

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.: 2022-790**

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**

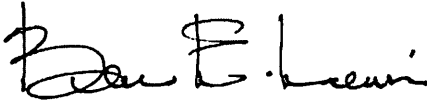
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Absent
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
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, 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 FO**APPLICATION FOR REZONING ORDINANCE 2022-0790****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 2022-0790.

Location: 9007 Noroad, 9091 Noroad, 0 Zambito Road North

Real Estate Numbers: 013030-0000, 013024-0000, 013023-0000

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

Proposed Zoning District: Residential Low Density-60 (RLD-60)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Agent Gregory E. Matovina
Matovina & Company
12443 San Jose Boulevard, Suite 504
Jacksonville, Florida 32223

Owners: Gregory E. Matovina et al.
Patriot Ridge, LLP
12443 San Jose Boulevard, Suite 504
Jacksonville, Florida 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0790 seeks to rezone approximately 45.83± acres of property from Rural Residential-Acre (RR-Acre) to Residential Low Density-60 (RLD-60). The property is currently located in the Low Density Residential (LDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The applicant seeks to permit the allowable uses of the RLD-60 Zoning District to be consistent with surrounding properties.

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 45.83-acre subject site is located on Noroad Road between Zambito Avenue and Jeanine Terrace, both public roadways. The site is also located in the LDR land use category, Planning District 4, Council District 12, and the Suburban Development Area. The applicant seeks to rezone the property from RR-Acre to RLD-60. According to the Category Descriptions of the Future Land Use Element (FLUE), LDR in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is 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.

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

Yes. This proposed rezoning to Residential Low Density-60 (RLD-60) is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

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 proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

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 RR-Acre to RLD-60 allowing for the development of any uses permitted within this Zoning District.

SURROUNDING LAND USE AND ZONING

The subject site is located between the south side of Zambito Road North and the north side of Noroad. The surrounding area is zoned for residential living and public uses. This request for rezoning to RLD-60 would not create lots out of character for the surrounding area. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	PBF	PBF-3	Herlong Recreational Airport
South	LDR	PUD 1986-0114	Single Family Dwellings

East	LDR	RLD-60	Single Family Dwellings
West	LDR	RR-Acre	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-60 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 8, 2022** by the Planning and Development Department, 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 **2022-0790** be **APPROVED**.



Aerial View

Source: JaxGIS Map



Source: Planning & Development Department 11/8/2022
View of property 9007 Noroad



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: RLD-60</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2022-0790</p>	<p>TRACKING NUMBER</p> <p>T-2022-4410</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0790 **Staff Sign-Off/Date** BMF / 09/22/2022
Filing Date 09/23/2022 **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 WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4410 **Application Status** PAID
Date Started 07/20/2022 **Date Submitted** 08/17/2022

General Information On Applicant

Last Name MATOVINA **First Name** GREGORY **Middle Name** E.
Company Name
MATOVINA COMPANY
Mailing Address
12443 SAN JOSE BLVD STE 504
City JACKSONVILLE **State** FL **Zip Code** 32223
Phone 9042920778 **Fax** 9042929468 **Email** GMATOVINA@MATOVINA.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MATOVINA **First Name** GREGORY **Middle Name** E
Company/Trust Name
PATRIOT RIDGE, LLP
Mailing Address
12443 SAN JOSE BLVD, STE 504
City JACKSONVILLE **State** FL **Zip Code** 32223
Phone 9042920778 **Fax** 9042929468 **Email** GMATOVINA@MATOVINA.COM

Last Name RODGERS **First Name** CHARLES **Middle Name** L
Company/Trust Name
Mailing Address
711 RUTH AVE
City GULFPORT **State** MS **Zip Code** 39501
Phone **Fax** **Email**

Last Name BENNETT **First Name** ELAN **Middle Name**
Company/Trust Name
Mailing Address
 175 W. HUMMINGBIRD LN
City SEDONA **State** AZ **Zip Code** 86336
Phone **Fax** **Email**

Last Name RODGERS **First Name** JOHN **Middle Name** L
Company/Trust Name
Mailing Address
 9079 NOROAD
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone **Fax** **Email**

Last Name MIXON **First Name** RAINIE **Middle Name**
Company/Trust Name
Mailing Address
 9007 NOROAD
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 4204

