

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2016-552

SEPTEMBER 22, 2016

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 **2016-552**.

Location 3743 Newcomb Road; on the west side of Lem Turner Road just north of Interstate 295

Real Estate Number: 019489-0000, 019492-0000

Present Zoning District: Residential Rural-Acre (RR-Acre)
Planned Unit Development (PUD 13-336)

Proposed Zoning District: Recreation and Open Space (ROS)

Current Land Use Category: Rural Residential (RR)

Proposed Land Use Category: Recreation and Open Space (ROS)

Planning District: North, District 6

Planning Commissioner: Marshall Adkison

City Council Representative: The Honorable Katrina Brown, District 8

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Raymond Lane
Flamingo Lake, LLC
501 Riverside Avenue, Suite 600
Jacksonville, Florida 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2016-552 seeks to rezone approximately 14.67 acres of property from RR-Acre and PUD to Recreation and Open Space (ROS). The applicant is seeking a land use amendment and rezoning to develop the property as an extension to the existing Flamingo Lake RV Park, which is zoned ROS. A PUD rezoning was approved for a 7.9 acre portion of the total area. The PUD allowed for 25 RV sites and for RV storage.

1. The development shall provide a twenty-five feet wide (25') Landscape buffer around perimeter of the site with a minimum six feet (6') tall eighty-five percent opaque (85%) privacy fence and one, minimum two-inch (2") caliper tree every twenty-five feet where adjacent to residential zoning districts.
2. Lot requirements are based on 25 individual RV spaces. No individual subdivided lots.

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

1. *Is the proposed rezoning district consistent with the functional land use category identified in 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 the subject property is 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. However, concurrent with this Application for Rezoning, an Application for Large Scale Land Use Amendment to Future Land Use Map Series Ordinance 2016-551 (Application 2016A-003) was filed requesting amendment of the subject property's functional land use category from RR to Recreation and Open Space (ROS).

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

Yes. The proposed rezoning is consistent with the following Policies of the 2030 Comprehensive Plan, Future Land Use Element:

FLUE 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.

FLUE 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.

FLUE Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

FLUE 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.

According to the Future Land Use Category Descriptions, the ROS future land use category permits travel trailer parks as a secondary use. There are only a handful of travel trailer parks located within Duval County. By providing additional RV park facilities, the City is meeting Goal 1 of the ROS element.

The proposed rezoning is consistent with the established pattern of development in the area because it does not promote the creation of like uses and complementary uses, nor are any enhancement of transportation connections planned. The conventional rezoning request cannot regulate other appropriate mitigation measures either such as transitional buffering and setback areas and landscaping requirements between uses. There is also no mechanism for regulating noise, odor, vibration and visual/ aesthetic controls.

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

No. The effect of the proposed rezoning is in harmony with the spirit and intent of the Zoning Code. If approved, it would permit a use that is consistent with the adjacent Residential Rural uses. The existing RV Park is an isolated property on the southern side of Newcomb Road which is a "local" roadway with a 60 foot right of way. Currently the road is approximately 16 feet wide except for the first 700 feet near the intersection of Lem Turner Rd. which is 22 feet wide. The applicant has been made aware of the concerns about the width of the road and the owner indicated and that widening would be required as part of the 10 set review process with the Development Services Division.

The site can be developed in accordance with the minimum lot and minimum yard requirements set forth in section 656.334 of the Zoning Code, as well as with the permissible uses and the permissible uses by exception while adhering to local, state and federal regulations governing wetlands. But again, the conventional rezoning request cannot regulate other appropriate mitigation measures either such as transitional buffering and setback areas and landscaping requirements between uses. There is also no mechanism for regulating noise, odor, vibration and visual/ aesthetic controls.

SURROUNDING LAND USE AND ZONING

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	RR	RR-Acre	Single-family dwellings
East	RR	RR-Acre	Single-family dwelling
South	ROS	ROS	Flamingo Lake RV Park
West	RR	RR-Acre	Undeveloped

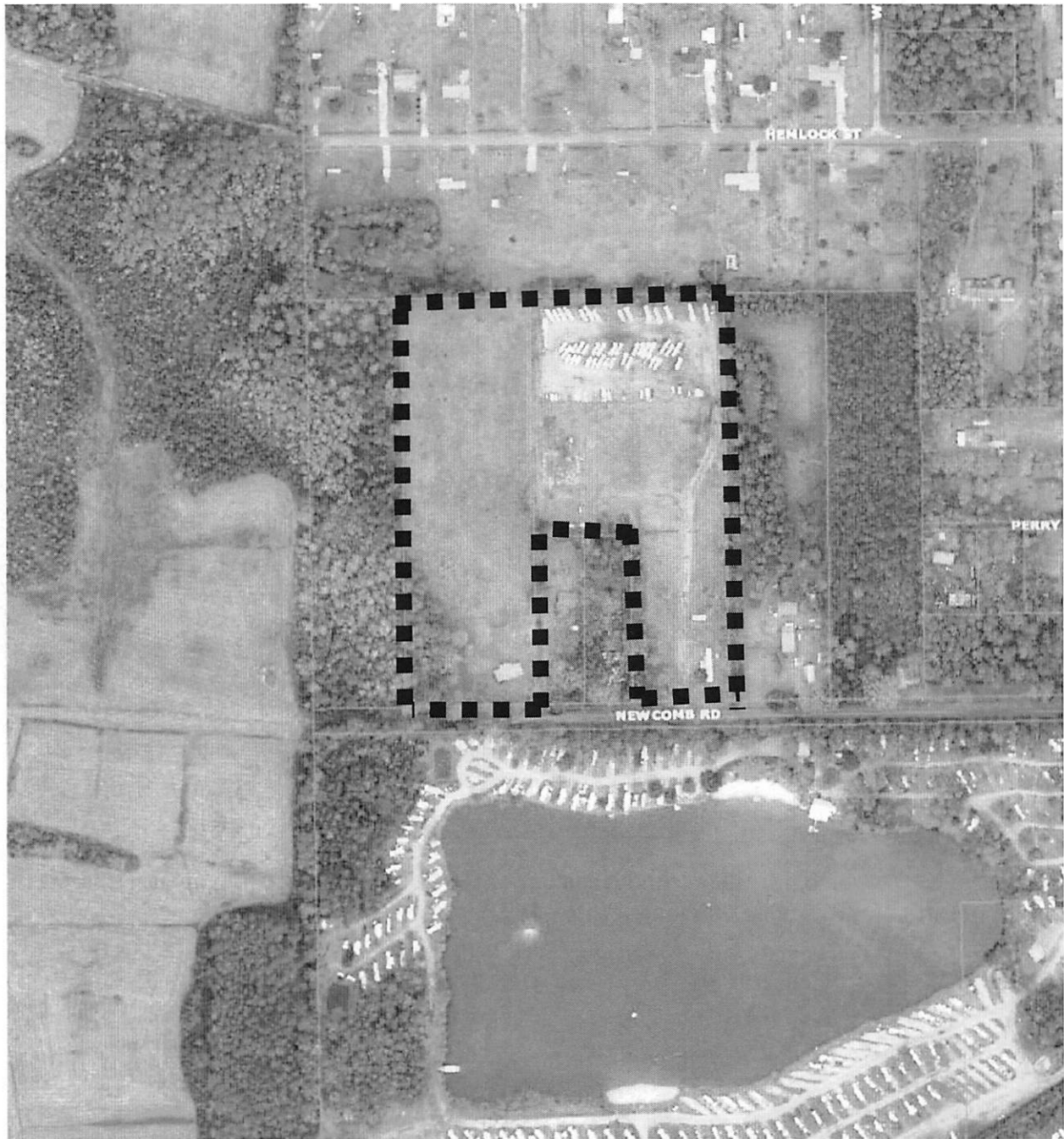
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 9, 2016, 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 2016-552 be APPROVED.



