

# 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

September 23, 2021

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.: 2021-579**

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: **Deny**

Planning Commission Recommendation: **Approve**

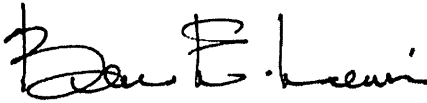
Planning Commission Commentary: There were no speakers in opposition. The Commissioners felt the proposed development of approximately 6 units would have little impact to the area.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Ian Brown	Aye
Alex Moldovan	Aye
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, appearing to read "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 2021-0579**

**SEPTEMBER 23, 2021**

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 2021-0579.

***Location:*** 0 Hood Road  
Between Lindon Court and Shad Road

***Real Estate Number(s):*** 149201-0000

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

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

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Southeast, 3

***Owner:*** Sekut, LLC  
4651 Salisbury Road, #400  
Jacksonville, Florida. 32256

***Applicant:*** Cyndy Trimmer, Esq.  
Driver, McAfee, Hawthorne and Diebenow,  
PLLC  
1 Independent Drive, Suite 1200  
Jacksonville, Florida. 32202

***Staff Recommendation:*** **DENY**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2021-0579** seeks to rezone approximately 1.21+/- acres of land from Residential Rural-Acre (RR-Acre) to Residential Medium Density-B (RMD-B) in order to allow for the development of multi-family residential units.

The subject site is located at the intersection of Hood Road and Shad Road which is zoned for Acre size single family lots and an office and single family undeveloped PUD that does not allow for Multi-Family Dwellings. Multi-Family dwellings are not common in the immediate vicinity,

and the proposed rezoning would potentially alter the density of the area throughout the future if approved.

### **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 applicant seeks to rezone the property to permit development of duplexes or row houses. Zoning application Ordinance 2021-579 seeks to change the zoning of the subject property from RR-Acre to RMD-B.. The 1.21 acre site is located at the north corner of Shad Road and Hood Road, both of which are classified as collector roads. The site is in the LDR land use category and within the Suburban Development Area (SA). The SA is the third tier Development Area and generally corresponds with urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections. Principal uses in the LDR land use category in the Suburban Development Area include single-family and multi-family dwellings. LDR in the Suburban Area is intended to provide for low density residential development. The maximum gross density in the Suburban Area is 7 units/acre when full urban services are available to the site and there shall be no minimum density except as otherwise provided:

- The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.
- The maximum gross density shall be 4 units/acre and the minimum lot size shall be 1/4 of an acre if either one of centralized potable water or wastewater services are not available.

According to the JEA letter, dated March 10, 2021, no sewer main abuts the property. A sewer main extension will be required from an 8-inch force main, located approximately 212 feet west of the property. As provided in the letter of availability, connection to the JEA-owned sewer system for the 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.).

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

No. The proposed zoning change to RMD-B is consistent with the LDR land use category, it does not further 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, and increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

*While the maximum density of the Land Use Category will not change from the 7 units per acre total, the overall density of the property will increase from the one unit allowed today by the current zoning. The expansion of unit numbers and unit types on the property encourages urban sprawl which is not consistent 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 allowance of the RMD-B Zoning District, and the subsequent Multi-Family uses, does not protect the Single-Family area that surrounds the site which is not consistent with Objective 3.1 of the 2030 Comprehensive Plan.*

**SURROUNDING LAND USE AND ZONING**

The immediate area surrounding the subject parcel is developed as a Single Family Residential area with a school and an approved but undeveloped office/single family PUD. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD	Private School
South	LDR	PUD	Vacant Timber
East	LDR	RR-ACRE	Vacant Timber
West	LDR	RR-ACRE	Vacant Timber

### SUPPLEMENTAL INFORMATION

Upon visual inspection by the assigned City Planner on September 14, 2021 the required Notice Sign was not posted. However, the applicant submitted photos showing the signs posted as required.



*Source: Applicant*  
*Date: September 15, 2021*

### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2021-0579** be **Denied**.



Aerial Photo

Source: JaxGIS

Date: September 10, 2021



View of the Subject Property from Hood Road South

Source: Planning and Development

Date: September 14, 2021



View looking towards the Subject Property from Shad Road.