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 013023 0000	12	4	RR-ACRE	RLD-60
Map 013024 0000	12	4	RR-ACRE	RLD-60
Map 013030 0000	12	4	RR-ACRE	RLD-60

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

Existing Land Use Category

RR

Land Use Category Proposed?**If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre)** 45.83**Justification For Rezoning Application**

TO MAKE PROPERTY CONSISTENT WITH SURROUNDING PROPERTIES

Location Of Property**General Location**

NORTH SIDE OF NOROAD, EAST OF ZAMBITO RD

House #	Street Name, Type and Direction	Zip Code
	NOROAD	32210

Between Streets

ZAMBITO AVE and JEANINE TERR

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

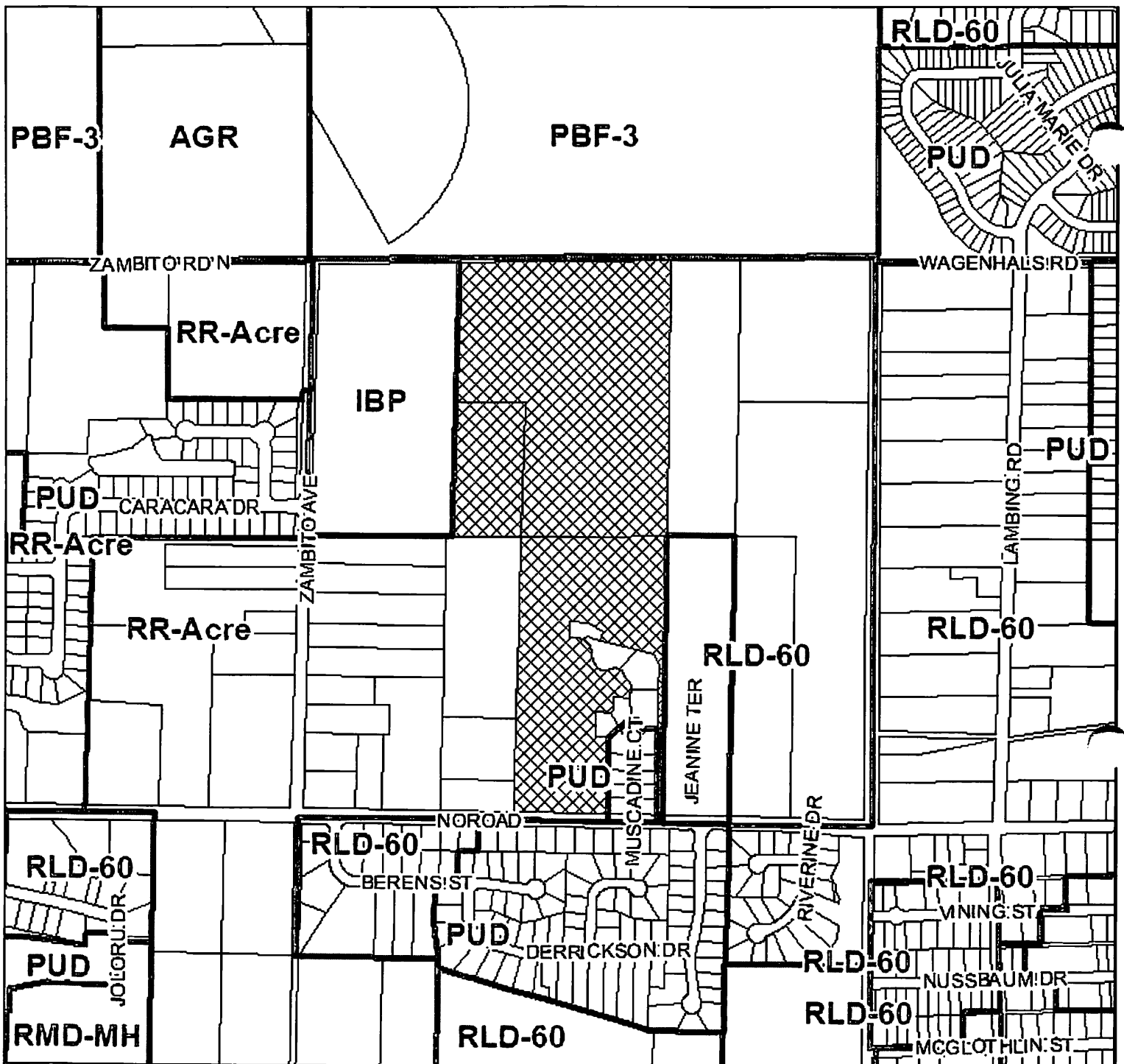
property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for 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**
 45.83 Acres @ \$10.00 /acre: \$460.00
- 3) Plus Notification Costs Per Addressee**
 64 Notifications @ \$7.00 /each: \$448.00
- 4) Total Rezoning Application Cost: \$2,908.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

