

ORD. 2015-0280
PMD

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING Ord. 2015-0280

MAY 21, 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 **Ord. 2015-0280**.

Location: 2809 Clydo Road
At the terminus east of St. Augustine Road

Real Estate Number: 147302-0010

Current Zoning District: Industrial Business Park (IBP)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Light Industrial (LI)

Planning District: Southeast

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Lori N. Boyer, District 5

Agent: Buford Sims, Sr., and Buford Sims, Jr.
2809 Clydo Road
Jacksonville, Florida 32207

Owner: Randall Eugene and Leslie R. Lockwood
Acoustical & Interior Products Company
2809 Clydo Road
Jacksonville, Florida 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning **Ord. 2015-0280** seeks to rezone a 1.58 acre parcel from the IBP to the IL zoning district. The property was developed with a prefabricated warehouse in 1986. The purpose of the application is to allow for uses consistent with the Industrial Light zoning district, more specifically outside storage of materials. The property is also located in the Urban Priority Area and is within the area of Industrial Situational Compatibility Zone. It is directly south of the area covered by the Larsen Neighborhood Association and was included in the Pine Forest Neighborhood Plan – 1979.

The property is located at the east terminus of (the developed segment of) Clydo Road, a 10 to 15 feet wide right-of-way for 400 feet that is developed (apparently on private property) with an 18 feet wide paved street road and drainage ditches. Access then transitions to Clydo Road (56 feet right-of-way) through IBP and IL zoned districts to St. Augustine Road, a collector roadway that is approximately 1250 feet directly to the west.

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. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that the subject property is located in the Light Industrial functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan and is consistent therewith. Intended Principal Uses in the Light Industrial land use category includes:

Light assembly and manufacturing; Packaging; Processing; Manufacturing of paints, enamels and allied products; Concrete batching plants; Storage/warehousing; Research

and development activities; Transportation terminals; Radio/T.V. studios; Transmission and relay towers; Yard waste composting; Recycling facilities; Business/professional offices; Medical clinics; Veterinary offices; and Vocational/trade schools and building trade contractors.

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:

FLUE Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

FLUE Policy 3.2.7

The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

FLUE Policy 3.2.12

The City shall designate areas inappropriate for less intense development due to conditions such as excessive noise levels and incompatible surrounding land uses for intense commercial and light industrial use. Require that these intense commercial uses are appropriately buffered from adjacent residential or retail commercial development. Uses in the airport noise/accident zones and other restricted use areas however, shall be guided by the provisions in the Land Development Regulations for such areas.

The above listed policies of the Comprehensive Plan address the importance of creating sustainable commercial and industrial activities in appropriate areas as a driving force in the local economy.

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. The subject property meets the lot requirements of the IL zoning district as set forth in Section 656.321 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The 1.58 acre parcel is located to the east terminus where Clydo Road is developed. The 10 feet wide right-of-way extends eastward past the site but is uncleared and wooded. The property is in the Area of Situational Compatibility Zone described in Sec. 656, Part 3, Subpart P and is designated as potentially appropriate for industrial development. This evaluation provides the opinion that the site meets the appropriate criteria for light industrial uses. The site is accessed from St. Augustine Road, a collector roadway, through Light Industrial and Industrial Business Park zoning districts. The access route passes one single family residence that exists in the IBP zoning district as a legal non-conforming use. Otherwise the neighborhood character and surrounding uses are consistent with the proposed zoning. The surrounding land use categories, zoning and uses are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LI	IL	Service Garage/Vehicle Repair
East	LI	IBP	Warehouse/Fabrication
South	LI	IBP	Industrial Warehouse
West	LI	IBP	Food Processing

Therefore, the proposed rezoning is consistent and compatible with the adjacent and nearby commercial and industrial zoning districts.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on May 14, 2015, the required Notice of Public Hearing sign was posted.