*Source: Planning and Development*

*Date: September 14, 2021*



View of the School Property North of the Subject Site

*Source: Planning and Development*

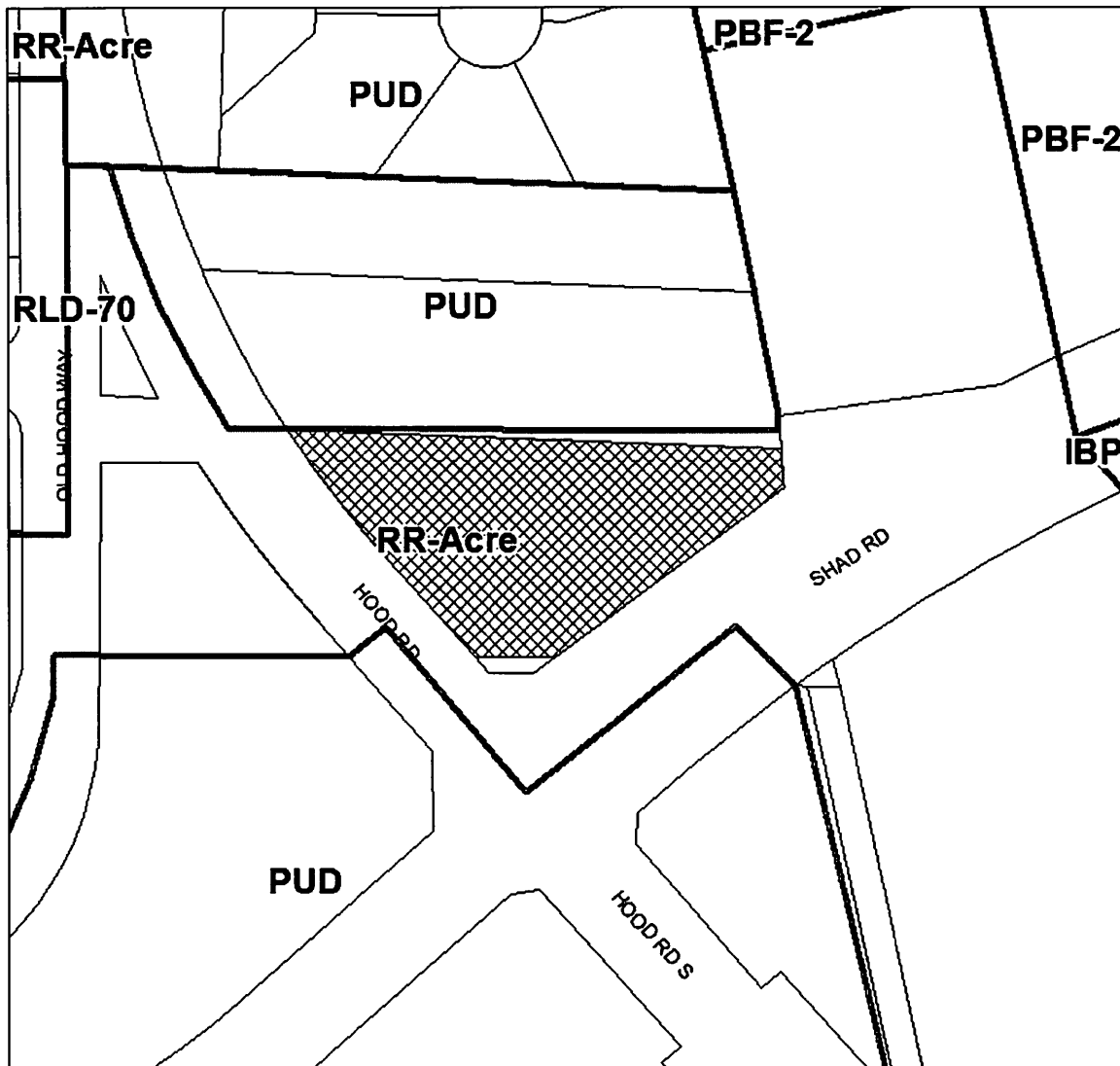
*Date: September 14, 2021*





View of the neighborhood west northwest of the subject site

*Source: Planning and Development*  
*Date: September 14, 2021*

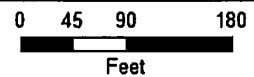
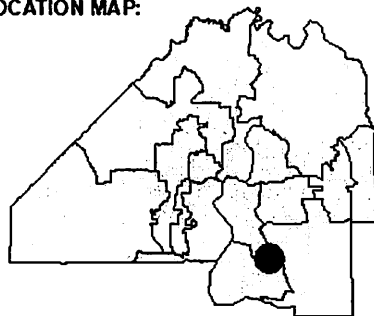


