

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

December 8, 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.: 2022-823**

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**

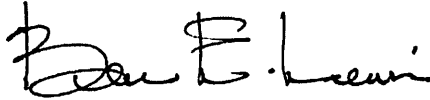
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 5-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Absent
David Hacker	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 that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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**

**APPLICATION FOR REZONING ORDINANCE 2022-0823**

**DECEMBER 8, 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 2022-0823.

***Location:*** 467 Clark Road, 0 Clark Road

***Real Estate Numbers:*** 020690-0400, 020694-0000

***Current Zoning District:*** Planned Unit Development (PUD 2021-0070)

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

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

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** North, District 6

***Applicant/Agent*** Janis Fleet, AICP  
Fleet Associates Architects Planners, Inc.  
11557 Hidden Harbor Way  
Jacksonville, Florida 32223

***Owner:*** Bernard K. Niederman  
435 Clark Road Holdings LLC  
P.O. Box 19906  
Brooklyn, New York 11204

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2022-0823 seeks to rezone approximately 3.55± acres of property from Planned Unit Development (PUD 2021-0070) to Residential Medium Density-D (RMD-D) in order to develop townhomes. The property consists of two separate parcels currently located in the Community/General Commercial (CGC) land use category, and the applicant is also seeking a companion Land Use Amendment (2022-0822) to the Medium Density Residential (MDR) land use category. The existing PUD was approved for mixed use development including

a shopping center. The subject parcels of the PUD have remained undeveloped since its approval in 2021.

### **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 3.55 acre site is located in the Suburban Development Area on Clark Road between Broward Road and Interstate Center Drive. According to the City's Functional Highways Classification Map, Clark Road is classified as a collector roadway and Interstate Center Drive is classified as a local roadway. The site is currently vacant, and abuts an approved multi-family townhome development to the west (Ordinances 2021-413 and 2021-414). The applicant seeks to rezone the property from PUD 2021-0070 to RMD-D and has applied for a companion land use application, Ordinance 2022-0822, to change the land use from CGC to MDR.

MDR in the Suburban Area is intended to provide compact low to medium density mixed use development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

The proposed rezoning is consistent with the proposed MDR land use amendment application and 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 Medium Density-D (RMD-D) is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**Future Land Use Element**

**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.

*The development of townhomes will ensure compact and compatible land use patterns and complies with Objective 1.1.*

**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 development of townhomes will be consistent with Objective 3.1.*

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 to RMD-D allowing for the development of townhomes which are a permitted use within this zoning district.

**SURROUNDING LAND USE AND ZONING**

The subject site is located at the northwest corner of Clark Road and Interstate Center Drive. The surrounding area is zoned for residential living and commercial uses. This request for rezoning to RMD-D 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	BP	IBP	Business Offices
South	CGC	PUD 2022-0196	Vacant Land
East	CGC	PUD 2021-0070	Vacant Office Building
West	MDR	RMD-D	Vacant Land