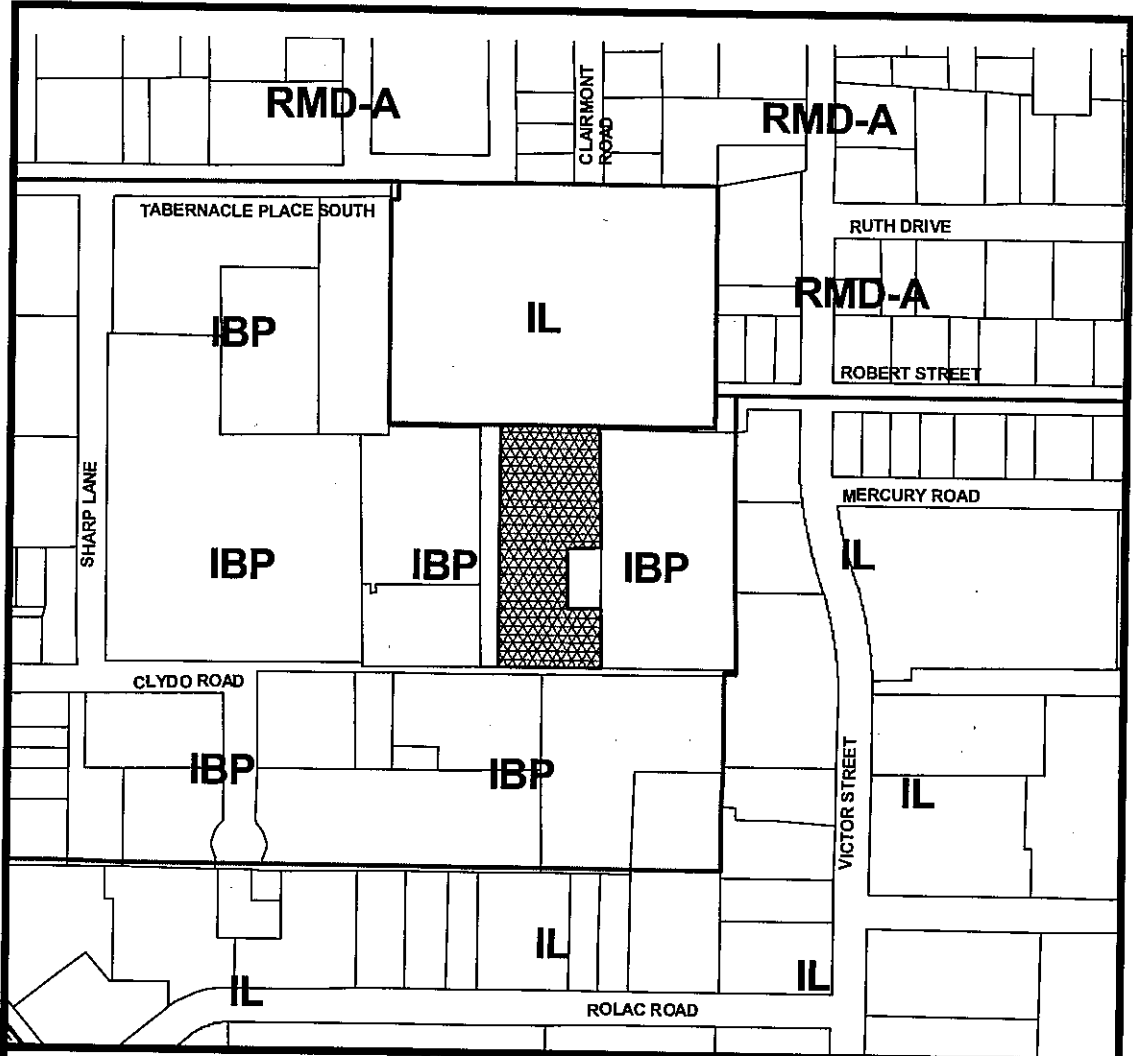
Figure 1. Google Map view of Clydo Road looking east toward terminus and showing level of street development on 10 feet wide right-of-way and the surrounding commercial uses. Subject property is concealed from view on the distant left.



Figure 2. Subject property viewed looking north from Clydo Road showing sign posted.