**REQUEST SOUGHT:**

**FROM: RR-ACRE**

**TO: RMD-B**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**6**

**ORDINANCE NUMBER**

**ORD-2021-0579**

**TRACKING NUMBER**

**T-2021-3392**

**EXHIBIT 2  
PAGE 1 OF 1**

**Legal Map**

*Source: JaxGIS*

*Date: September 10, 2021*

**Application For Rezoning To Conventional Zoning District**

**Planning and Development Department Info**

**Ordinance #** 2021-0579 **Staff Sign-Off/Date** CMC / 08/02/2021  
**Filing Date** 08/18/2021 **Number of Signs to Post** 4  
**Hearing Dates:**  
**1st City Council** 09/28/2021 **Planning Commission** 09/23/2021  
**Land Use & Zoning** 10/05/2021 **2nd City Council** N/A  
**Neighborhood Association** GREATER HOOD ROAD COMMUNITY ASSOCIATION  
**Neighborhood Action Plan/Corridor Study** N/A

**Application Info**

**Tracking #** 3392 **Application Status** FILED COMPLETE  
**Date Started** 02/22/2021 **Date Submitted** 02/22/2021

**General Information On Applicant**

**Last Name** TRIMMER **First Name** CYNDY **Middle Name**  
**Company Name**  
 DRIVER, MCAFFEE, HAWTHORNE AND DIEBENOW, PLLC  
**Mailing Address**  
 1 INDEPENDENT DRIVE, SUITE 1200  
**City** JACKSONVILLE **State** FL **Zip Code** 32202  
**Phone** 9048070185 **Fax** 904 **Email** CKT@DRIVERMCAFFEE.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

**Last Name** N/A **First Name** N/A **Middle Name**  
**Company/Trust Name**  
 SEKUT, LLC  
**Mailing Address**  
 4651 SALISBURY ROAD #400  
**City** JACKSONVILLE **State** FL **Zip Code** 32256  
**Phone** 9043011269 **Fax** **Email**

**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 149201 0000	6	3	RR-ACRE	RMD-B

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)** 1.21

**Justification For Rezoning Application**

APPLICANT SEEKS TO REZONE THE PROPERTY TO PERMIT DEVELOPMENT OF DUPLEXES OR ROWHOUSES. RMD-B IS A SECONDARY CATEGORY PERMITTED IN THE LDR LAND USE CATEGORY, SUBJECT TO THE CRITERIA IN SECTION 656.350, PART 3. SUBSEQUENTLY, THERE ARE NO ADDITIONAL CRITERIA FOR RMD-B ZONING AS A SECONDARY ZONING CATEGORY.

**Location Of Property**

**General Location**  
 NORTH CORNER OF THE INTERSECTION OF HOOD ROAD AND SHAD ROAD  
**House #** **Street Name, Type and Direction** **Zip Code**

0	HOOD RD	32257
<b>Between Streets</b>		
LINDON COURT	and	SHAD ROAD

**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  
1.21 Acres @ \$10.00 /acre: \$20.00

3) Plus Notification Costs Per Addressee  
20 Notifications @ \$7.00 /each: \$140.00