Aerial view of subject property.



View of Newcomb Road.



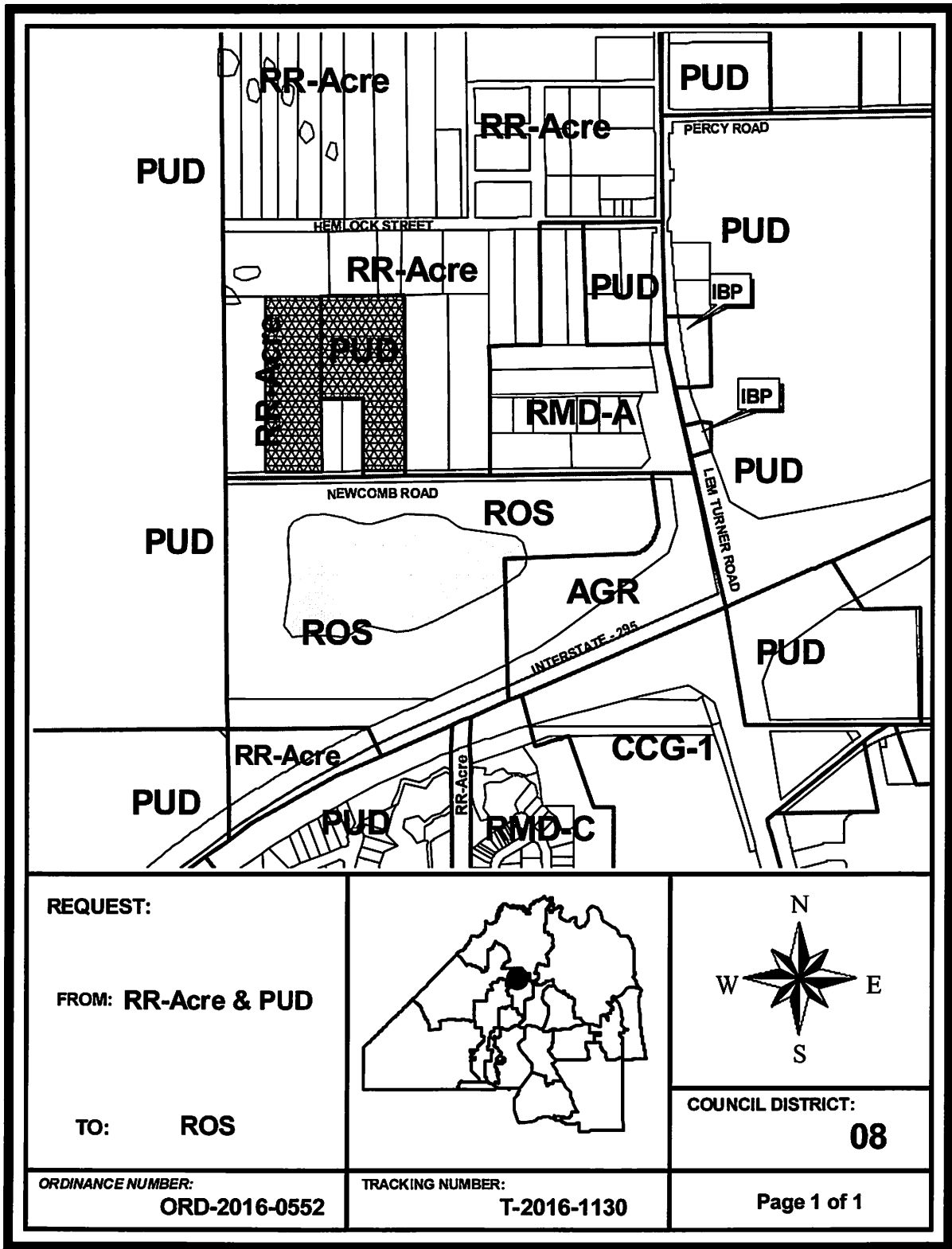
View of entrance to subject property.



