

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

February 3, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-21**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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**

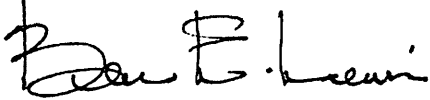
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	6-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	Absent
Jason Porter	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 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 FOR

APPLICATION FOR REZONING ORDINANCE 2022-0021

FEBRUARY 3, 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 **2022-0021**.

Location: 7151 Dunson Road

Real Estate Number: 015926-0000

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

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: District 4—Southwest

Applicant/Agent: Evin Herberg
12483 Aladdin Road
Jacksonville, Florida 32223

Owner: Esquire Trustee Service LLC, as Trustee of the
Dunson Road Land Trust
1919 Blanding Boulevard
Jacksonville, Florida 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0021** seeks to rezone 0.84± acres of land from Residential Rural-Acre (RR-Acre) to Residential Low Density-60 (RLD-60). The applicant seeks to rezone the property in order to allow for development density similar to other surrounding properties.. The property is located in the Low Density Residential (MDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan.

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 0.84 of an acre subject site is located along the east side of Dunson Road, an unclassified road. The applicant seeks to rezone the property from RR-Acre to RLD-60. The property is located within the Suburban Development Area, Planning District 4, and Council District 9.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Area is intended to provide for low density residential development. Single-family residential uses are a principal use within this land use category. According to the JEA letter, dated November 10, 2021, provided with the application, the site has access to centralized water, but JEA does not have a sewer main available within ¼ mile of this property. The maximum gross density allowed in the Suburban Area is 4 units/acre and the minimum lot size shall be ¼ of an acre when either one of the centralized potable water or wastewater services are not available.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Low Density Residential (LDR) in the Suburban Area is intended to provide for low-density residential development. Single-family dwellings are a principal use in the LDR land use category. The maximum allowable density for the LDR land use category is seven (7) units/acre when full urban services are available.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The developer will be required to bring in both services in order to develop the lots to the minimums of the requested zoning district. A water connection is available under the Dunson Road right-of-way, however no sewer connection is available within ¼ miles of the subject site. Details of how the applicant will need to create this connection are included in the JEA Letter in the application packet that is dated November 10, 2021.

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 proposed rezoning at the subject site would directly address the projected growth within the given vicinity by providing for a greater variety of housing options for residents.

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 in order to permit the development of additional Single Family Development all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located on the east side of Dunson Road just south of the intersection with Townsend Road. Dunson Road is developed with Single Family Dwellings and is split between the RLD-60 and RR-Acre Zoning District. The proposed rezoning to RLD-60 would allow for the lot to be split up for multiple single family dwellings. The surrounding Land Use Categories and Zoning Districts are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single Family Dwelling
East	LDR	PUD	Single Family Dwelling / Agriculture

South	LDR	RR-Acre	Single Family Dwelling
West	LDR	RLD	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 email conformation, and the submittal of the Sign Posting Affidavit by the applicant, 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 **2022-0021** be **APPROVED**.



