

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

November 3, 2022

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-760**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

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

Planning Commission Vote: 7-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
David Hacker	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 2022-0760****NOVEMBER 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 2022-0760.

Location: 4822 Sunbeam Road;
Between Abby Glen Circle and Egrets Landing Drive

Real Estate Number(s): 149166-0000; 149175-0000; 149170-0000;
149169-0000

Current Zoning District(s): Residential Medium Density-A (RMD-A)

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

Current Land Use Category: Medium Density Residential (MDR)

Planning District: Southeast, District 3

Applicant/Agent: Curtis Hart
Hart Resources, LLC
8051 Tara Lane
Jacksonville, Florida. 32216

Owner: Adam Eisman
4812 Sunbeam LLC
7563 Philips Highway Suite 208
Jacksonville, Florida. 32256

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0760 seeks to rezone approximately 2.5 acres of land from Residential Medium Density-A (RMD-A) to Residential Medium Density-D (RMD-D). The rezoning is being sought to allow for more residential density on site.

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 for a rezoning from RMD-A to RMD-D to make zoning compatible with the adjacent RMD-D zoning district. The subject site is located on the south side of Sunbeam Road, a collector roadway, within the RPI land use category, Planning District 3, Council District 6 and the Suburban Development Area. The RPI land use category within the Suburban Development Area permits mostly low to medium density residential, with a maximum gross density of 20 units/acre, and professional office use. Generally, multi-family dwellings, office, institutional, commercial retail sales and service establishments are permitted in appropriate locations. Plan amendment requests for RPI are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. In the RPI land use category, single use developments are limited to residential, or office uses. The proposed rezoning to RMD-D for residential use is a permitted primary zoning district within the RPI land use category. RMD-A is a permitted secondary zoning district.

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

Yes. This proposed rezoning to RMD-D is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The subject site will be required to connect to central services to be consistent with Policy 1.2.9

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

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 RMD-A to RMD-D in order to allow for a higher density of residential units, all while adhering to local, state, and federal regulations.

SURROUNDING LAND USE AND ZONING

The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	PUD	Off Street Parking Lot
South	MDR	RMD-D	Single Family Dwellings
East	MDR	RMD-D	Single Family Dwellings
West	MDR	RMD-D	Single Family Dwellings

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on October 18, 2022, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

