

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0108

MARCH 3, 2016

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 2016-0108**.

Locations: 4343 Spring Grove Avenue,
between 33rd Street & 45th Street

Real Estate Numbers: 029876-0000

Current Zoning District: Industrial Light (IL)

Proposed Zoning District: Public Building and Facilities – 2 (PBF-2)

Current Land Use Category: Light Industrial (LI)

Planning District: Urban Core, 1

Planning Commissioner: Abel Harding

City Council District: The Honorable Katrina Brown, District 8

Applicant/Agent: Morgan Carl Leverett/
Rebirth Community Ministries
8416 Concord Boulevard West
Jacksonville, FL 32208

Owner: Michael Baker
4835 Beverly Circle
Jacksonville, FL 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0108** seeks to rezone 2.95 acres from Industrial Light (IL) to Public Building and Facilities – 2 (PBF-2). The proposed use would be for a Ministry and Community Center. The site is within the LI 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. The property contains a single vacant structure, which most recently was occupied as a daycare in 2008. The property has no road frontage, but

obtained a waiver of roadway frontage (Ord. 2008-0803), and has a paved access drive located on City of Jacksonville owned land. The property is addressed off Spring Grove Avenue, but is accessed from 33rd Street West. The City owned property is part of a larger parcel that includes a large storm water system. The site is located within the Ash Remediation Boundary for the Brown's Dump site, but no remediation was required, based on the soil analysis provided by the City's contractor. The site is located within the "Area of Situational Compatibility" as described in Future Land Use Element of the 2030 Comprehensive Plan. "These areas are presumed to be appropriate for land use map amendments to industrial categories..." The site borders a residential area, but is separated from the single family homes by a large drainage creek.

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 the Light Industrial (LI) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LI land use category is generally defined as a category which provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals and wastes. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan. The proposed PBF-2 category and the proposed community center use will be compatible with the surrounding LDR, MDR, and LI land use categories.

Therefore, 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:

Future Land Use Element Policy 3.2.2 states that the “*City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.*” Additionally, FLUE Objective 3.2 calls for the City to “*continue to promote and sustain the viability of existing and emerging commercial 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.*”

Objective 6.3: *The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.* This application for rezoning allow for the development and use of a bypassed parcel of industrial land to be developed to serve the community, and surrounding residential areas.

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

No. The proposed change in Zoning District is consistent with the Light Industrial (LI) future land use category as defined in the Future Land Use Element of the 2030 Comprehensive Plan. The LI category allows for institutional uses as a secondary use. The PBF-2 Zoning District is a primary zoning district in the LI future land use category. A Waiver of Roadway Frontage (2008-0803) was approved in 2008 to address the lack of road frontage.

SURROUNDING LAND USE AND ZONING

The subject property is located between Spring Park Avenue and 33rd Street. This area is a mix of residential and industrial uses. The surrounding uses, land use category and zoning are as follows:

<i>Adjacent Property</i>	<i>Land Use Category</i>	<i>Zoning District</i>	<i>Current Use(s)</i>
North	MDR	RLD-60	Residential
East	LI, LDR	IL, RLD-60	Vacant, Residential
South	LDR, LI	RLD-60, IL	Residential, Vacant
West	LI	IL	Vacant

The requested PBF-2 District is consistent with the LI land use, and is consistent with the surrounding Zoning Districts.

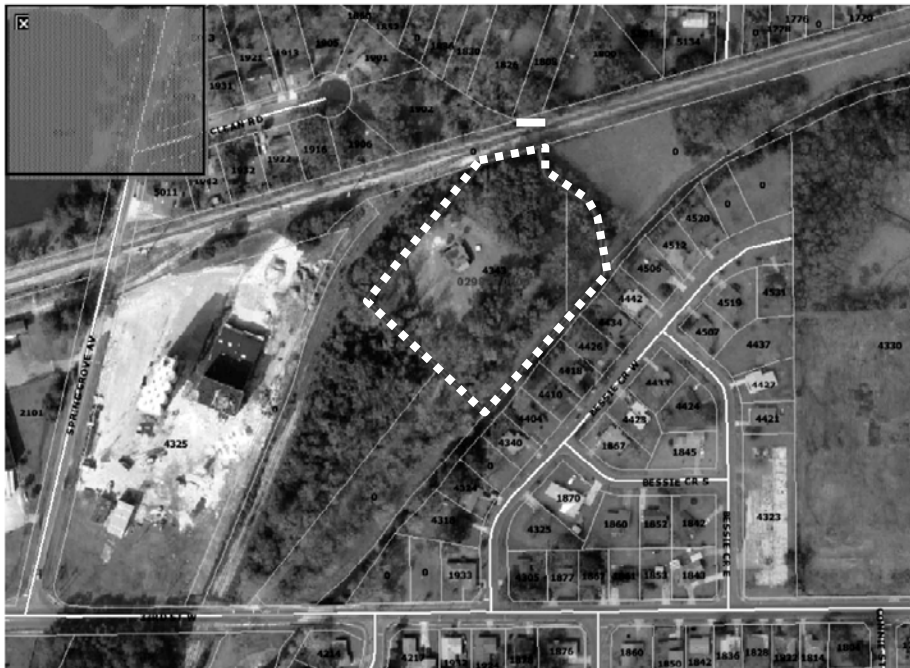
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 17, 2016, 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 **2016-0108** be **APPROVED**.