RECOMMENDATION

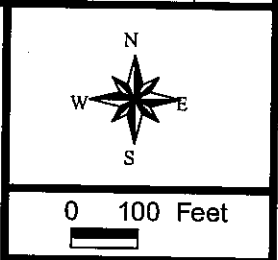
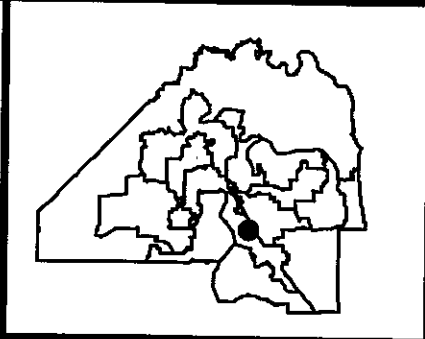
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **ORD. 2015-0280** be **APPROVED**.



REQUEST SOUGHT:

FROM: IBP

TO: IL



COUNCIL DISTRICT:
5

ORDINANCE -2015-0280

FILE COPY

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # Staff Sign-Off/Date / N/A

Filing Date N/A Number of Signs to Post N/A

Hearing Dates:

1st City Council N/A Planning Commission N/A

Land Use & Zoning N/A 2nd City Council N/A

Neighborhood Association

Neighborhood Action Plan/Corridor Study

Application Info

Tracking #	774	Application Status	FILED COMPLETE
Date Started	01/30/2015	Date Submitted	02/10/2015

General Information On Applicant

Last Name	First Name	Middle Name
LOCKWOOD	RANDALL	EUGENE

Company Name

ACCOUSTICAL & INTERIOR PRODUCTS COMPANY

Mailing Address

2809 CLPO ROAD

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9047390015	9047390016	RANDY1KWD@AOL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
LOCKWOOD	LESLIE	R.

Company/Trust Name

Mailing Address

2809 CLYDO ROAD

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9047390015	9047350016	RANDY1KWD@AOL.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

147302 0010 5 3 IBP IL

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

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.58

Justification For Rezoning Application
TO COMPLIMENT SURROUNDING IL USES

Location Of Property

General Location

END OF CLYDO ROAD ON LEFT

House #	Street Name, Type and Direction	Zip Code
2809	CLYDO RD	32207

Between Streets

EMERSON STREET and UNIVERSITY BOULEVARD WEST

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
1.58 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
25 Notifications @ \$7.00 /each: \$175.00
- 4) Total Rezoning Application Cost: \$2,195.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description

RE # 147302-0010

2/10/2015

06-3S-27E

PT W1/2 OF NE1/4 RECD O/R BK

6165-380,382,384 PAR E

EXHIBIT A

Property Ownership Affidavit

Date: December 19, 2014

City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:


I, RANDALL EUGENE LOCKWOOD hereby certify that I am the
Owner of the property described in the attached legal description, Exhibit 1 in connection with
filing application(s) for REZONING TO LI
submitted to the Jacksonville Planning and Development Department.



(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 19th day of
December (month), 2014 (year) by RANDALL EUGENE LOCKWOOD
who is personally known to me ~~or has produced~~
as identification.



(Notary Signature)

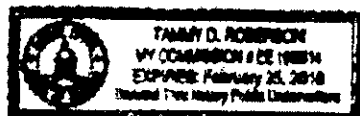


EXHIBIT A

Property Ownership Affidavit

Date: APRIL 20, 2015

City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, LESLIE ROWE LOCKWOOD hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for _____,
submitted to the Jacksonville Planning and Development Department.

Leslie Rowe Lockwood

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 20th day of
APRIL (month), 2015 (year) by LESLIE ROWE LOCKWOOD
who is personally known to me or has produced personally known
as identification.

Laundra J. Austin
(Notary Signature)



LAUNDRA J. AUSTIN
MY COMMISSION # FF 082377
EXPIRES: January 9, 2018
Bonded Three Budget Notary Services

EXHIBIT B

Agent Authorization

Date: MAY 30, 2015

City of Jacksonville

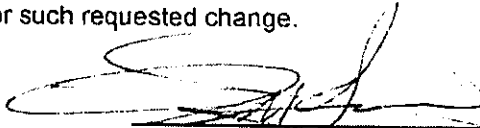
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

2015-0280 2809 CLYDO ROAD, JACKSONVILLE, FLORIDA 32207-7195

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers MR. BUFORD SIMS SR. & JR to act as agent to file application(s) for RANDALL E. LOCKWOOD for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

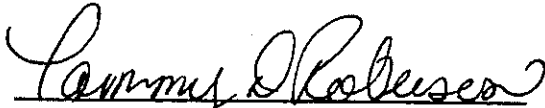


(Owner's Signature)

RANDALL E. LOCKWOOD

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 30TH day of MAY (month), 2015 (year) by RANDALL E. LOCKWOOD, who is personally known to me ~~and~~ ~~has~~ ~~produced~~ _____ as identification.



(Notary Signature)



Warranty Deed

2809 Clydo Road

<u>Book/Page</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Deed Instrument Type Code</u>	<u>Qualified/Unqualified</u>	<u>Vacant/Improved</u>
<u>04464-00906</u>	8/26/1977	\$100.00	WD - Warranty Deed	Unqualified	Vacant
<u>06165-00384</u>	6/27/1986	\$20,400.00	WD - Warranty Deed	Unqualified	Vacant
<u>06165-00398</u>	6/27/1986	\$100.00	QC - Quit Claim	Unqualified	Vacant

VOL 6165 PG 384

OFFICIAL RECORDS
Warranty Deed

THIS INDENTURE, Made this 27th day of June, A.D. 1986 BETWEEN
GEORGE McGRUFF, conveying his separate non-homestead property,
of the County of DUVAL, State of FLORIDA, part y of the first part, and
LESLIE R. LOCKWOOD and RANDALL E. LOCKWOOD, her husband,

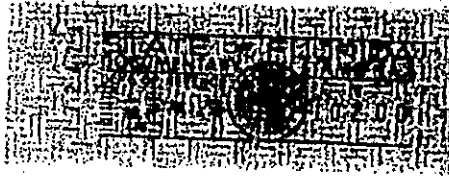
3047 Tiger Lake Rd Jacksonville

of the County of Duval, State of Florida, part ies of the second part,
WITNESSETH: That the said part y of the first part, for and in consideration of the sum of Ten Dollars and no/100 (\$10.00) and other valuable consideration ~~XXXXXX~~ to him in hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said part ies of the second part, their heirs and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to wit:

More particularly described in Exhibit "A" attached hereto.

SUBJECT to covenants, restrictions and easements of record.

SUBJECT to taxes for the year 1986 and subsequent years.



960

And the said part y of the first part do es hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

SIGNED AND SEALED IN OUR PRESENCE:

Sharon L. Phillips (SEAL)
George McGruff (SEAL)

(SEAL)

STATE OF FLORIDA } ss.
COUNTY OF DUVAL

Before me personally appeared George McGruff

~~XXXX~~ to me well known and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to and before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 27th day of June 1986, at Jacksonville County and State aforesaid.

Sharon L. Phillips
Notary Public in and for the County and State Aforesaid.
My commission expires
Notary Public, State of Florida
My Commission Expires May 3, 1989

Prepared by: Dale A. Beardsley
707 Perimeter Place
Jacksonville, FL 32204
RETURN TO GRANTEE

Exhibit "A"

PARCEL E:

Beginning at a point 128.33 feet West of the Southeast corner of the West (W 1/2) Half of the Northeast (NE 1/4) Quarter of Section 6, Township 3 South, Range 27 East, run thence North Ten (10') feet for a point of beginning, thence Northerly 1° 37' 20" West a distance of 209.0 feet; thence Southwesterly 89° 01' 40" West a distance of 59.66 feet; thence South 10° 37' 20" East a distance of 209.0 feet; thence North 89° 01' 40" East a distance of 59.66 feet to the point of beginning, being known as Parcel "E" of that certain survey No. 51067 dated June 15, 1964, as made by Ellis, Curtis and Kooker and as amended October 23, 1969.

