

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-158

MARCH 19, 2015

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 2015-158**.

Location: 1736 Hamilton Street
between St. Johns Avenue and Shirley Avenue.

Real Estate Number: 068020-0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Public Buildings & Facilities 2 (PBF-2)

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

Planning District: Southwest, District 4

Planning Commissioner: Chris Hagan

City Council District: The Honorable Warren A. Jones, District 9

Applicant/Agent: William Schueth
Grunthal & Schueth Properties, Inc.
One Independent Drive, Suite 1880
Jacksonville, Florida 32202

Owner: Charles David & Felipe Estevez as
Bishop of the Diocese of St. Augustine
11625 Old St. Augustine Road
Jacksonville, Florida 32258

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-158** seeks to rezone a 1.15 acre parcel from the Commercial Office (CO) to the Public Buildings & Facilities 2 (PBF-2) Zoning District. The site is within the CGC functional land use category as defined by the Future Land Use Map series (FLUMs) contained in the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. According to the applicant, the request for the rezoning is to allow the applicant to demolish the existing single family structure, which is unsuitable for their use. They would like to build a new single family structure, to serve as a rectory for the church; however, new single family homes are not an allowed use in CO. The church owns a large parcel of land to the south, adjacent to this site, which is currently in the PBF-2 Zoning District. The overall site has frontage along Hamilton Street, a collector road as classified by the Functional Highway Classification Map 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 Planning and Development Department finds that the subject property is located in a CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. Per Section 656.305 of the Zoning Code, the CGC functional land use category allows a wide range of retail sales and services including general merchandise, apparel, food and related items. General commercial uses include offices, highway commercial, entertainment and similar other types of commercial developments. The proposed PBF-2 zoning district is a primary zoning district within the CGC functional land use category. The requested zoning is consistent with the 2030 Comprehensive Plan, and the requested PBF-2 Zoning District would be more compatible with the surrounding zoning districts, and provide a cohesive zoning in conjunction with the existing church and school to the south. The proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 *Comprehensive planning for future development* of the Ordinance Code.

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

Yes. The proposed amendment is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Objective 3.2: Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve and integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas. This proposed rezoning will allow the existing church complex to continue to thrive, with an onsite dwelling unit which will allow for a continuous presence on the church campus, by providing a rectory. It will also allow the existing church and school to have room to grow in the future, without the potential conflicts that could arise from the primary campus residing in the PBF-2 zoning district, while this property, without the approval of this application, would continue to exist in the CO zoning district.

Future Land Use Element Policy 3.2.4 states the City shall permit the expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets the design criteria set forth in the Land Development Regulations. The application for rezoning would allow for the addition of land to the existing PBF-2 zoning district. Providing for the potential expansion of this institution would encourage the continued support of the community, while focusing any future increase in traffic onto the collector road, and not any nearby residential streets.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located on Rampart Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Religious Institution /Office
East	CGC	CCG-2	Commercial Retail
South	PBF	PBF-2	Church / School
West	PBF	PBF-2	Church / School / Office

The proposed rezoning request is to allow for a new single family home / rectory consistent with the PBF-2 zoning district

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing sign was posted on February 25, 2015.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-158** be **APPROVED**.



Aerial

*Source: City of Jacksonville Planning and Development Department
Date: February 23, 2015*



Subject property

*Source: City of Jacksonville Planning and Development Department
Date: February 23, 2015*