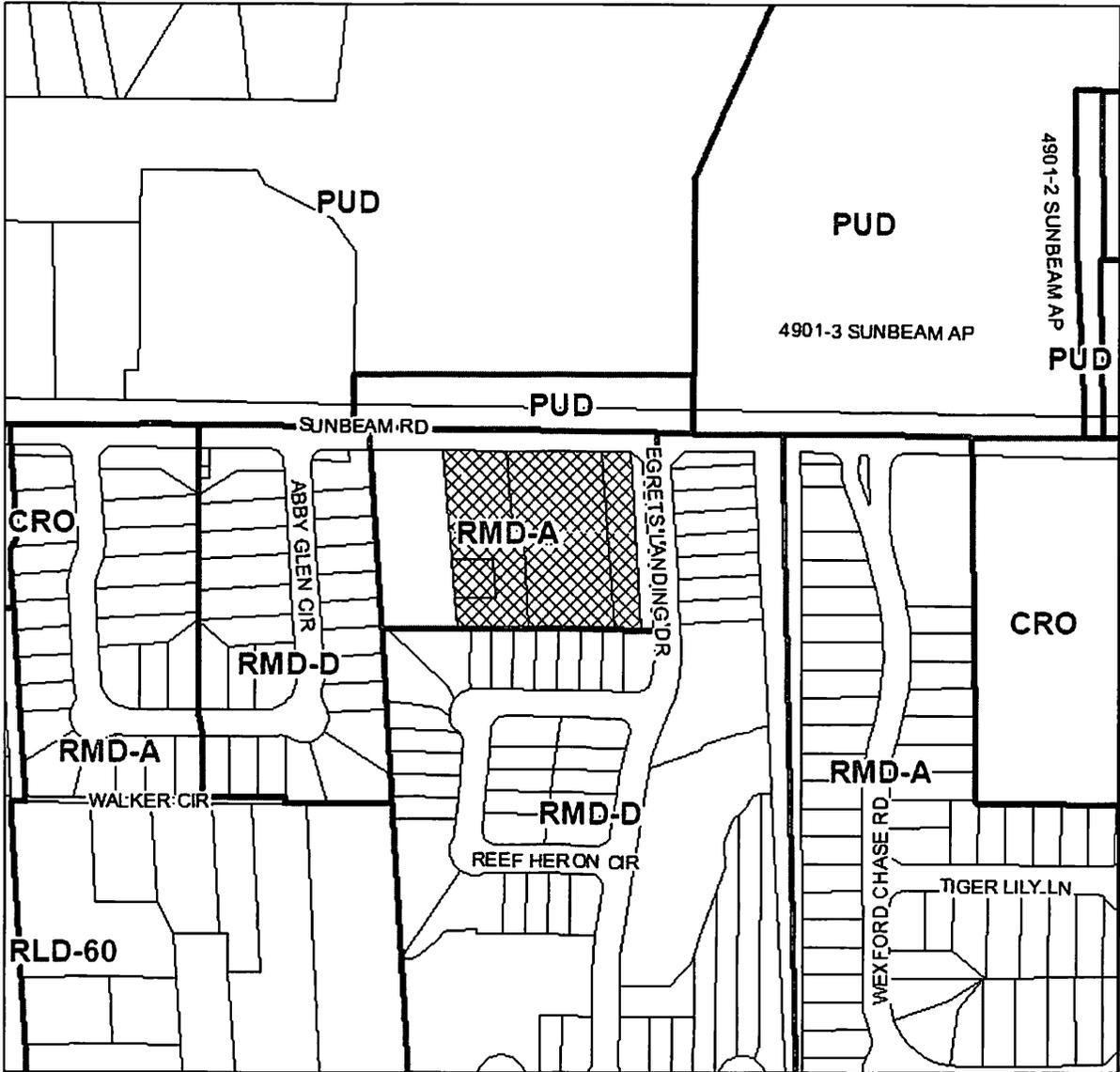
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2022-0760** be **APPROVED**.



Aerial



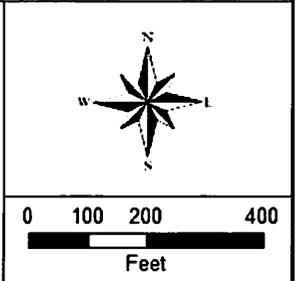
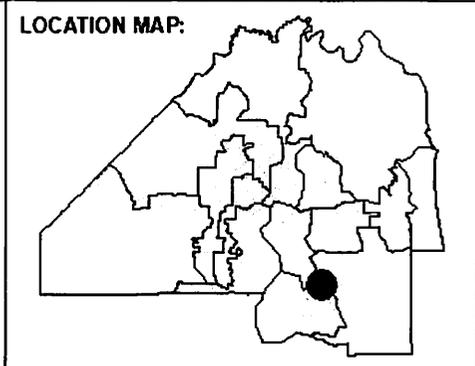
View of the Subject Sites



REQUEST SOUGHT:

FROM: RMD-A

TO: RMD-D



COUNCIL DISTRICT:

6

ORDINANCE NUMBER

ORD-2022-0760

TRACKING NUMBER

T-2022-4374

EXHIBIT 2

PAGE 1 OF 1

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0760 **Staff Sign-Off/Date** CMC / 09/13/2022
Filing Date 10/07/2022 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 11/09/2022 **Planning Commission** 11/03/2022
Land Use & Zoning 11/15/2022 **2nd City Council** N/A
Neighborhood Association BENTON LAKES HOA; GREATER HOOD ROAD COMMUNITY ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4374 **Application Status** FILED COMPLETE
Date Started 07/06/2022 **Date Submitted** 07/07/2022

General Information On Applicant

Last Name HART **First Name** CURTIS **Middle Name** L
Company Name HART RESOURCES LLC
Mailing Address 8051 TARA LANE
City JACKSONVILLE **State** FL **Zip Code** 32216
Phone 9049935008 **Fax** **Email** CURTISHART@HARTRESOURCES.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name EISMAN **First Name** ADAM **Middle Name**
Company/Trust Name 4812 SUNBEAM LLC
Mailing Address 7563 PHILIPS HIGHWAY SUITE 208
City JACKSONVILLE **State** FL **Zip Code** 32256
Phone **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 149166 0000	6	3	RMD-A	RMD-D
Map 149175 0000	6	3	RMD-A	RMD-D
Map 149170 0000	6	3	RMD-A	RMD-D
Map 149169 0000	6	3	RMD-A	RMD-D

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

Existing Land Use Category

RPI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 2.50

Justification For Rezoning Application

PROPERTY IS ADJACENT TO RMD-D AND THE PROPOSED REZONING TO RMD-D WOULD BE COMPATIBLE WITH THE SURROUNDING PROPERTIES.