And said Grantors hereby grant to said Grantee herein, his heirs and assigns, a permanent thirty (30') foot wide Easement for road purposes along the West side of the aforesaid described property from the Northwest corner of the West one-half of the Northeast (NE 1/2) Quarter of Section 6, Township 3 South, Range 27 East and running South to the South line of said West one-half of the Northeast (NE 1/2) Quarter of said land described in Deed Book 175, Page 41 of the Public Records of Duval County, Florida, and also the South Ten (10') feet for a right of way running from the Southwest corner of the West one-half of the Northeast (NE 1/2) Quarter of said Section 6, a distance of 209.0 feet, North 89° 01' 40" East to a point 209.0 to the Southeast corner of the said Northeast (NE 1/4) Quarter of Section 6 aforesaid.

AND:

Beginning at a point 128.33 feet West of the Southeast corner of the West (W 1/2) Half of the Northeast (NE 1/4) Quarter of Section 6, Township 3 South, Range 27 East, run thence North Ten (10') feet for a point of beginning, thence Northerly 1° 37' 20" West a distance of 209.0 feet; thence Southwesterly 89° 01' 40" West a distance of 59.66 feet; thence South 10° 37' 20" East a distance of 209.0 feet; thence North 89° 01' 40" East a distance of 59.66 feet to the point of beginning, being known as Parcel "E" of that certain survey No. 51067 dated June 15, 1964, as made by Ellis, Curtis and Kooker and as amended October 23, 1969.

And said Grantors hereby grant to said Grantee herein, his heirs and assigns, a permanent thirty (30') foot wide Easement for road purposes along the West side of the aforesaid described property from the Northwest corner of the West one-half of the Northeast (NE 1/2) Quarter of Section 6, Township 3 South, Range 27 East and running South to the South line of said West one-half of the Northeast (NE 1/2) Quarter of said land described in Deed Book 175, Page 41 of the Public Records of Duval County, Florida, and also the South Ten (10') feet for a right of way running from the Southwest corner of the West one-half of the Northeast (NE 1/2) Quarter of said Section 6, a distance of 209.0 feet, North 89° 01' 40" East to a point 209.0 to the Southeast corner of the said Northeast (NE 1/4) Quarter of Section 6 aforesaid.

PARCEL F:

Beginning at a point 128.33 West of the Southeast corner of the West (W 1/2) Half of the Northeast (NE 1/4) Quarter of Section 6, Township 3 South, Range 27 East, run thence North Ten (10') feet for a point of beginning, thence Northerly 1° 37' 20" West a distance of 209.0 feet; thence Southwesterly 89° 01' 40" West a distance of 59.66 feet; thence South 10° 37' 20" East a distance of 209.0 feet; thence North 89° 01' 40" East a distance of 59.66 feet to the point of beginning, being known as Parcel "F" of the certain Survey dated June 15, 1964, being survey No. 51067, as made by Ellis, Curtis and Kooker, and as amended October 23, 1969.

And the said Grantors grant to said Grantee herein, her heirs and assigns, a permanent thirty (30') foot wide Easement for road purposes along the West side of the aforesaid described property from the Northwest corner of the West one-half of the Northeast (NE 1/2) Quarter of Section 6, Township 3 South, Range 27 East and running South to the South line of said West one-half of the Northeast (NE 1/2) Quarter of said land described in Deed Book 175, Page 41 of the Public records of Duval County, Florida; and also the South Ten (10') feet for a right of way running from the Southwest corner of the West one-half of the Northeast (NE 1/2) Quarter of said Section 6, a distance of 209.0 feet North 89° 01' 40" East to a point 209.0 to the Southeast corner of said Northeast (NE 1/2) Quarter of Section 6 aforesaid.

50-72162
JUL 22 2 34 PM '69

RECEIVED
CLERK OF CIRCUIT AND COUNTY COURTS
DUVAL COUNTY, FLA.
JUL 22 1969

STATE OF FLORIDA
DUVAL COUNTY

I, UNDERSIGNED Clerk of the Circuit & County Courts, Duval County, Florida, DO HEREBY CERTIFY the within and foregoing, consisting of 2 pages, as a true and correct copy of the original as it appears on record and file in the office of the Clerk of Circuit & County Courts of Duval County, Florida.

WITNESS my hand and seal of Clerk of Circuit & County Courts at Jacksonville, Florida, this the 17 day of MAR A.D. 20 15.

RONNIE FUSSELL
Clerk, Circuit and County Courts
Duval County, Florida

By *John L. Heil*
Deputy Clerk