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

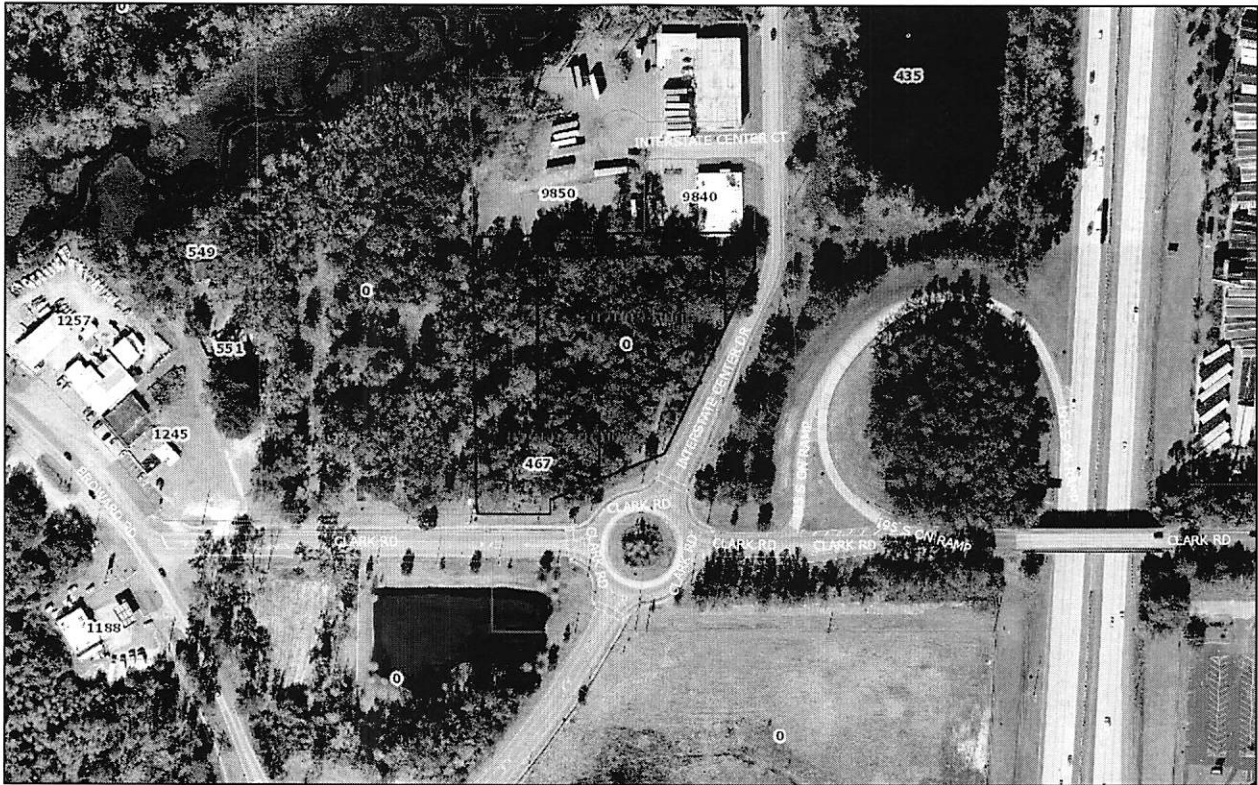
### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 30, 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 **2022-0823** be **APPROVED**.



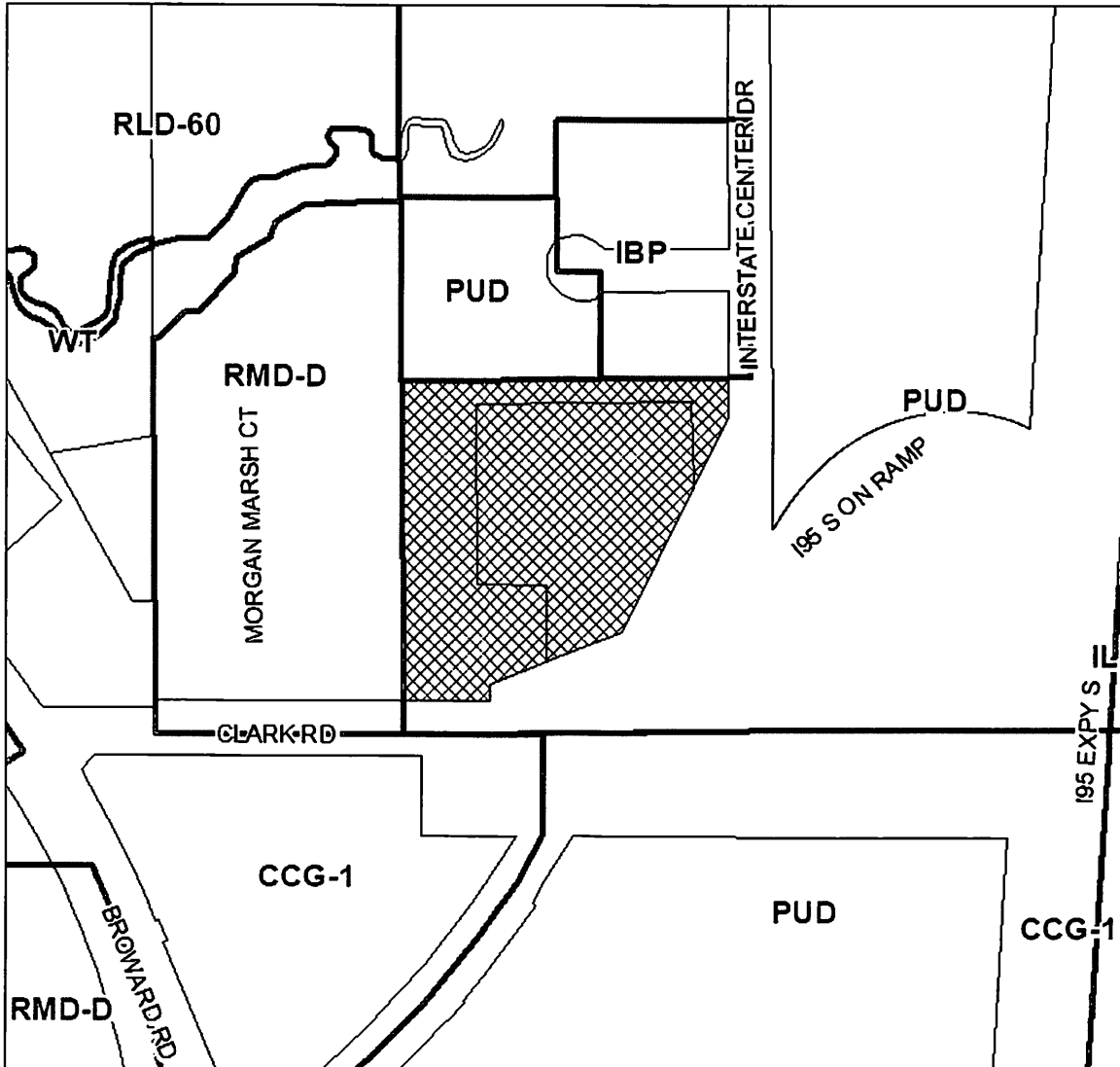
Aerial View

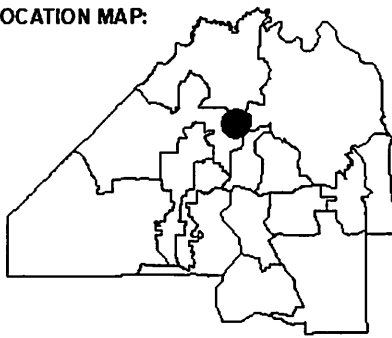
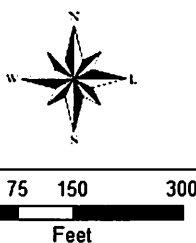
Source: JaxGIS Map



*Source: Planning & Development Department 11/8/2022*  
**View of property 0 Clark Road facing northeast**





<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: PUD</b></p> <p><b>TO: RMD-D</b></p>	<p><b>LOCATION MAP:</b></p>  <p><b>TRACKING NUMBER</b></p> <p><b>T-2022-4234</b></p>	 <p><b>COUNCIL DISTRICT:</b></p> <p><b>8</b></p> <p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>
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# Application For Rezoning To Conventional Zoning District

## Planning and Development Department Info

Ordinance # 2022-0823 Staff Sign-Off/Date BMF / 10/11/2022  
 Filing Date 10/13/2022 Number of Signs to Post 3  
 Hearing Dates:  
 1st City Council 12/13/2022 Planning Commission 12/08/2022  
 Land Use & Zoning 01/04/2023 2nd City Council 01/10/2023  
 Neighborhood Association THE EDEN GROUP INC  
 Neighborhood Action Plan/Corridor Study N/A

## Application Info

Tracking # 4234 Application Status PAID  
 Date Started 04/22/2022 Date Submitted 04/22/2022

## General Information On Applicant

Last Name FLEET First Name JANIS Middle Name  
 Company Name FLEET ASSOCIATES ARCHITECTS PLANNERS, INC.  
 Mailing Address 11557 HIDDEN HARBOR WAY  
 City JACKSONVILLE State FL Zip Code 32223  
 Phone 9046667038 Fax 904 Email JFLEET@FLEETARCHITECTSPANNERS.NET

## General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name NIEDERMAN First Name BERNARD Middle Name K  
 Company/Trust Name 435 CLARK ROAD HOLDINGS LLC  
 Mailing Address PO BOX 19906  
 City BROOKLYN State NY Zip Code 11204  
 Phone 9047606332 Fax Email BERNIES3000@YAHOO.COM

## Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2021-0070

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	020690 0400	8	6	PUD	RMD-D
Map	020694 0000	8	6	PUD	RMD-D

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 #**

5713

**Total Land Area (Nearest 1/100th of an Acre)** 3.55**Justification For Rezoning Application**

THE PROPERTY WAS PART OF A COMMERCIAL PUD. A COMPANION A FUTURE LAND USE MAP (FLUM) CHANGE TO MDR HAS BEEN SUBMITTED. THIS REZONING WOULD BE COMPATIBLE WITH THE SURROUNDING AREA. THE REZONING TO RMD-D WILL ALLOW THE PROPERTY TO BE DEVELOPED FOR TOWNHOUSES AND PROVIDE NEEDED HOUSING IN THE NORTHSIDE OF JACKSONVILLE

**Location Of Property****General Location**

CLARK ROAD

House #	Street Name, Type and Direction	Zip Code
467	CLARK RD	32218

**Between Streets**BROWARD ROAD **and** INTERSTATE CENTER 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**

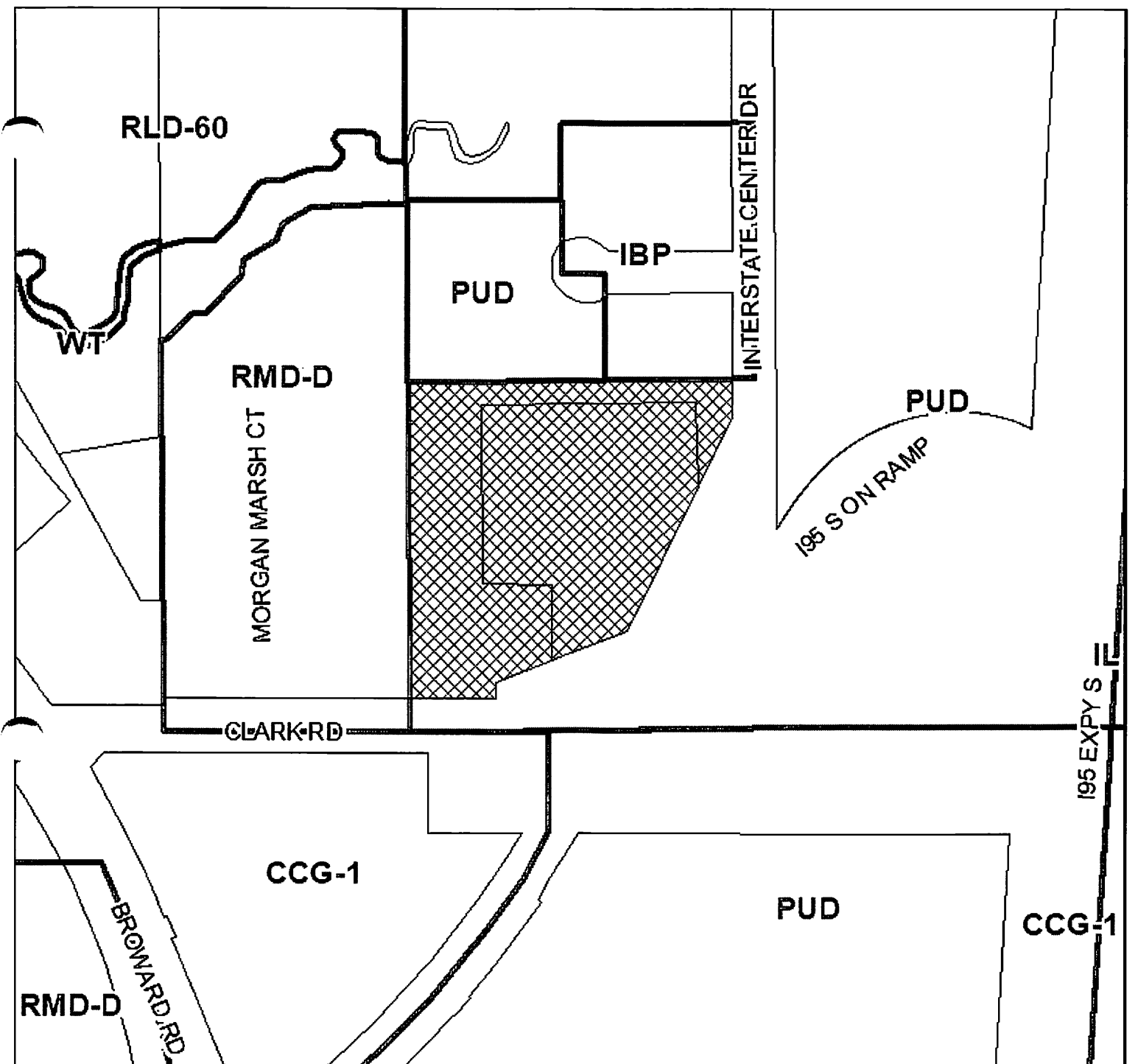
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**  
**3.55 Acres @ \$10.00 /acre: \$40.00**
- 3) Plus Notification Costs Per Addressee**  
**11 Notifications @ \$7.00 /each: \$77.00**
- 4) Total Rezoning Application Cost: \$2,117.00**

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

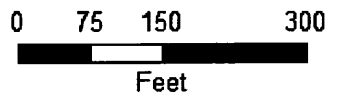
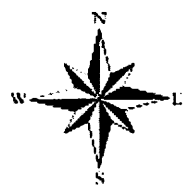
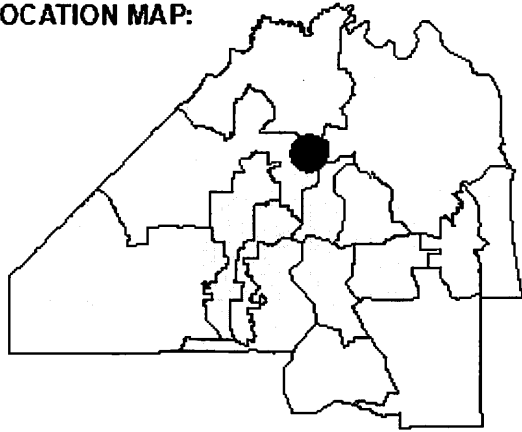


REQUEST SOUGHT:

FROM: PUD

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

8

TRACKING NUMBER

T-2022-4234

**EXHIBIT 2**  
**PAGE 1 OF 1**

## **Exhibit 1**

**September 19, 2022**

A parcel of land in the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 13, Township 1 South, Range 26 East, being more particularly described as follows:

Commencing at the intersection of the southern right-of-way of Interstate Center Court with the western right-of-way Interstate Center Drive, thence S 00°36'40" E a distance of 120 feet to the POINT OF BEGINNING. Thence continue S 00°36'40" E a distance of 35.55 feet, thence S 25°29'00" W a distance of 100.91 feet, thence S 25°26'30" W a distance of 229.78 feet, thence S 58°00'00" W a distance of 114.65 feet, thence S 58°01'29" W a distance of 89.59 feet, thence N 89°57'40" W a distance of 1.56 feet, thence S 00°02'20" W a distance of 9.84 feet, thence N 89°54'43" W a distance of 132.40 feet, thence N 00°57'19" W a distance of 447.16 feet, thence N 89°23'20" E a distance of 456.42 feet to the POINT OF BEGINNING.

Contains 3.55 acres more or less.



## Availability Letter

Janis Fleet

10/31/2022

Fleet & Associates Architects/Planners Inc

11557 Hidden Harbor Way

Jacksonville, Florida 32223

Project Name: CLARK ROAD TOWNHOUSES

Availability #: 2022-4022

Attn: Janis Fleet

Thank you for your inquiry regarding the availability of 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. 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

[https://www.jea.com/water\\_and\\_wastewater\\_development](https://www.jea.com/water_and_wastewater_development)

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2022-4022

Request Received On: 10/31/2022

Availability Response: 10/31/2022

Prepared by: Susan West

Expiration Date: 10/30/2024

### **Project Information**

Name: CLARK ROAD TOWNHOUSES

Address:

County: Duval County

Type: Electric,Reclaim,Sewer,Water

Requested Flow: 12500

Parcel Number: 020694 0000

Location: Clark Road and Interstate Center Drive

Description: Develop property for townhouses

### **Potable Water Connection**

Water Treatment Grid: North Grid

Connection Point #1: Existing 8 inch water main along Interstate Center Drive

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: District 2/Cedar Bay



Connection Point #1: Existing 6 inch force main along Interstate Center Drive

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 Connection

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.**