4) Total Rezoning Application Cost: \$2,160.00

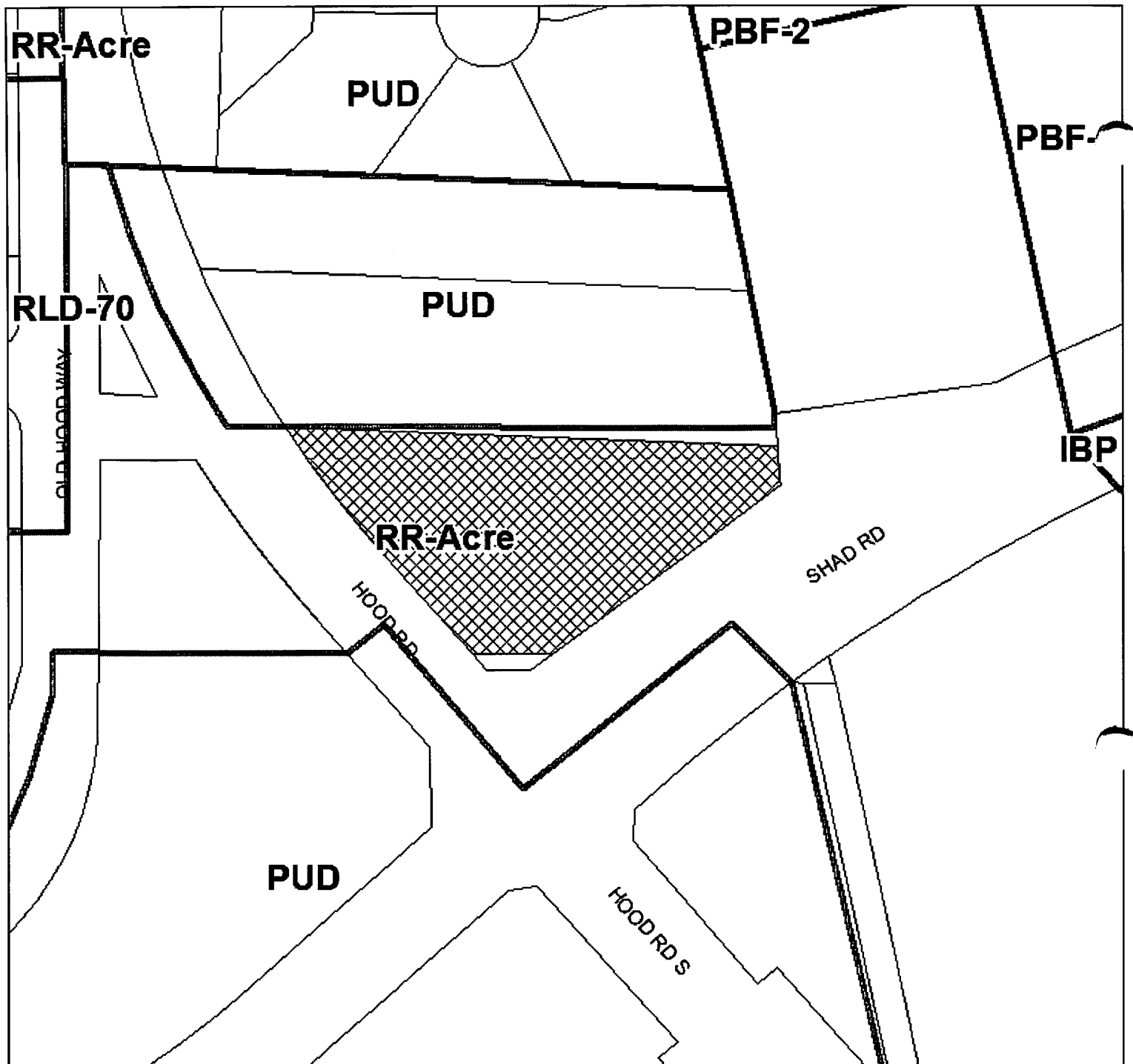
**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**LEGAL DESCRIPTION**