Commercial property across Hamilton Street

Source: City of Jacksonville Planning and Development Department

Date: February 23, 2015



Applicant's existing PBF-2 property, with church and school uses

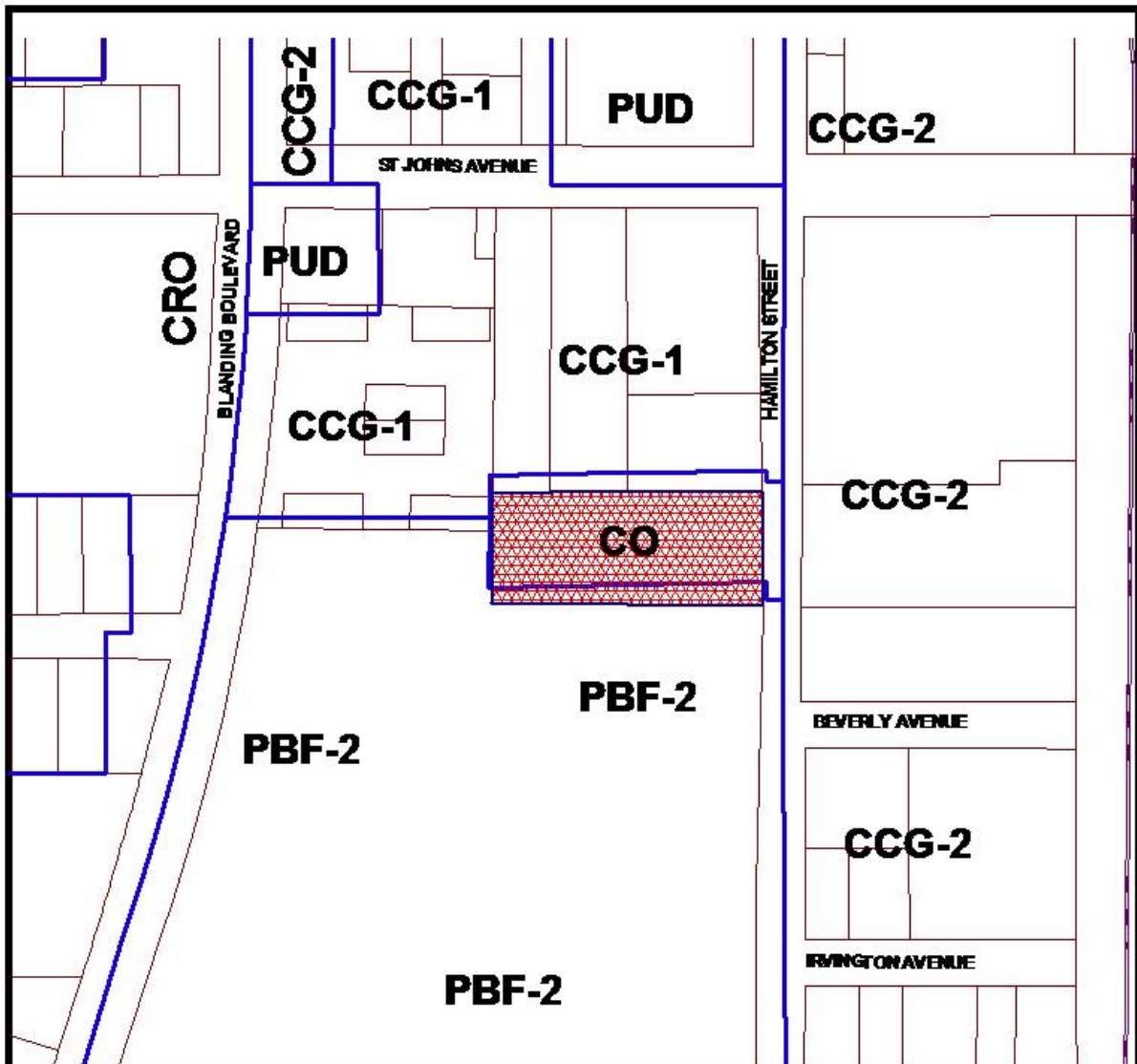
Source: City of Jacksonville Planning and Development Department

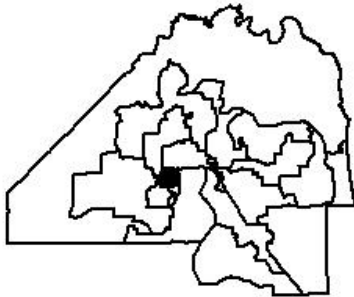

Date: February 23, 2015



Religious institution to the north of the subject property

*Source: City of Jacksonville Planning and Development Department
Date: February 23, 2015*



<p>REQUEST SOUGHT:</p> <p>FROM: CO</p> <p>TO: PBF-1</p>		 <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 9</p>
<p>ORDINANCE -2015-0158</p>		<p>FILE COPY</p>