Aerial

*Source: City of Jacksonville Planning and Development Department
Date: February 17, 2016*



Subject Property

Source: City of Jacksonville Planning and Development Department
Date: February 17, 2016



Paved access drive, located on City of Jacksonville owned land

Source: City of Jacksonville Planning and Development Department
Date: February 17, 2016



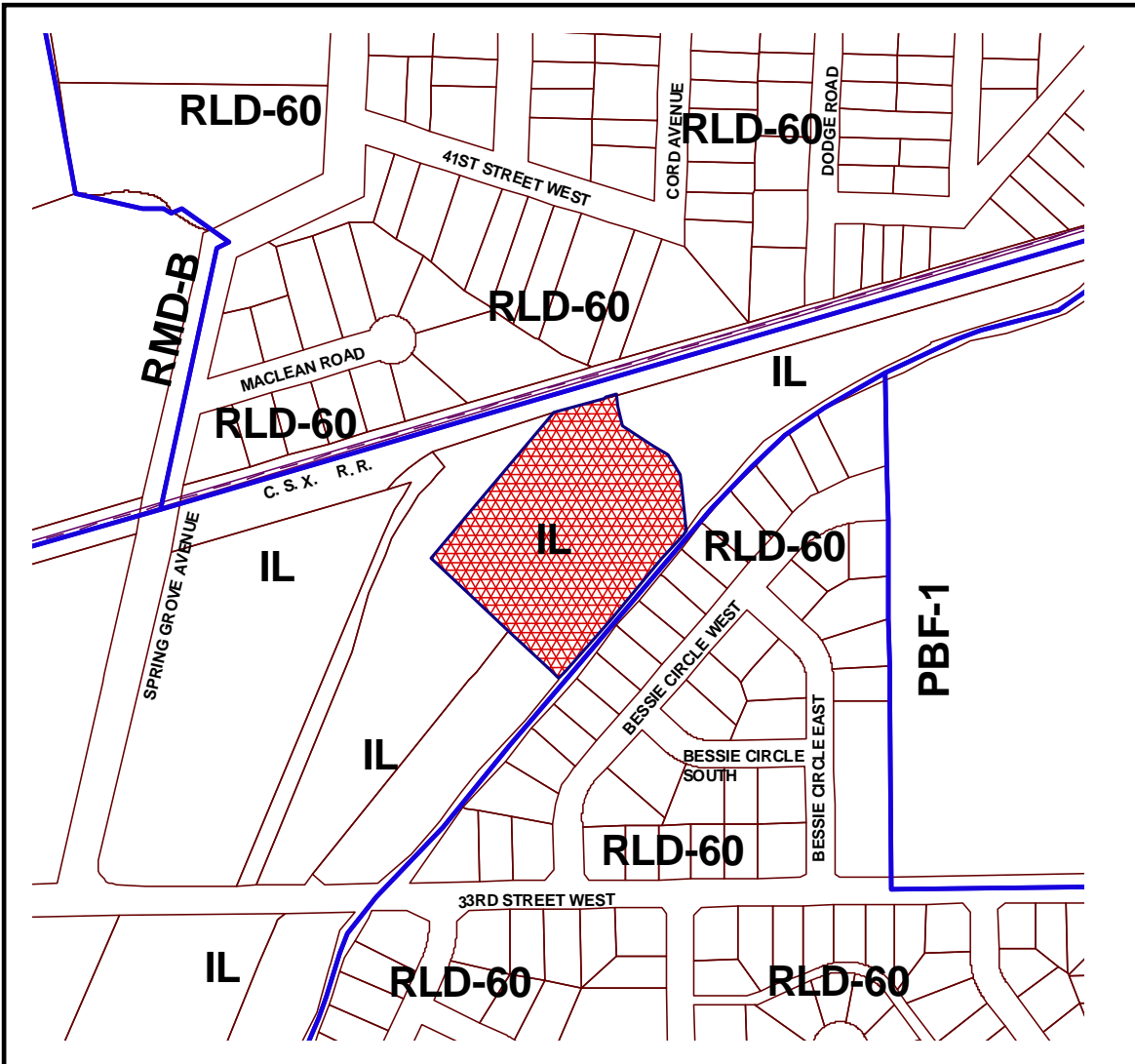
Nearby industrial use and railroad tracks to the west of the subject property

Source: City of Jacksonville Planning and Development Department
Date: February 17, 2016



Adjacent residential homes to the east, separated by Moncrief Creek

Source: City of Jacksonville Planning and Development Department
Date: February 17, 2016



<p>REQUEST SOUGHT:</p> <p>FROM: IL</p> <p>TO: PBF-2</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 8</p>
<p>ORDINANCE NUMBER: ORD-2016-0108</p>	<p>TRACKING NUMBER: T-2015-0995</p>	<p>Exhibit 2</p>