Aerial Photo

Source: JaxGIS
Date: January 21, 2022



View of the Subject Site

*Source: Planning and Development Department
Date: January 25, 2022*



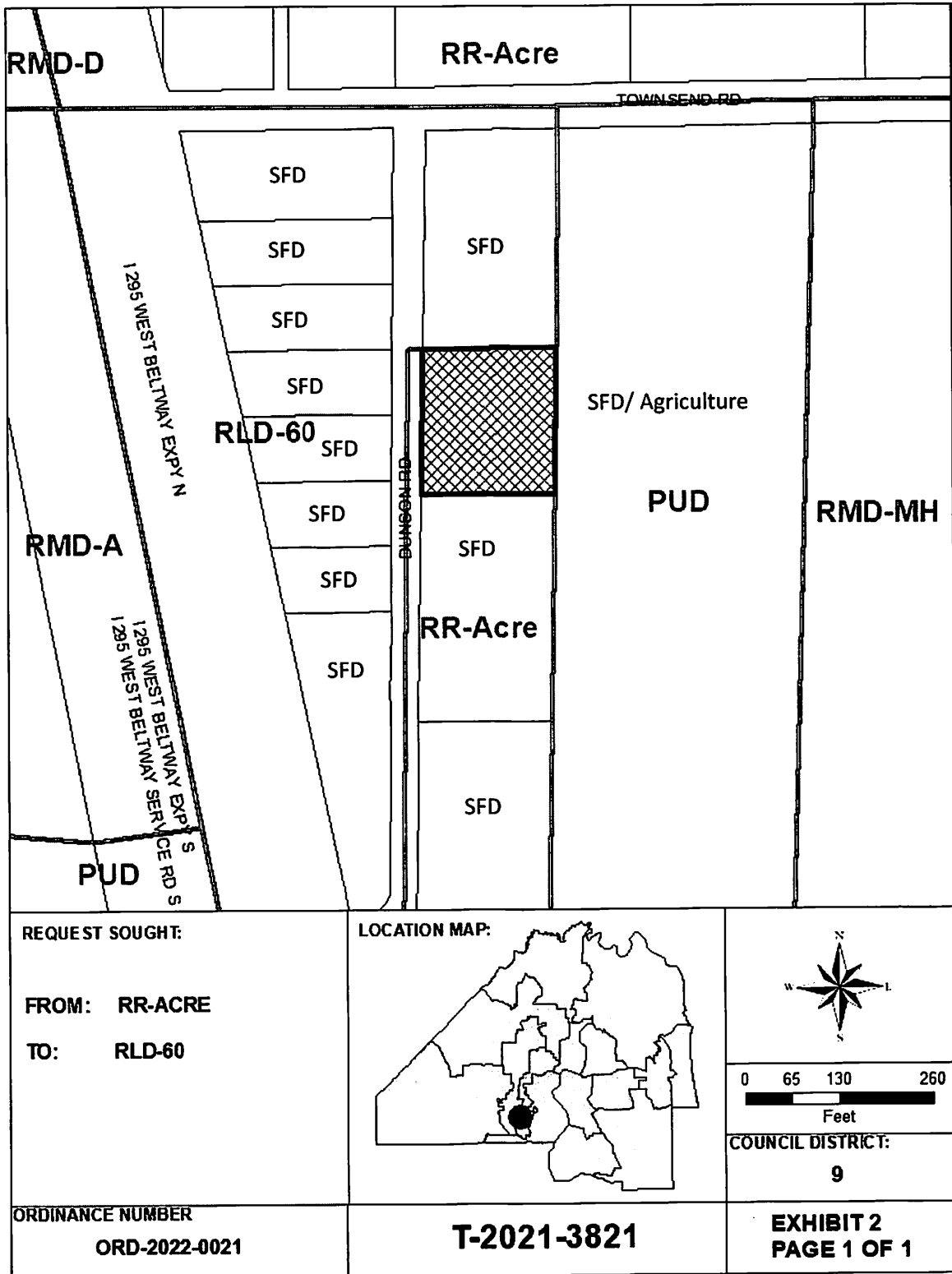
View of the neighboring property across Dunson Road

*Source: Planning and Development Department
Date: January 25, 2022*



View of the neighboring property north of the subject site

*Source: Planning and Development Department
Date: January 25, 2022*



Legal Map

Application For Rezoning To Conventional Zoning District**Planning and Development Department Info**

Ordinance # 2022-0021 **Staff Sign-Off/Date** CMC / 11/24/2021
Filing Date 01/06/2022 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 02/08/2022 **Planning Commission** 02/03/2022
Land Use & Zoning 02/15/2022 **2nd City Council** N/A
Neighborhood Association WESTLAND COMMUNITIES HOA; ARGYLE CIVIC COUNCIL
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3821 **Application Status** FILED COMPLETE
Date Started 10/04/2021 **Date Submitted** 10/04/2021

General Information On Applicant

Last Name HERZBERG **First Name** EVIN **Middle Name** M
Company Name
Mailing Address
 12483 ALADDIN RD
City JACKSONVILLE **State** FL **Zip Code** 32223
Phone 9046257431 **Fax** 9046257431 **Email** EVINHERZBERG@GMAIL.COM

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

Last Name HERZBERG **First Name** EVIN **Middle Name**
Company/Trust Name
 ESQUIRE TRUSTEE SERVICE LLC., AS TRUSTEE OF THE DUNSON ROAD LAND TRUST
Mailing Address
 1919 BLANDING BOULEVARD
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone 9046257431 **Fax** **Email** EVINHERZBERG@GMAIL.COM

Property Information**Previous Zoning Application Filed For Site?**

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 015926 0000	9	4	RR-ACRE	RLD-60

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 0.84**Justification For Rezoning Application**

TO PERMIT ZONING CONSISTENT WITH SURROUNDING PARCELS.

Location Of Property**General Location**

7151 DUNSON ROAD, JACKSONVILLE, FL. 32244

House #	Street Name, Type and Direction	Zip Code
7151	DUNSON RD	32244

Between Streets

I-295 and BLANDING BOULEVARD

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING.** (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
0.84 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
13 Notifications @ \$7.00 /each: \$91.00
- 4) Total Rezoning Application Cost:** \$2,101.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description
November 17, 2021

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING A PORTION OF TRACT 4, BLOCK 2, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, AS SHOWN ON THE PLAT OF JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 53 PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF TOWNSEND ROAD (A 66 FOOT RIGHT OF WAY AS NOW ESTABLISHED), WITH THE EASTERLY RIGHT OF WAY LINE OF DUNSON ROAD (A 66 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH $0^{\circ}54'30''$ WEST, 300 FEET FOR A POINT OF BEGINNING; THENCE NORTH $89^{\circ}55'$ EAST 182.98 FEET; THENCE SOUTH $0^{\circ}53'$ WEST, 200 FEET; THENCE SOUTH $89^{\circ}55'$ WEST, 183.07 FEET TO THE EASTERLY RIGHT OF WAY LINE OF DUNSON ROAD; THENCE NORTH $0^{\circ}54'30''$ EAST, 200 FEET ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF DUNSON ROAD, TO THE POINT OF BEGINNING.

RE: 015926-0000

Address 7151 Dunson Road, Jacksonville, FL 32244

OR BK 19834 PAGE 2019

RMD-D

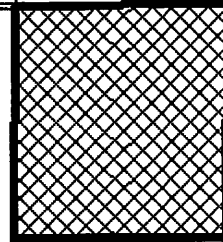
RR-Acre

TOWNSEND RD

1295 WEST BELTWAY EXPY N

RLD-60

BUNSON RD



PUD

RMD-MH

RMD-A

1295 WEST BELTWAY EXPY S
1295 WEST BELTWAY SERVICE RD S

RR-Acre

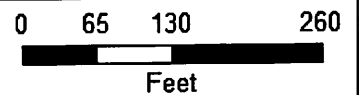
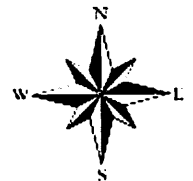
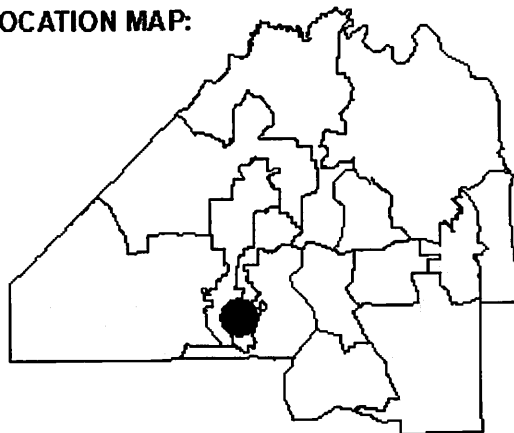
PUD

REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-60

LOCATION MAP:



COUNCIL DISTRICT:

9

T-2021-3821

EXHIBIT 2
PAGE 1 OF 1



Infill Availability Letter

Charlie Mann

11/10/2021

Charlie Mann

165 Arlington Road

Jacksonville, Florida 32211

Project Name: Dunson Road lot split

Availability #: 2021-5314

Attn: Charlie Mann

Thank you for your inquiry regarding the availability of 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 customer's responsibility to engage the services of a professional engineer, licensed in the State of Florida, to plan and permit the proposed main extension(s) as well as to engage the services of a contractor to construct the main extension(s).** 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/

Lot Splits:

If a lot is split and two or more homes will be built, a layout of the proposed lot split will be required to be submitted prior to processing of estimate requests or service applications. Submit layout via Step 2 in the Sages program. Review JEA Design Guidelines 2.4.1.1 for the required information needed to process the layout submittal.

Service Tap Cost (Special Estimate):

To receive the associated cost for water or sewer service tap(s), please submit a Special Estimate Request, via Step 2 in the Sages program. Field factors that would designate the need for a special estimate are as follows:

Main Depth 8+ feet deep	Required work within FDOT, St Johns County and Nassau County ROW
Pavement less than 5 years old	Multiple services being installed
Taps on water mains 20-inch and larger	Water taps larger than 2-inches
Sewer taps greater than 6-inches	Low Pressure Sewer Service Connections
Installation of Sewer Vac Pods	Approved Commercial Development plans

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

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-5314

Request Received On: 11/2/2021

Availability Response: 11/10/2021

Prepared by: Ji Soo Kim

Expiration Date: 11/10/2023

Project Information

Name: Dunson Road lot split

Address: 7151 DUNSON RD, JACKSONVILLE, FL 32244

County: Duval County

Type: Sewer,Water

Requested Flow: 700

Parcel Number: 015926 0000

Location:

Description: Division of property into two lots to permit a second dwelling on this parcel.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8-inch water main within Dunson Rd. ROW.

Connection Point #2:

An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit infill layouts through the JEA Sages program by entering your availability

Water Special Conditions: number and accessing Step 2 within the project portal. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1:

Connection Point #2:

Sewer Special Conditions: JEA does not have a sewer main available within ¼ mile of this property at this time.

Reclaimed Water Connection

Reclaim Grid:

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:

If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1). After you receive the results of these, if applicable, submit your Infill Layout(s) (Sages Step 2). After your Infill Layout(s) are approved, Subsequent steps you need request a Special Estimate Determination (Sages Step 2) for the cost of your taps. After to take to get service: you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages and selecting Residential New Service Application. You will need to submit a separate application for each address, do not select the multiple addresses when asked what type of service application are you submitting for.