**February 11, 2021**

PART OF LOT 4, SUNBEAM PINES, PLAT BOOK 24, PAGE 19, DUVAL COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTION LYING WITHIN PARCEL TAKING #121 #102 PER OFFICIAL RECORDS BOOK 7212, PAGE 2099 AS RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE SOUTH HALF OF OLD SHAD ROAD (CLOSED PER ORDINANCE 2017-157E) FLORIDA, ALL LYING WITHIN SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF LOT 5, SUNBEAM PINES AS RECORDED IN PLAT BOOK 24, PAGE 19 OF THE CURRENT OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 12'10'03" EAST, ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORD PLAT BOOK 6, PAGE 26 OF SAID PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 237.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 12'10'03" EAST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 55.12' FEET; TO THE NORTHERLY RIGHT OF WAY LINE OF SHAD ROAD (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED BY ORDER OF PARCEL TAKING #102, OFFICIAL RECORDS BOOK 7212, PAGE 2099); SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE IN A SOUTHWESTERLY DIRECTION ALONG AND AROUND THE ARC OF A CURVE IN SAID SHAD ROAD RIGHT OF WAY (CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1862.50 FEET), A DISTANCE OF 232.26 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 52'50'24" WEST, 232.11 FEET) TO THE NORTH LINE OF LOT 3, SUNBEAM PINES AS RECORDED IN PLAT BOOK 24, PAGE 19 OF SAID OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 88'02'16" WEST ALONG SAID NORTH LINE, A DISTANCE OF 76.55 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF HOOD ROAD (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED BY PARCEL TAKING #121, OFFICIAL RECORDS BOOK 7212, PAGE 2099); THENCE NORTH 41'28'04" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 115.20 FEET TO A POINT OF CURVATURE; THENCE IN A NORTHWESTERLY DIRECTION ALONG AND AROUND AN ARC OF A CURVE (CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1010.00 FEET), A DISTANCE OF 150.09 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 37'12'39" WEST, 149.95 FEET); THENCE DEPARTING SAID NORTHEASTERLY RIGHT OF WAY LINE, SOUTH 88'02'16" EAST, A DISTANCE OF 417.08 FEET TO THE POINT OF BEGINNING.

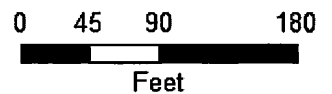
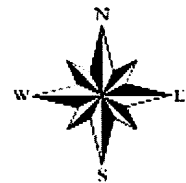
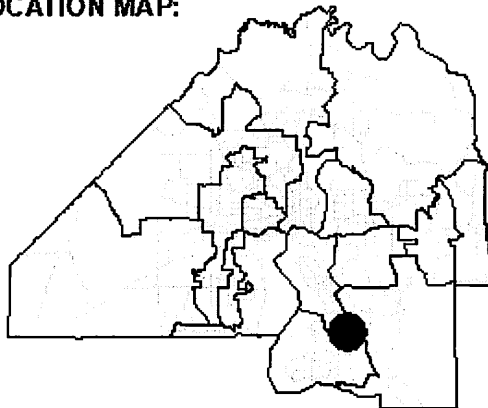


**REQUEST SOUGHT:**

**FROM: RR-ACRE**

**TO: RMD-B**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**6**

**TRACKING NUMBER**

**T-2021-3392**

**EXHIBIT 2  
PAGE 1 OF 1**



## Availability Letter

Krista Burby

3/10/2021

Driver, McAfee, Hawthorne & Diebenow, PLLC

One Independent Drive, Suite 1200

Jacksonville, Florida 32202

Project Name: Hood Road Multi-Family

Availability #: 2021-1004

Attn: Krista Burby

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 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

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2021-1004

Request Received On: 3/9/2021

Availability Response: 3/10/2021

Prepared by: Corey Cooper

Expiration Date: 03/10/2023

### **Project Information**

Name: Hood Road Multi-Family

Address: 0 HOOD RD S, JACKSONVILLE, FL 32257

County: Duval County

Type: Sewer,Water

Requested Flow: 1500

Parcel Number: 149201 0000

Location: NORTH CORNER OF THE INTERSECTION OF HOOD ROAD AND SHAD ROAD

Description: Small townhome/duplex development

### **Potable Water Connection**

Water Treatment Grid: South Grid

Connection Point #1: Existing 12-inch water main within Hood Rd. ROW.

Connection Point #2: Existing 12-inch water main within Shad Rd. ROW.

Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required. For the estimated cost of connecting to the JEA system, please submit

Water Special Conditions: request via Sages under Step 2 with APPROVED plans showing where the proposed connections will be installed. Plans must be accompanied with fire flow calculations both need to be signed and sealed by a licensed engineer.

### **Sewer Connection**

Sewer Grid: Mandarin

Connection Point #1: No sewer main abuts this property. Sewer main extension will be required from the 8-inch force main within Old Hood Way ROW. approx. 212 L.F. west of this property.

Connection Point #2: No sewer main abuts this property. Sewer main extension will be required from the 4-inch force main within Hood Rd. ROW. approx. 280 L.F. North of this property.

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.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Force Main Connection Pressure Letter and Plan Submittal requests can be made within Step 2 of the project portal.



Sewer Special Conditions:

### **Reclaimed Water Connection**

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

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:

