

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2018-0665**

**November 8, 2018**

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 **2018-0665**.

***Location:*** 175 Arlington Road North

***Real Estate Numbers:*** 144421 0000

***Current Zoning District:*** Commercial Neighborhood (CN)

***Proposed Zoning District:*** Commercial Residential Office (CRO)

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

***Planning District:*** Greater Arlington/Beaches, District 2

***Applicant/Agent:*** Ava J. Butler  
265 Edge of Woods Road  
St. Augustine, Florida 32092

***Owner*** Mourad Korchi  
2159 St. Johns Bluff Road  
Jacksonville, FL 32246

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2018-0665** seeks to rezone a parcel, approximately .13 acres in size, from the CN to the CRO zoning district in order to allow the construction of a single-family home. CRO zoning allows for single-family homes by exception, and staff did confirm that the applicants are aware that a second application will have to be filed if the rezoning is approved. The proposed location for the home is a small lot 3 blocks north of Atlantic Boulevard and just south of Eaton Avenue. The lot is currently vacant, and sits between an existing single-family home and a realty office.

Although the proposed rezoning will add multiple allowed uses to the parcel that are uncommon in the area, the subject parcel does not meet the minimum lot size or standards for commercial uses in CRO zoning. It does, however, meet the standards for construction of a new single-family home.

## **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

### ***1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?***

Yes. The request is to change the zoning from CN to CRO zoning district to develop a single-family residence. The subject site is located within the Urban Priority Development Area, Council District 1 and Planning District 2 along the east side of Arlington Road. Single-family residences are allowed as a secondary use in the CGC land use category.

The subject site is located within the boundaries of the Woodland Acres NAP. Although the Woodland Acres Neighborhood Action Plan was adopted over forty years ago, a few of the planning principles identified in the plan are still relevant today. The Plan discouraged further encroachment of commercial uses upon the existing residential areas and proposed to contain commercial establishments in peripheral locations along major roads such as Arlington Road. In order to protect Arlington Road from strip commercial pressure, limited commercial oriented land uses were recommended from Hare Ave. to Atlantic Blvd. The Plan states the proposed land use and concomitant zoning recommendations of the plan would provide stability to the remaining residential areas east and west of Arlington Road. The proposed rezoning is consistent with this NAP.

In addition to the Woodland Acres NAP, the subject site is also located within the area of the 2007 Woodland Acres Land Use & Zoning Study area. The 2007 Land Use and Zoning Study identifies some of the same issues as the earlier NAP and, therefore, the proposed rezoning to facilitate residential development is consistent with the study.

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

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's Future Land Use Element:

#### **Objective 1.1**

Ensure that they 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.

**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.

**Policy 1.2.11**

Continue to deny development orders or permits until the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water treatment and distribution.

**Goal 3**

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**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.

**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.

**SURROUNDING LAND USE AND ZONING**

The subject parcel is located between Berry Avenue and Eaton Avenue, north of Atlantic Boulevard. The surrounding land uses and zoning are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	RPI	CO	Single-Family Home
East	MDR	RMD-A	Single-Family Home
South	CGC	CN	Realty Office
West	CGC	CN	South Jax Lodge

The properties immediately adjacent to the subject site are characterized by low-intensity commercial uses to the west and south, while the property to the north and east is residential in nature.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 22, 2018, the required Notice of Public Hearing sign was posted.



### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2018-0665 be **APPROVED**.