View of subject property



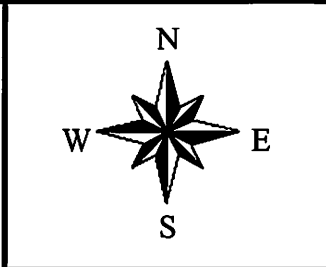
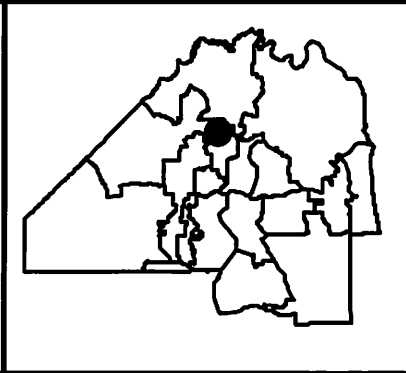
Single family dwelling adjacent to subject property.



REQUEST:

FROM: RR-Acre & PUD

TO: ROS



COUNCIL DISTRICT:
08

ORDINANCE NUMBER:
ORD-2016-0552

TRACKING NUMBER:
T-2016-1130

Page 1 of 1

Application For Rezoning To Conventional Zoning District**Planning and Development Department Info****Ordinance #** 2016-0552 **Staff Sign-Off/Date** BEL / 08/02/2016**Filing Date** 08/23/2016 **Number of Signs to Post** 2**Hearing Dates:****1st City Council** 09/27/2016 **Planning Comission** 09/22/2016**Land Use & Zoning** 10/04/2016 **2nd City Council** N/A**Neighborhood Association** EDEN GROUP, INC.**Neighborhood Action Plan/Corridor Study** NONE**Application Info****Tracking #** 1130**Application Status** PENDING**Date Started** 05/06/2016**Date Submitted** 05/11/2016**General Information On Applicant****Last Name**

DUGGAN

First Name

WYMAN

Middle Name

R

Company Name

ROGERS TOWERS, P.A.

Mailing Address

1301 RIVERPLACE BOULEVARD, SUITE 1500

City

JACKSONVILLE

State

FL

Zip Code

32207

Phone

9043983911

Fax

9043960663

Email

WDUGGAN@RTLAW.COM

General Information On Owner(s) **Check to fill first Owner with Applicant Info****Last Name**

LANE

First Name

RAYMOND

Middle Name**Company/Trust Name**

FLAMINGO LAKE, LLC

Mailing Address

501 RIVERSIDE AVENUE, SUITE 600

City

JACKSONVILLE

State

FL

Zip Code

32202

Phone**Fax****Email****Property Information****Previous Zoning Application Filed For Site?** **If Yes, State Application No(s)** 2013-336-E

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	019492 0000	8	6	RR-ACRE	ROS

Map

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

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

Justification For Rezoning Application

TO PERMIT EXPANSION OF EXISTING FLAMINGO LAKE RV PARK.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
<input type="text" value="3825/3743"/>	<input type="text" value="NEWCOMB RD"/>	<input type="text" value="32218"/>

Between Streets

and

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
14.67 Acres @ \$10.00 /acre: \$150.00
- 3) Plus Notification Costs Per Addressee
10 Notifications @ \$7.00 /each: \$70.00
- 4) Total Rezoning Application Cost: \$2,220.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Lot 8, J.P. Turner Subdivision of the North ½ of the SW ¼ of Section 33, Township 1 North, Range 26 East, a subdivision according to the plat thereof recorded at Deed Book 543, Page 14, in the Public Records of Duval County, Florida.

Real Property Parcel ID No.: 019492-0000

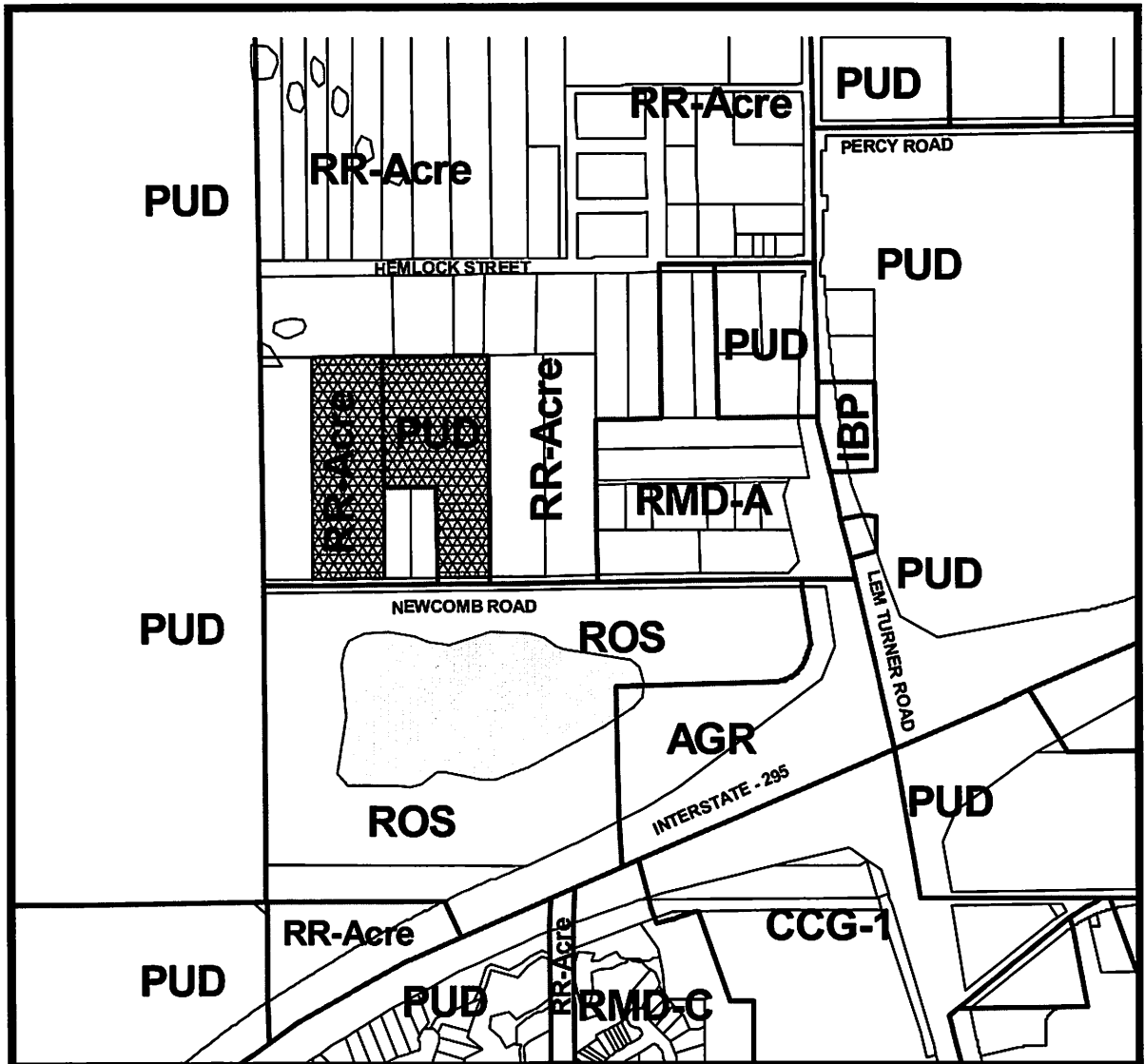
Together with:

Lots 6 and 7, J. P. TURNER'S SUBDIVISION of the North ½ of the Southwest 1/4 of Section 33, Township 1 North, Range 26 East, according to plat thereof recorded in Deed Book 1110, Page 375, of the public records of Duval County, Florida, EXCEPT the Southernmost 2 acres of Lot 7.

Real Property Parcel ID No.: 019489-0000

May 11, 2016

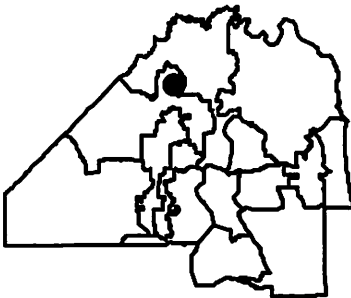
**Exhibit 1
Page 1 of 1**



REQUEST SOUGHT:

FROM: RR-Acre & PUD

TO: ROS



0 100 Feet



COUNCIL DISTRICT:

8

TRACKING NUMBER:

T-2016-1130

Page 1 of 1

EXHIBIT A - Property Ownership Affidavit

Date: 5/10/16

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:
3825 Newcomb Road

To Whom It May Concern:

I Ray L. Lane hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for land use amendment and rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Flamingo Lake, LLC

By _____

By Raymond Lane

Print Name: _____

Print Name: Raymond L. Lane

Its: Manager

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 10th day of May 20 16, by Raymond L. Lane, who is personally known to me or who has produced _____ as identification and who took an oath.

Cinda Rustad

(Signature of NOTARY PUBLIC)

Cinda Rustad

(Printed name of NOTARY PUBLIC)



State of Florida at Large.

My commission expires: 2/7/17

EXHIBIT A - Property Ownership Affidavit

Date: 5/11/16

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:
3743 Newcomb Road

To Whom It May Concern:

I Raymond L. Lane hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

By _____
Print Name: _____

If Owner is Corporate Entity:*

Print Corporate Name:
Flamingo Lake, LLC
By Raymond Lane
Print Name: Raymond L. Lane
Its: Manager

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

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Cinda Rustad
(Signature of NOTARY PUBLIC)

Cinda Rustad
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 2/7/17

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 5/10/16

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: 3825 Newcomb Road

To Whom It May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Rogers Towers, P.A. to act as agent to file application(s) for land use amendment/rezoning for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

By _____

Print Corporate Name:

Flamingo Lake, LLC

Print Name: _____

By Raymond Lane

Print Name: Raymond L. Lane

Its: Manager

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

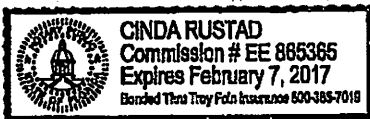
STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 10th day of May 2016, by Raymond L. Lane who is personally known to me or who has produced _____ as identification and who took an oath.

Cinda Rustad

(Signature of NOTARY PUBLIC)

Cinda Rustad
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 2/7/17

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 5/11/16

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: 3743 Newcomb Road

To Whom It May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Rogers Towers, P.A. to act as agent to file application(s) for rezoning for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

By _____
Print Name: _____

If Owner is Corporate Entity:*

Print Corporate Name:
Fleming Lake, LLC
By Raymond L. Lane
Print Name: Raymond L. Lane
Its: Manager

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 11th day of May
20 16, by Raymond L. Lane, who is personally known to me or who has
produced _____ as identification and who took an oath.

Cinda Rustad
(Signature of NOTARY PUBLIC)
Cinda Rustad
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 2/7/17



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Jennifer Wilson
AVA Engineers, Inc
8850 Goodbys Executive Dr., Ste A
Jacksonville, Florida, 32217

August 01, 2016

Project Name: Flamingo Lakes Master PPlan
Availability#: 2016-0589

Dear Mr/Mrs Jennifer Wilson,

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. 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,

Mollie Price
Water/Wastewater System Planning
(904) 904-665-7710



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC WATER SEWER RECLAIMED

Availability#: 2016-0589
 Request Received On: 4/19/2016
 Availability Response: 8/1/2016
 Prepared by: Mollie Price

Project Information

Name: Flamingo Lakes Master PLan
 Type: OTHER
 Requested Flow: 8,430 gpd
 Location: 3743 Newcomb Rd, Jacksonville 32218 Lem Turner & I-295, across from existing RV Park
 Parcel ID No.: 019489-0000
 Description: Proposed 110 RV lots and 1200 sq ft office

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Proposed 12-in water line on the south side of Newcomb Rd (see Special Conditions)
 Connection Point #2: Existing 8-in water line on the north side of Newcomb Rd approx. 1,220-lf east of site
 Special Conditions: Utility main construction must be approved and accepted by JEA prior to approval. Proposed utility line connection is based on the approved plans for 2013-1242, Sunport Industrial Park. Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

Sewer Connection

Sewer Treatment Plant: DISTRICT 2
 Connection Point #1: Proposed 20-in forcemain on the north side of New Comb Rd (see Special Conditions)
 Connection Point #2: Existing 4-in forcemain on the south side of Newcomb Rd approx. 1,220-lf east of site
 Special Conditions: Utility main construction must be approved and accepted by JEA prior to approval. Proposed utility line connection is based on the approved plans for 2013-1242, Sunport Industrial Park. Connection to forcemain may require smaller diameter parallel feeder line with stub-out to site - coordinate with Development Group. For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. 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.).

Reclaimed Water Connection

Sewer Region/Plant: North Grid
Connection Point #1: No reclaim in the foreseeable future
Connection Point #2: NA
Special Conditions: No reclaim in the foreseeable future.

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.

Duval County, City Of Jacksonville
Michael Corrigan , Tax Collector
 231 E. Forsyth Street
 Jacksonville, FL 32202

General Collection Receipt

Account No: CR376371

User: Lewis, Bruce

REZONING/VARIANCE/EXCEPTION

Date: 7/19/2016

Email: BLewis@coj.net

Name: Wyman Duggan

Address: 1301 Riverplace Boulevard, Suite 1500 Jacksonville FL 32207

Description: Flamingo Lake rezoning application

TranCode	IndexCode	SubObject	GLAcct	SubstdNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
701	PDCU011	342504									2220.00

Total Due: \$2,220.00

Michael Corrigan, Tax Collector
 Duval County/City of Jacksonville
 Comments - taxcollector@coj.net
 Inquiries - (904)630-1916
 www.coj.net/tc
 Date: 07/28/2016 Time: 10:45:27
 Location: P13 Clerk: CVM
 Transaction 0483094

Miscellaneous
 Item: CR - CR376371
 Receipt 0483094.0001-0001 2,220.00

Total Paid 2,220.00

CHECK 002642 2,220.00

Total Tendered 2,220.00

Paid By: FLAMINGO LAKE LLC
 Thank You

1 Introduced, substituted and amended by the Land Use And Zoning
2 Committee:



3
4 Attach.tif

ORDINANCE 2013-336-E

5 AN ORDINANCE REZONING APPROXIMATELY 7.93± ACRES
6 OF LAND LOCATED IN COUNCIL DISTRICT 8 AT 3743
7 NEWCOMB ROAD BETWEEN LEM TURNER ROAD AND HEMLOCK
8 STREET (R.E. NO. 019489-0000), AND OWNED BY
9 FLAMINGO LAKE LLC, AS DESCRIBED HEREIN, FROM
10 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT TO
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
13 PERMIT AN EXTENSION OF AN EXISTING RV
14 (RECREATIONAL VEHICLE) PARK, AS DESCRIBED IN THE
15 WRITTEN DESCRIPTION AND SITE PLAN FOR THE
16 FLAMINGO LAKE RV RESORT PUD, PURSUANT TO FUTURE
17 LAND USE MAP SERIES (FLUMS) SMALL-SCALE
18 AMENDMENT APPLICATION NUMBER 2013C-007; PUD
19 REZONING SUBJECT TO CONDITIONS; PROVIDING AN
20 EFFECTIVE DATE.

21
22 **WHEREAS**, the City of Jacksonville adopted a small-scale land use
23 amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 application 2013C-007 and companion land use Ordinance 2013-335; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion small-scale land
29 use amendment 2013C-007, an application to rezone and reclassify from
30 Residential Rural-Acre (RR-Acre) District To Planned Unit Development
31 (PUD) District was filed by Henry A. Vorpe, Jr., on behalf of Flamingo

1 Lake LLC, the owner of approximately 7.93± acres of certain real
2 property in Council District 8, as more particularly described in
3 Section 1 and referenced therein as the "Subject Property"; and

4 **WHEREAS**, the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2030 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

8 **WHEREAS**, the Planning Commission has considered the application
9 and has rendered an advisory opinion; and

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due notice
11 held a public hearing and made its recommendation to the Council; and

12 **WHEREAS**, the City Council after due notice held a public hearing,
13 taking into consideration the above recommendations as well as all
14 oral and written comments received during the public hearings, the
15 Council finds that such rezoning is consistent with the *2030*
16 *Comprehensive Plan* adopted under the comprehensive planning ordinance
17 for future development of the City of Jacksonville; and

18 **WHEREAS**, the Council finds that the proposed PUD does not affect
19 adversely the orderly development of the City as embodied in the
20 *Zoning Code*; will not affect adversely the health and safety of
21 residents in the area; will not be detrimental to the natural
22 environment or to the use or development of the adjacent properties in
23 the general neighborhood; and the proposed PUD will accomplish the
24 objectives and meet the standards of Section 656.340 (Planned Unit
25 Development) of the *Zoning Code* of the City of Jacksonville; now
26 therefore

27 **BE IT ORDAINED** by the Council of the City of Jacksonville:

28 **Section 1. Subject Property Location and Description.** The
29 approximately 7.93± acres of land (R. E. No. 019489-0000) is located
30 in Council District 8 at 3743 Newcomb Road between Lem Turner Road and
31 Hemlock Street, as more particularly described in **Exhibit 1** and

1 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
2 and incorporated herein by this reference (Subject Property).

3 **Section 2. Owner and Applicant Description.** The Subject
4 Property is owned by Flamingo Lake LLC. The applicant is Henry A.
5 Vorpe, Jr., P.E., AVA Engineers, Inc., 8850 Goodbys Executive Drive,
6 Suite A, Jacksonville, Florida 32217; (904)730-3223.

7 **Section 3. Property Rezoned.** The Subject Property, pursuant
8 to adopted companion small-scale land use amendment application 2013C-
9 007, is hereby rezoned and reclassified from Residential Rural-Acre
10 (RR-Acre) District to Planned Unit Development (PUD) District, subject
11 to the written description dated August 5, 2013 and the site plan
12 dated August 6, 2013 for the Flamingo Lake RV Resort PUD, both
13 **attached hereto** as **Exhibit 3**. The PUD District for the Subject
14 Property shall generally permit an extension of an existing RV
15 (Recreational Vehicle) Park.

16 **Section 4. Rezoning Approved Subject to Conditions.** This
17 rezoning is approved subject to the following conditions:

18 (a) The subject property shall be developed in accordance with
19 the Development Services Division Memorandum dated September 18, 2013,
20 or as otherwise approved by the Planning and Development Department.

21 (b) The development shall install and maintain a twenty-five
22 foot wide (25') landscape buffer around the perimeter of the site with
23 a minimum six foot (6') tall one-hundred percent (100%) opaque privacy
24 fence and at a minimum, one (1) two-inch (2") caliper tree every
25 twenty-five (25) feet where adjacent to residential zoning districts.

26 (c) Spaces in the proposed RV Park shall be for transient
27 occupancy not permanent occupancy and shall not be rented for more
28 than one hundred twenty (120) days. Spaces shall be rented by the
29 day, week or month.

30 (d) The applicant shall widen the travel lanes on Newcomb Road
31 from nine (9) feet to twelve (12) feet, from the existing main

1 entrance to the RV Park to the terminus of Newcomb Road, (just pass
2 the entrance to proposed new RV Park parcel) to ensure the safe
3 passage of recreational and other vehicles using this road for access.

4 The road improvement (widening) plan is subject to the review and
5 approval of the Planning and Development Department and the
6 improvement shall be completed prior to the City issuing a completion
7 of construction letter for the proposed RV Park expansion.

8 (e) Lot requirements are based on 25 individual RV spaces. No
9 individual subdivided lots.

10 **Section 5. Contingency.** This ordinance shall not become
11 effective until 31 days after adoption of the companion small-scale
12 land use amendment unless challenged by the state land planning
13 agency; and further provided that if the companion small-scale land
14 use amendment is challenged by the state land planning agency, this
15 rezoning shall not become effective until the state land planning
16 agency or the Administration Commission issues a final order
17 determining the companion small-scale land use amendment is in
18 compliance with Chapter 163, *Florida Statutes*.

19 **Section 6. Effective Date.** The adoption of this ordinance
20 shall be deemed to constitute a quasi-judicial action of the City
21 Council and shall become effective upon signature by the Council
22 President and the Council Secretary.

23 Form Approved:

24
25 Jason R. Gabriel

26 Office of General Counsel

27 Legislation Prepared By: Jason R. Gabriel

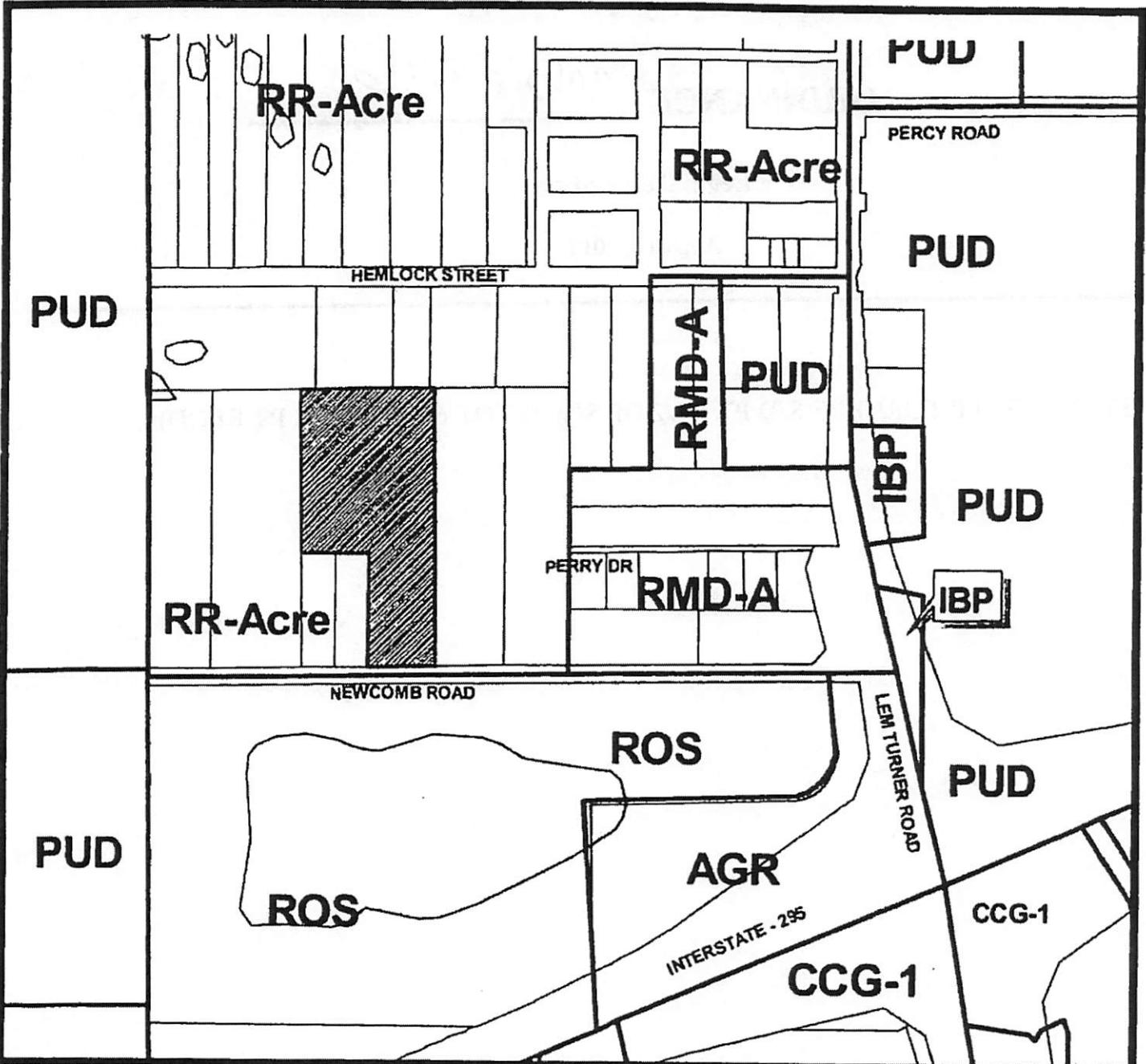
28 G:\SHARED\LEGIS.CC\2013\Ord\SMALL SCALES\2013-336.doc

ORDINANCE 2013-336

Legal Description

August 5, 2013

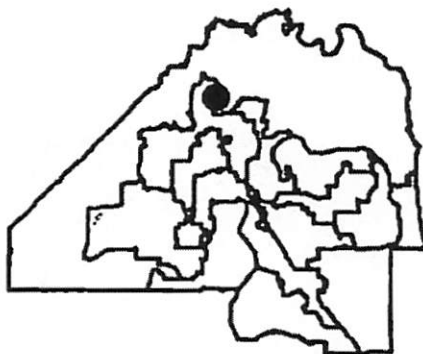
33-1N-26E J P TURNERS S/D PT N1/2 OF S/W ¼ LOT 6, LOT 7 (EX PT RECD)



REQUEST SOUGHT:

FROM: RR-Acre

TO: PUD



0100 Feet



COUNCIL DISTRICT:

8

ORDINANCE -2013-0336

FILE COPY

Exhibit D

WRITTEN DESCRIPTION

Flamingo Lake RV Resort

8/5/13

I. PROJECT DESCRIPTION

- A. The project consists 7.93 acres located at 7943 Newcomb Road, Jacksonville Florida 32218. The major interesting streets are I-295 and Lem Turner Road. The property is owned by Flamingo Lake RV Resort and currently, the site is vacant. The proposed use to create an extension of the existing RV Park that lies directly across Newcomb Rd.
- B. Project Architect/Planner: NA
- C. Project Engineer: AVA Engineers, Inc. - Henry A. Vorpe, Jr., P.E.
- D. Project Developer: Flamingo Lake RV Resort
- E. Current Land Use Category: RR
- F. Current Zoning District: RR Acre
- G. Requested Zoning District: PUD
- H. Requested Land Use Category: ROS
- I. Real Estate Number(s): 019489 0000

II. QUANTITATIVE DATA

- A. Total Acreage: 7.93 acres
- B. Total number of dwelling units by each type: NA
- C. Total amount of non-residential floor area: NA
- D. Total amount of recreation area: N/A
- E. Total amount of open space: N/A
- F. Total amount of public/private rights of way: NA

G. Total amount of land coverage of all buildings and structures: No permanent structures onsite 1200 sq. ft. RV sites with concrete pads only

H. Phase schedule of construction (include initiation dates and completion dates): One Phase to Begin October 2013 and be Completed January 2014

III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code? The PUD limits the total numbers of sites available to the site, provides guidelines for interconnectivity, and provides assurance of what the property usage will be. This application will also define buffers and roadway improvements required to support the proposed development.
- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City. This zoning will be an expansion of the existing adjacent RV Park to include RV sites and RV storage/ parking if guests are not remaining onsite. All maintenance will be performed by the owner/ developer of the park in accordance with state regulations. The length of stay is per zoning code. There are no agreements or contracts with guests that extend past a one month stay.
- C. Justification for the rezoning. The current park is at full capacity with 285 RV sites and 4 modular "cabins" that are one wheels. The proposed rezoning will allow for expansion of the park, availability for more guests, increase sales and tax revenue for the city and generate more employees. The expansion will also allow for RV storage when guests are not on site.

IV. USES AND RESTRICTIONS

All permitted uses, uses by exception, and permitted accessory uses are based on the ROS zoning district.

A. Permitted Uses: Permitted uses and structures.

- (1) Dude ranches, riding academies or boarding stables, if structures for the housing of animals are not located within 100 feet of a property line.
- (2) Private camps, camping grounds, parks and recreational areas and travel trailer parks.
- (3) Playgrounds and playfields.
- (4) Country clubs, private clubs and golf courses meeting the performance standards and development criteria set forth in Part 4.
- (5) Rifle, shotgun or pistol shooting ranges, field archery ranges, golf driving ranges and par-three golf courses.
- (6) Marina, bait and tackle shops, commercial hunting or fishing camps. (7) Fairgrounds.

- (8) Open space, including natural vegetation/landscaping, water-bodies, etc.
- (9) Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

- (1) Sale and service of alcoholic beverages for on-premises or off-premises consumption in conjunction with a permitted or permissible use by exception.
- (2) Race tracks for animals or vehicles.
- (3) Ball parks, stadiums and arenas, etc.
- (4) Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.

C. Limitations on Permitted or Permissible Uses by Exception: NA

D. Permitted Accessory Uses and Structures: See Section 656.403 including storage for RV's

V. DESIGN GUIDELINES

A. Lot Requirements: Lot requirements are based on 25 individual RV spaces. No individual subdivided lots

- (1) *Minimum lot area:* NA
- (2) *Minimum lot width:* NA
- (3) *Maximum lot coverage:* NA
- (4) *Minimum front yard:* NA
- (5) *Minimum side yard:* Side yards will have a 25' landscape buffer with 6' high wall (Wood or PVC)
- (6) *Minimum rear yard:* Rear yard will have a 25' landscape buffer with 6' high wall (Wood or PVC)
- (7) *Maximum height of structures:* 35 feet

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.

(2) *Vehicular Access.*

- a. Vehicular access to the Property shall be by way of an entry way off Newcomb Road as shown on site plan, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.
- b. Roadway improvements to Newcomb Road will consists of widening of Newcomb Road from the existing park entry to the subject site to a width of 22 feet.
- c. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

(3) *Pedestrian Access.*

- a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan with directional signs.

C. Signs: No signage on new site is proposed. All signage is located on existing park.

- (1) One (1) double faced or two (2) single faced signs not to exceed _____ feet in area and ____ feet in height.
- (1) One (1) street frontage sign per lot, not to exceed one (1) square foot for each linear foot of street frontage, to a maximum size of two hundred (200) square feet in area for every two hundred (200) linear feet of street frontage or portion thereof, is permitted provided such signs are located no closer than two hundred (200) feet apart, as provided in the Zoning Code. Such freestanding signs shall be of a _____ monument style or as otherwise approved by the Planning and Development Department, not to exceed ____ feet in height.
- (2) Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.
- (3) Directional signs shall not exceed 4 square feet in are and 4 feet in height

D. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

E. Recreation and Open Space: 25' Landscape buffers around perimeter with a 6' privacy fence and tree plantings adjacent to residential zonings

F. Utilities

Water will be provided by JEA.
Sanitary sewer will be provided by JEA.
Electric will be provided by JEA.

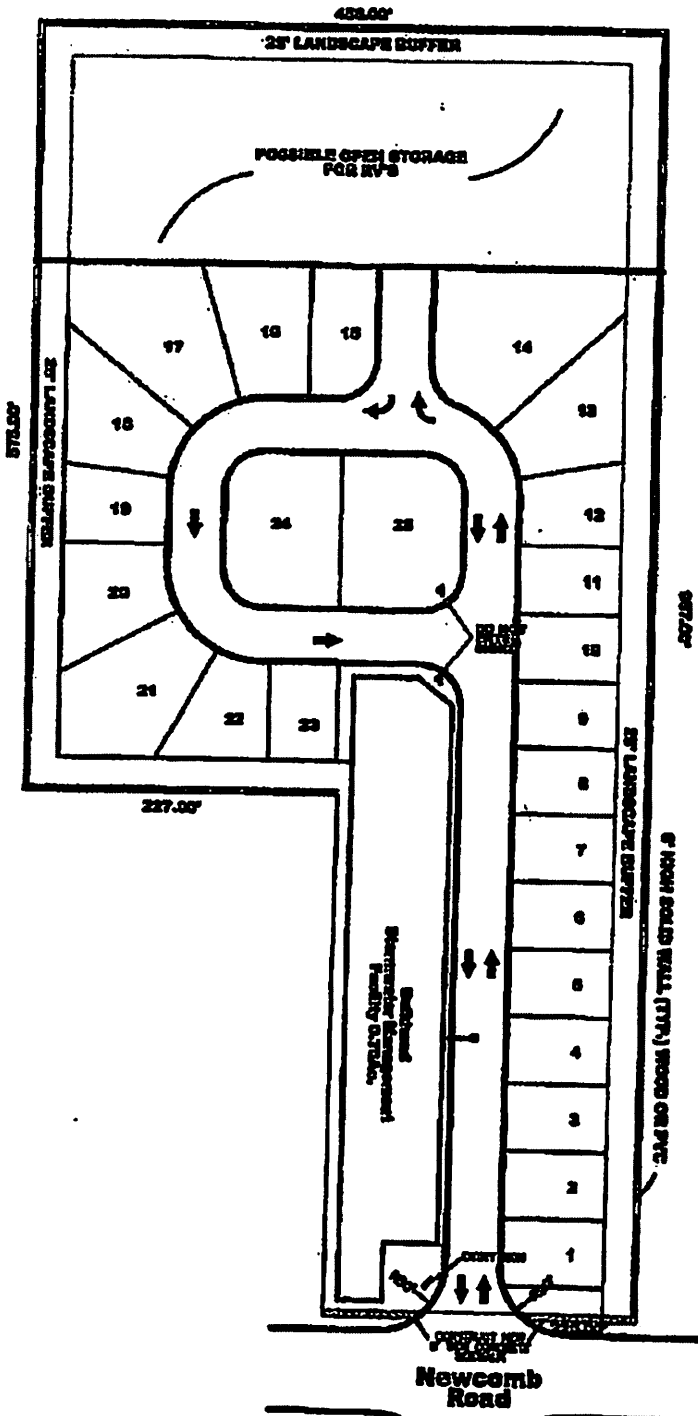
G. Wetlands

No wetlands are present onsite

VI. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

SITE PLAN



Newcomb Road

Existing Flamingo Lakes RV Park

August 6, 2013

Page 1 of 1

<p>Flamingo Lakes RV Park</p>	<p>AVA ENGINEERS, INC.</p>	<p>AVA ENGINEERS, INC. Cincinnati Louisville Erie Parkersburg Columbus 2000 North Main Street Columbus, OH 43215 614.291.1400 www.avaengineers.com</p>
<p>Site Plan</p>	<p>AVA ENGINEERS, INC.</p>	<p>AVA ENGINEERS, INC.</p>

EXHIBIT F

PUD Name **Flamingo Lake**

Date **16/8/2013**

Land Use Table

Total gross acreage	7.93	Acres	100 %
Amount of each different land use by acreage			
Single family	0	Acres	0 %
Total number of dwelling units	0	D.U.	
Multiple family	0	Acres	0 %
Total number of dwelling units	0	D.U.	
Commercial	1.88	Acres	24 %
Industrial	0	Acres	0 %
Other land use	0	Acres	0 %
Active recreation and/or open space	0.92	Acres	11 %
Passive open space, wetlands, pond	0.7	Acres	9 %
Public and private right-of-way	1.18	Acres	15 %
Maximum coverage of non-residential buildings and structures	0	Sq. Ft.	 %

DEVELOPMENT SERVICES



September 18, 2013

MEMORANDUM

TO: Andy Hetzel, City Planner II
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Flamingo Lakes PUD**
PUD R-2013-0336

Upon review of the referenced application, and based on the information provided to date, the Development Services Division has the following comments:

1. Development Services Division Chief, Mike Sands, requires the widening of Newcomb Rd to 22 feet in width from the first/east existing driveway to the west property line of this PUD parcel.
2. Driveway to Newcomb shall be a minimum of 24 feet in width and a maximum of 36 feet in width.

Please understand that this does not constitute approval of the design elements. Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.