Location Of Property

General Location

SOUTH OF SUNBEAM ROAD

House #	Street Name, Type and Direction	Zip Code
4822	SUNBEAM RD	32257

Between Streets

ABBY GLEN CIRCLE and EGRETS LANDING DRIVE

Required Attachments For Formal, Complete application

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

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit – Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

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

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

Public Hearings And Posting Of Signs

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

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING.** (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed II 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**
2.50 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
71 Notifications @ \$7.00 /each: \$497.00
- 4) Total Rezoning Application Cost:** \$2,527.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

July 7, 2022

RE# 149166-0000

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF THE NE 1/4 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 34 AND SOUTH LINE OF SUNBEAM ROAD (AN 80.0 FOOT RIGHT-OF-WAY); THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID SUNBEAM ROAD, A DISTANCE OF 427.11 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE EASTERLY, ALONG THE SOUTH LINE OF SAID SUNBEAM ROAD, A DISTANCE OF 46.10 FEET; THENCE SOUTHERLY, PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34, A DISTANCE OF 322.00 FEET; THENCE WESTERLY, PARALLEL TO THE SOUTH LINE OF SAID SUNBEAM ROAD, A DISTANCE OF 46.10 FEET; THENCE NORTHERLY, PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34, A DISTANCE OF 322.00 FEET TO THE POINT OF BEGINNING AND TO CLOSE.

CONTAINING 14803.69 SQUARE FEET OR 0.34 ACRES MORE OR LESS

RE# 149170-0000

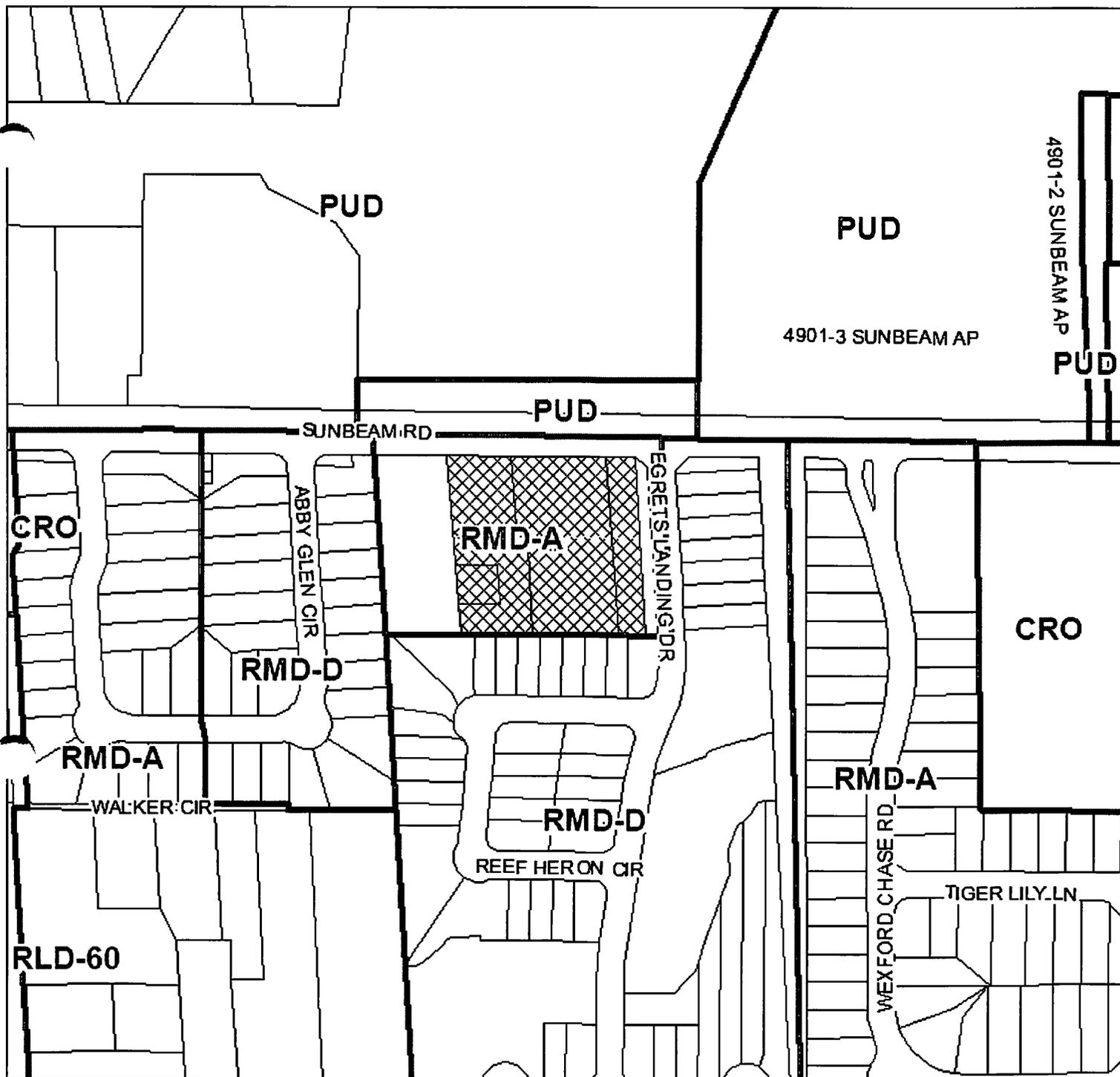
A PARCEL OF LAND BEING PART OF THE NE 1/4 OF NW 1/4 OF NW 1/4 OF SECTION 34, T. 3 S., R. 27 E., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT IN THE SOUTH LINE OF SUNBEAM ROAD, SAID POINT BEING APPROXIMATELY 131.3 FEET FROM THE WEST LINE OF AFORESAID NE 1/4 OF NW

1/4 OF NW 1/4 OF SECTION 34, THENCE EASTERLY ALONG THE SOUTH LINE OF AFORESAID SUNBEAM ROAD, APPROXIMATELY 131.3 FEET; THENCE SOUTHERLY APPROXIMATELY 322 FEET; THENCE WESTERLY APPROXIMATELY 131.3 FEET; THENCE NORTHERLY PARALLEL TO AND 131.3 FEET FROM THE WEST LINE OF AFORESAID WEST LINE OF SAID NE 1/4 OF NW 1/4 OF NW 1/4 OF SECTION 34, T. 3 S., R. 27 E. TO THE POINT OF BEGINNING. CONTAINING APPROXIMATELY ONE (1) ACRE.

RE# 149169-0000

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 27 EAST OF SAID COUNTY, WITH THE CENTERLINE OF SUNBEAM ROAD (A 60-FOOT RIGHT OF WAY AS ESTABLISHED, SAID POINT BEING SITUATE 6.5 FEET NORTHERLY OF THE NORTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 3

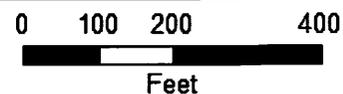
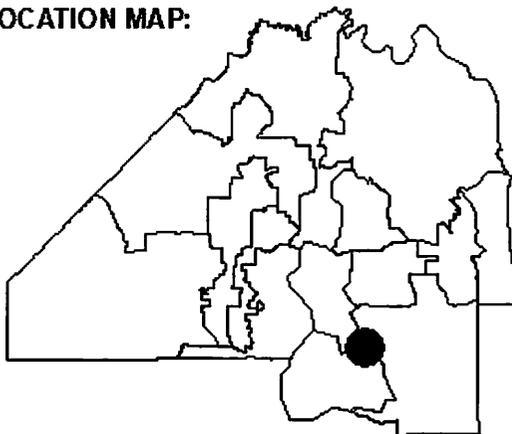


REQUEST SOUGHT:

FROM: RMD-A

TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

6

TRACKING NUMBER

T-2022-4374

**EXHIBIT 2
PAGE 1 OF 1**