Aerial



Subject site



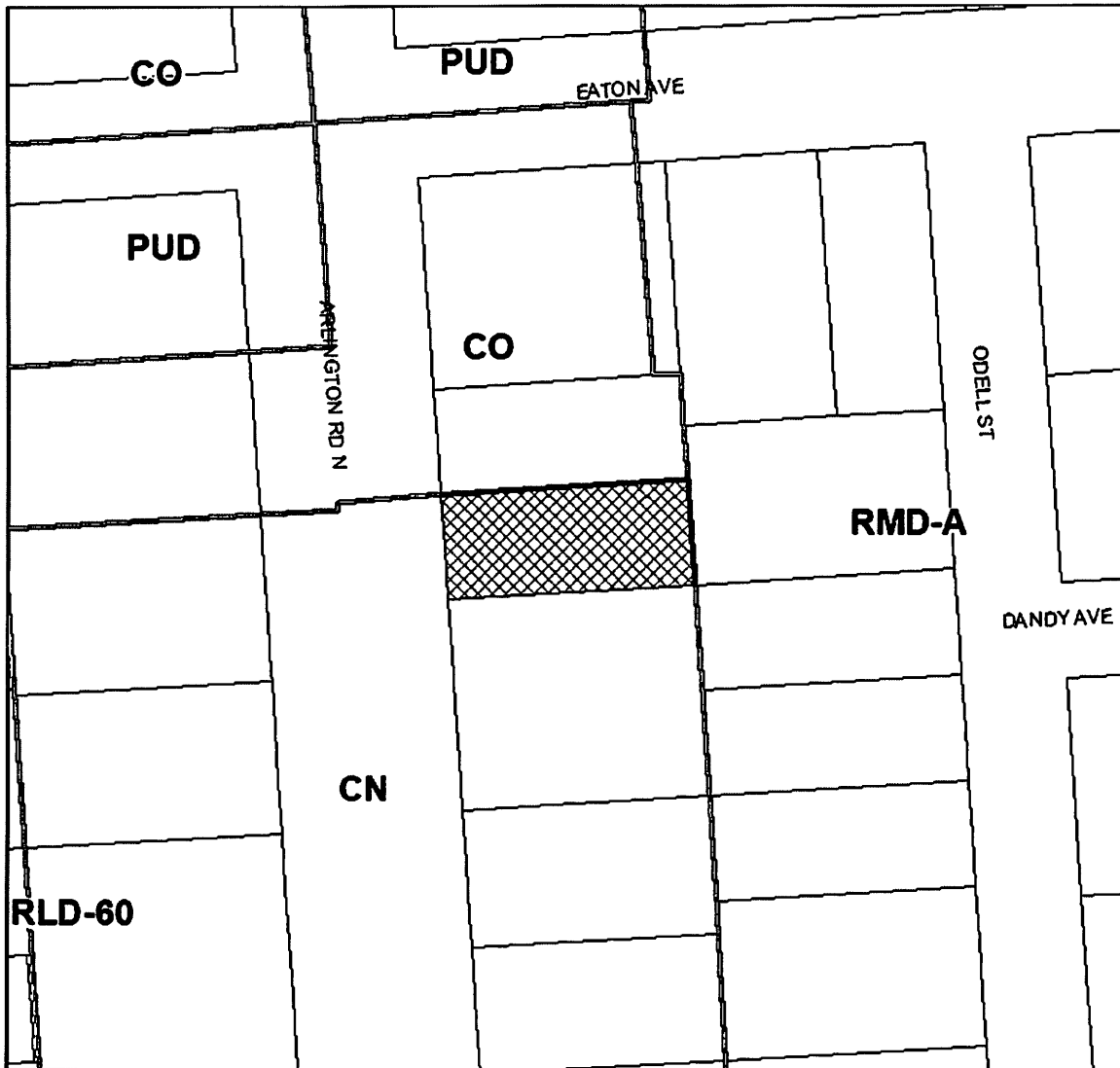
Neighboring property to the south

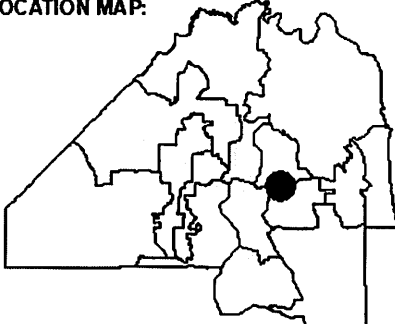



Adjacent single-family home to the north



View of existing lodge and convenience store across Arlington Road North from subject site



<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: CN</b></p> <p><b>TO: CRO</b></p>	<p><b>LOCATION MAP:</b></p> 	 <p>0 25 50 100 Feet</p>
<p><b>ORDINANCE NUMBER:</b></p> <p><b>ORD-2018-0665</b></p>	<p><b>TRACKING NUMBER</b></p> <p><b>T-2018-1964</b></p>	<p><b>COUNCIL DISTRICT:</b></p> <p><b>1</b></p> <p><b>PAGE 1 OF 1</b></p>



### Application For Rezoning To Conventional Zoning District

**Planning and Development Department Info**

**Ordinance #** 2018-0665 **Staff Sign-Off/Date** SCW / 08/30/2018  
**Filing Date** 10/09/2018 **Number of Signs to Post** 1  
**Hearing Dates:**  
**1st City Council** 11/13/2018 **Planning Commission** 11/08/2018  
**Land Use & Zoning** 11/20/2018 **2nd City Council** N/A  
**Neighborhood Association** WOODLAND ACRES ASSOCIATION  
**Neighborhood Action Plan/Corridor Study**

**Application Info**

**Tracking #** 1964 **Application Status** PENDING  
**Date Started** 08/14/2018 **Date Submitted** 08/14/2018

**General Information On Applicant**

**Last Name** BUTLER **First Name** AVA **Middle Name** J  
**Company Name**  
 PINNACLE HOMES CORP  
**Mailing Address**  
 265 EDGE OF WOODS ROAD  
**City** ST. AUGUSTINE **State** FL **Zip Code** 32092  
**Phone** 9045917944 **Fax** 904 **Email** PERMITS2016@AOL.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

**Last Name** KORCHI **First Name** MOURAD **Middle Name**  
**Company/Trust Name**  
 ATLAS BUILDING SERVICES, INC.  
**Mailing Address**  
 2159 ST. JOHNS BLUFF ROAD  
**City** JACKSONVILLE **State** FL **Zip Code** 32246  
**Phone** 9044248327 **Fax** **Email** ATLASBUILDINGSERVICES@GMAIL.COM

**Property Information**

**Previous Zoning Application Filed For Site?**

If Yes, State Application No(s)

Map RE#	Council District	Planning From Zoning District	From Zoning District(s)	To Zoning District
Map 144421 0000	1	2	CN	CRO

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

**Existing Land Use Category**  
 CGC



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**

**0.13 Acres @ \$10.00 /acre: \$10.00**

**3) Plus Notification Costs Per Addressee**

**41 Notifications @ \$7.00 /each: \$287.00**

**4) Total Rezoning Application Cost: \$2,297.00**

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

Exhibit 1

**ORDINANCE**

**Legal Description**

Lots 36 and 37, in Block 24D, of OAKWOOD VILLA ESTATES, according to the Plat thereof, as recorded in Plat Book 8, at Page 23 through 25, of the Public Records of Duval County, Florida.

a/k/a 175 Arlington Road N., Jacksonville, FL 32211

Received: 8/20/218



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Mourad Korchi  
Atlas Building Services, Inc.  
2159 St. Johns Bluff Road  
Fernandina Beach, Florida, 32246

September 17, 2018

Project Name: 175 Arlington Road North  
Availability#: 2018-2454

Attn: Mourad Korchi,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

**Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

**Offsite Improvements:**

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on [jea.com](http://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](http://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](http://www.jea.com)
- ⇒ Select Working with JEA
- ⇒ Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team



21 West Church Street  
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2018-2454  
 Request Received On: 9/13/2018  
 Availability Response: 9/17/2018  
 Prepared by: Robert Cadle

**Project Information**

Name: 175 Arlington Road North  
 Type: Single Family  
 Requested Flow: 350 gpd  
 Location: 175 Arlington Road North  
 Parcel ID No.: 144421-0000  
 Description: single family homeneew construction. Oakwood Villa Estates; Lots 26,37 Blk 24D

**Potable Water Connection**

Water Treatment Grid: SOUTH GRID  
 Connection Point #1: Existing 16-inch water main within the Arlington Rd ROW, adjacent to this property.  
 Connection Point #2: NA  
 Special Conditions: Point of Connection location to be field verified by developer during project design. Copies of reference drawings may be requested from the JEA Record online at [https://www.jea.com/engineering\\_and\\_construction/request\\_an\\_as-built\\_drawing/](https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/). For the estimated cost of connecting to the JEA system, please email [specialestimates@jea.com](mailto:specialestimates@jea.com) with project address and availability number.

**Sewer Connection**

Sewer Treatment Plant: ARLINGTON EAST  
 Connection Point #1: Existing 4-inch vacuum sewer line within the Arlington Rd ROW, adjacent to this property.  
 Connection Point #2: NA  
 Special Conditions: Point of Connection location to be field verified by developer during project design. Connection to the JEA-owned sewer system for your project will require connection to a vacuum pod. If there is not an existing pod designated for the property, connection will require the design and installation of a JEA approved vacuum pod, and a JEA dedicated vacuum lateral. A maximum of two homes are permitted per pod. Detail and description lists are attached to email. A pre-application meeting is required prior to applying for new service. Send pre-application meeting requests, with availability number, to [wsedevprojrequests@jea.com](mailto:wsedevprojrequests@jea.com). Copies of reference drawings may be requested from the JEA Record online at [https://www.jea.com/engineering\\_and\\_construction/request\\_an\\_as-built\\_drawing/](https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/).

**Reclaimed Water Connection**

Sewer Region/Plant: N/A  
 Connection Point #1: No reclaimed water in the foreseeable future.  
 Connection Point #2: NA  
 Special Conditions: N/A

**General Comments:**

**Electric Availability:** The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.