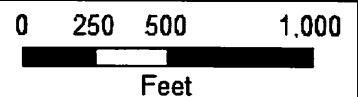
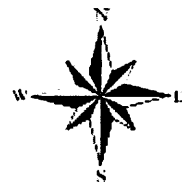
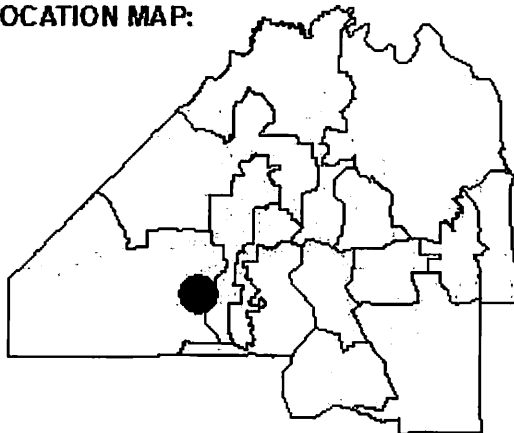


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-60

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4410

**EXHIBIT 2
PAGE 1 OF 1**

Legal Description
August 17, 2022

TRACTS 4, 5, AND THE NORTH 1/2 OF TRACT 6, OF BLOCK 1, SECTION 9, TOWNSHIP 3 SOUTH, RANGE 25 EAST, AS PER PLAT OF JACKSONVILLE HEIGHTS, RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
LESS AND EXCEPT ANY LANDS LYING WITHIN ANY ROAD RIGHT-OF-WAY.

Tracts 12 and 13, Block 1, Section 9, Township 3 South. Range 25 East, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat Book 5. page 93, (Excepting therefrom a strip of land 15 feet deep along the South boundary of the above tracts and EXCEPT the South 15 feet conveyed to Duval County for road by deeds recorded in O.R. Book 623, page 99 and O.R. Book 1044, page 426) less exceptions and conveyances of Record. LESS AND EXCEPT O/R 10793-33, 10793-35,10801-2015,10801-2017, PBK 59-185.

THE SOUTH 1/2 OF TRACT 6, IN BLOCK 1 JACKSONVILLE HEIGHTS, SECTION 9, TOWNSHIP 3 SOUTH, RANGE 25 EAST DUVAL COUNTY, FLORIDA



Availability Letter

Aubrey Raisor

3/23/2022

Matovina & Company

12443 San Jose Blvd, Suite 504

Jacksonville, Florida 32223

Project Name: Patriot Hideaway

Availability #: 2022-0229

Attn: Aubrey Raisor

Thank you for your inquiry regarding the availability of Chilled Water, Electric, Reclaim, 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.

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/

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,

 Susan West
westsr@jea.com
(904) 665-7980

Availability Number: 2022-0229

Request Received On: 3/22/2022

Availability Response: 3/23/2022

Prepared by: Susan West

Expiration Date: 03/22/2024

Project Information

Name: Patriot Hideaway

Address: 0 ZAMBITO AVE, JACKSONVILLE, FL 32210

County: Duval County

Type: Chilled Water,Electric,Reclaim,Sewer,Water

Requested Flow: 35000

Parcel Number: 013025 0000, 013024 0000, 013030 0000

Location: 5-93 09-3S-25E 25.000 JACKSONVILLE HEIGHTS TRACTS 4,5,N1/2 TRACT 6 BLK 1

Description: New residential development proposal including 140 units

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8 inch water main along Zambito Ave

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: Southwest

Connection Point #1: Existing 6 inch force main along Noroad at the Cinnamon Fern Dr intersection

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.

General Conditions: Point of connection location(s) to be field verified by developer during project design. If needed, 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: **Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Request a Hydrant Flow Test by going to Step 1 in Sages. Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application. Submit your plans for water/waste water review by Step 2 in Sages. Submit your request for a Force Main Connection Pressure letter by accessing Step 2 in Sages.**