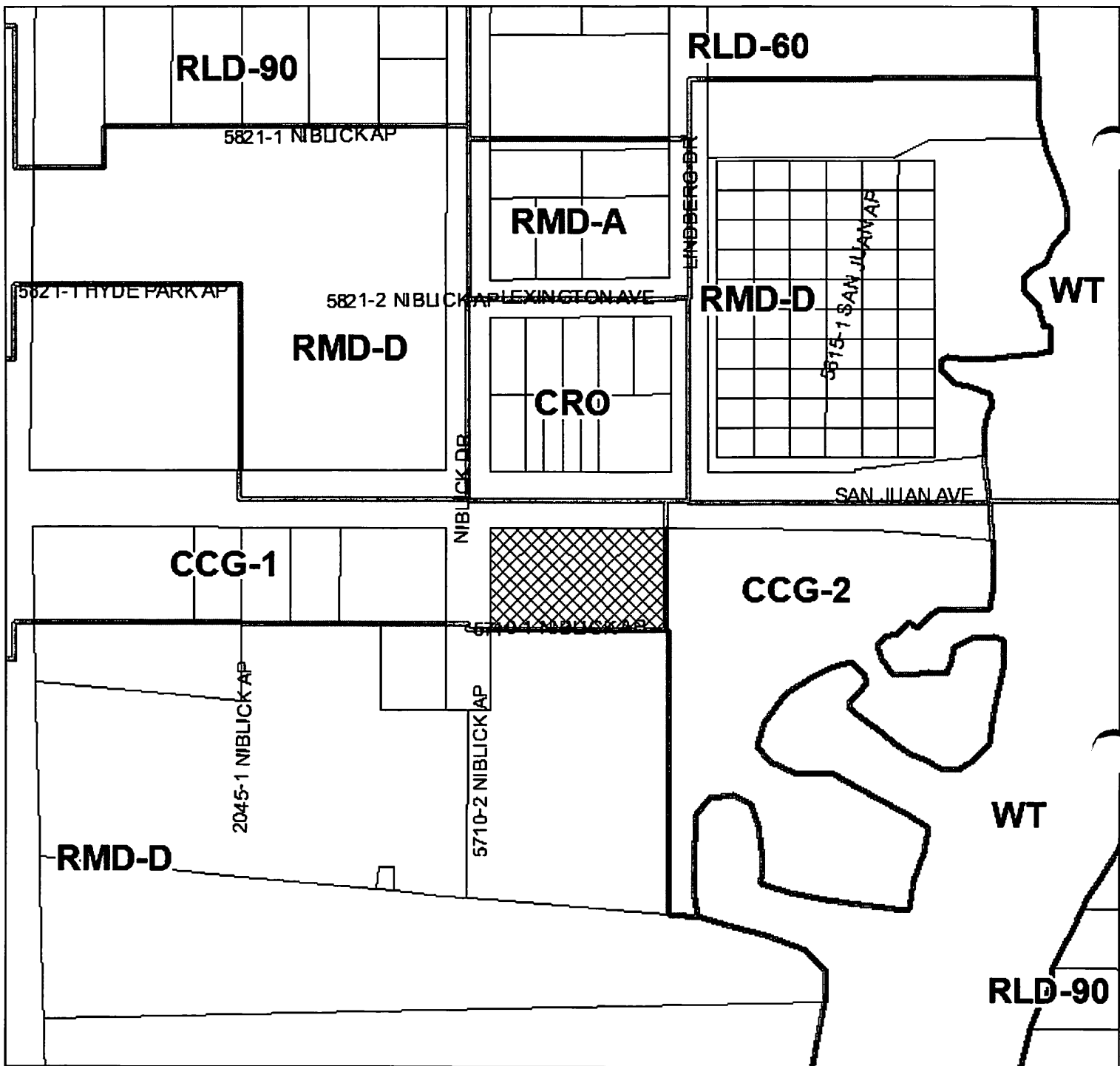
NOTE: Advertising Costs To Be Billed to Owner/Agent

Exhibit 1
Legal Description

A PORTION OF TRACT 34, CEDAR SPRINGS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 22, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF SAN JUAN AVENUE (AN 80.00 FOOT RIGHT-OF-WAY) WITH THE EAST LINE OF NIBLICK DRIVE (A 60.00 FOOT RIGHT-OF-WAY); THENCE SOUTH $89^{\circ}57'37''$ EAST, 258.45 FEET, ALONG THE SOUTH LINE OF SAID SAN JUAN AVENUE; THENCE SOUTH $00^{\circ}19'43''$ WEST, 149.50 FEET; THENCE SOUTH $89^{\circ}55'41''$ WEST, 257.56 FEET, TO THE EAST LINE OF SAID NIBLICK DRIVE; THENCE NORTH $00^{\circ}00'41''$ WEST, 150.00 FEET, ALONG THE EAST LINE OF SAID NIBLICK DRIVE, TO THE POINT OF BEGINNING.

Property Appraiser's Parcel ID (Folio) Number: 068535-0200

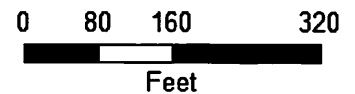
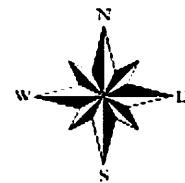
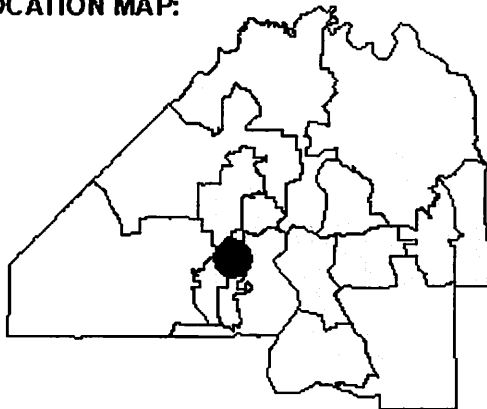


REQUEST SOUGHT:

FROM: CCG-1

TO: CCG-2

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2021-3485

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Algen Albritten

5/18/2021

F1F S P Holdings B, LLC

10250 Normandy Blvd, Ste. 504

Jacksonville, Florida 32221

Project Name: San Juan Rentals

Availability #: 2021-2109

Attn: Algen Albritten

Thank you for your inquiry regarding the availability of Electric, 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:

... 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/

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,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-2109

Request Received On: 5/6/2021

Availability Response: 5/18/2021

Prepared by: Ji Soo Kim

Expiration Date: 05/18/2023

Project Information

Name: San Juan Rentals

Address: 0 SAN JUAN AVE, JACKSONVILLE, FL 32210

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 2525

Parcel Number: 068535 0200

Location: southeast corner of intersection of San Juan Avenue and Niblick Drive

Description: The project is a watercraft rental business.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 12-inch water main within San Juan Ave. ROW.

Connection Point #2: Existing 8-inch water main within Niblick Dr. ROW.

Water Special Conditions: Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then Connection to the JEA-owned water 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.). If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, and Plan Submittal requests can be made within Step 2 of the project portal.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1: Existing 8-inch gravity sewer main within Niblick Dr. ROW.

Connection Point #2:

Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then 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.). If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, and Plan Submittal requests can be made within Step 2 of the project portal.



Sewer Special Conditions:

**Reclaimed Water
Connection**

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

Electric Availability:

Electric Special Conditions:



General Conditions:

