

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2016-0554**

**SEPTEMBER 22, 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 **2016-0554**.

***Location:*** 0 Ageson Road,  
between Soutel Drive & Roberts Avenue

***Real Estate Numbers:*** 041743-0000

***Current Zoning District:*** Public Buildings and Facilities – 1 (PBF-1)

***Proposed Zoning District:*** Residential Low Density – 60 (RLD-60)

***Current Land Use Category:*** Public Buildings and Facilities (PBF)

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

***Planning District:*** Northwest, District 5

***Planning Commissioner:*** Ben Davis

***City Council District:*** The Honorable Reginald L. Brown, District 10

***Owner:*** City of Jacksonville  
214 N Hogan Street  
Jacksonville, FL 32202

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2016-0554** seeks to rezone .12 acres from Public Buildings and Facilities – 1 (PBF-1) to Residential Low Density – 60 (RLD-60). The property is located in the PBF land use category in the Urban Development Area. There is a companion Land Use Amendment (2016C-025) which, if approved, would change the Future Land Use Category to Low Density Residential (LDR). The property is located within the Sherwood Forest Lincoln Villas Neighborhood Action Plan. The lot is currently vacant, and adjacent to an unopened right of way for Hull Street. The property is currently owned by the City of Jacksonville, and is slated

for surplus. The PBF-1 Zoning District is exclusively for governmental use only, and for property to be sold to a private individual, it must be rezoned to a district which allows for non-governmental uses.

### **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, with the approval of application for small scale land use amendment 2016C-025 (Ordinance **2016-0553**), the subject property will be located in the LDR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LDR is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category.

**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 objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Objective 1.1: *Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination*

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.*

**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.*

The subject property is a City of Jacksonville owned former health clinic which has been demolished. The lot is currently vacant and the City is planning to surplus the property. The Subject property also has a land use application to change the site from PBF to LDR. The proposed amendment is located within the North Planning District and Suburban Development Area with access to full urban services. Therefore, the subject site has the potential to encourage additional infill development promoting the goal of Objective 3.1 and 6.3. The land use change to LDR will minimize the possibility of incompatible commercial uses abutting the existing residential property.

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

No. The proposed rezoning, with approval of the companion small scale land use amendment (2016C-025) would not be in conflict with any portion of the City's land use regulations. The subject property will be rezoned from PBF-1 to RLD-60 zoning district as set forth in Section 656.313 of the Zoning Code.

**SURROUNDING LAND USE AND ZONING**

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	PBF	PBF-1	School
East	LDR	RLD-60	Vacant
South	LDR	RLD-60	Vacant
West	LDR	RLD-60	Single Family

The property is currently owned by the City of Jacksonville. It is located adjacent to single family homes and vacant residential lots. The disposition of the property by the City of Jacksonville necessitates the change in zoning district, as PBF-1 is designed for governmental uses only. The proposed rezoning and companion land use amendment would move the property into a similar land use category and zoning district as the surrounding property. The Sherwood Forest Lincoln Villas Neighborhood Action Plan identifies the subject property as a vacant lot, ideal for potential growth and infill development. The plan suggests that only infill development

that enhances the rural feel and character of Lincoln Villas should be proposed on vacant lots. Therefore the proposed land use and zoning change will assist in accomplishing this goal.

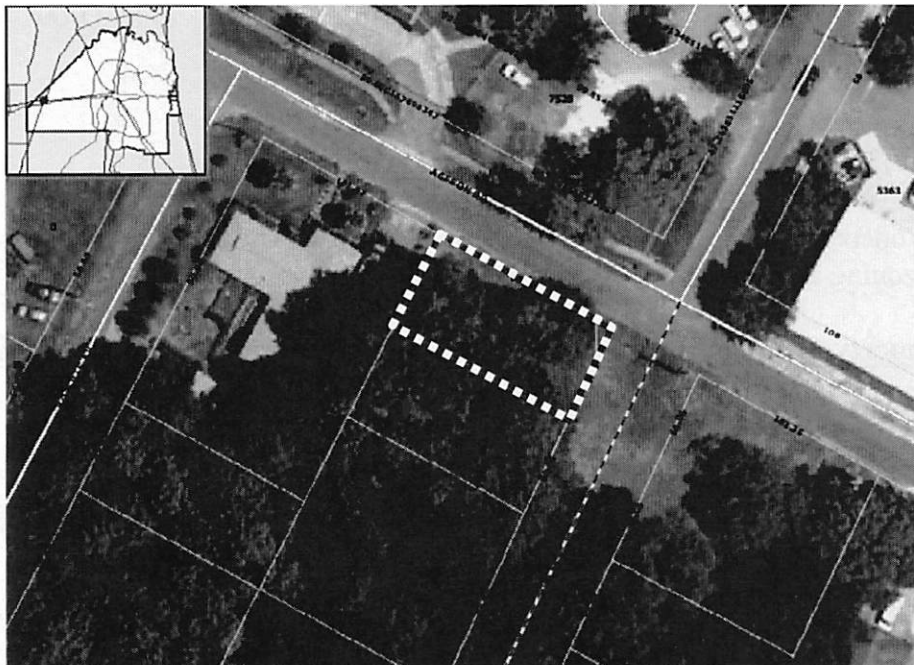
### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 30, 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 Ordinance **2016-0554** be **APPROVED**.



**Aerial**

*Source: Staff, Planning and Development Department*

*Date: August 30, 2016*



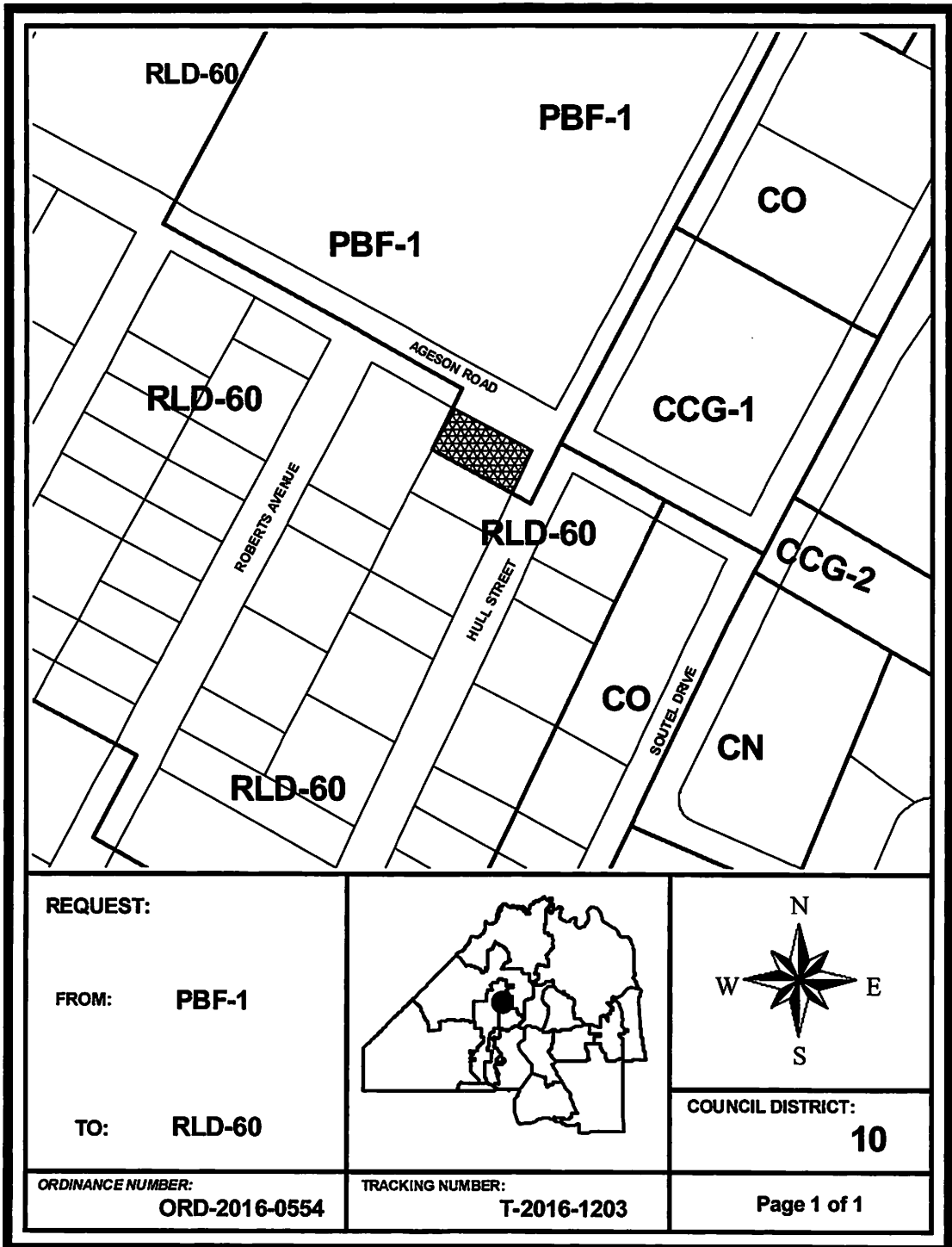
**Subject property**

*Source: Staff, Planning and Development Department  
Date: August 30, 2016*



**Adjacent residential to the west**

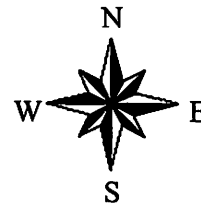
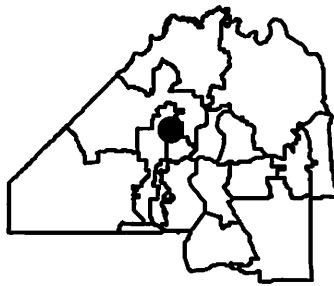
*Source: Staff, Planning and Development Department  
Date: August 30, 2016*



**REQUEST:**

**FROM: PBF-1**

**TO: RLD-60**



**COUNCIL DISTRICT:**  
**10**

**ORDINANCE NUMBER:**  
**ORD-2016-0554**

**TRACKING NUMBER:**  
**T-2016-1203**

**Page 1 of 1**

### Application For Rezoning To Conventional Zoning District

#### Planning and Development Department Info

**Ordinance #** 2016-0554 **Staff Sign-Off/Date** CAP / 08/10/2016  
**Filing Date** 08/17/2016 **Number of Signs to Post** 1  
**Hearing Dates:**  
**1st City Council** 09/27/2016 **Planning Commission** 09/22/2016  
**Land Use & Zoning** 10/11/2016 **2nd City Council** N/A  
**Neighborhood Association** KINLOCK CIVIC ASSOCIATION  
**Neighborhood Action Plan/Corridor Study** LINCOLN/SHERWOOD NAP

#### Application Info

**Tracking #** 1203 **Application Status** FILED COMPLETE  
**Date Started** 07/28/2016 **Date Submitted** 07/28/2016

#### General Information On Applicant

**Last Name** JACKSONVILLE **First Name** CITY OF **Middle Name**  
**Company Name**  
 CITY OF JACKSONVILLE  
**Mailing Address**  
 214 NORTH HOGAN STREET, SUITE 300  
**City** JACKSONVILLE **State** FL **Zip Code** 32202  
**Phone** 9042557800 **Fax** 9042557882 **Email** COMMUNITYPLANNING@COJ.NET

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

**Last Name** JACKSONVILLE **First Name** CITY OF **Middle Name**  
**Company/Trust Name**  
 CITY OF JACKSONVILLE  
**Mailing Address**  
 214 NORTH HOGAN STREET, SUITE 300  
**City** JACKSONVILLE **State** FL **Zip Code** 32202  
**Phone** 9042557800 **Fax** 9042557882 **Email** COMMUNITYPLANNING@COJ.NET

#### Property Information

**Previous Zoning Application Filed For Site?**

**If Yes, State Application No(s)**

Map RE#	Council District	Planning From District	Zoning District(s)	To Zoning District
Map 041743 0000	10	5	PBF-1	RLD-60

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

**Existing Land Use Category**

**Land Use Category Proposed?**

**If Yes, State Land Use Application #**

5218

**Total Land Area (Nearest 1/100th of an Acre)** 0.12

**Justification For Rezoning Application**

TO REZONE SURPLUS PROPERTY FOR SALE BY THE REAL ESTATE DIVISION

**Location Of Property**

**General Location**

House #	Street Name, Type and Direction	Zip Code
	AGESON RD	
<b>Between Streets</b>	<b>and</b>	

**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  
    0.12 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee  
    Notifications @ \$7.00 /each:
- 4) Total Rezoning Application Cost:

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

**Legal Description**

**Exhibit 1**

RE#041743-0000

**30-1S-26E**

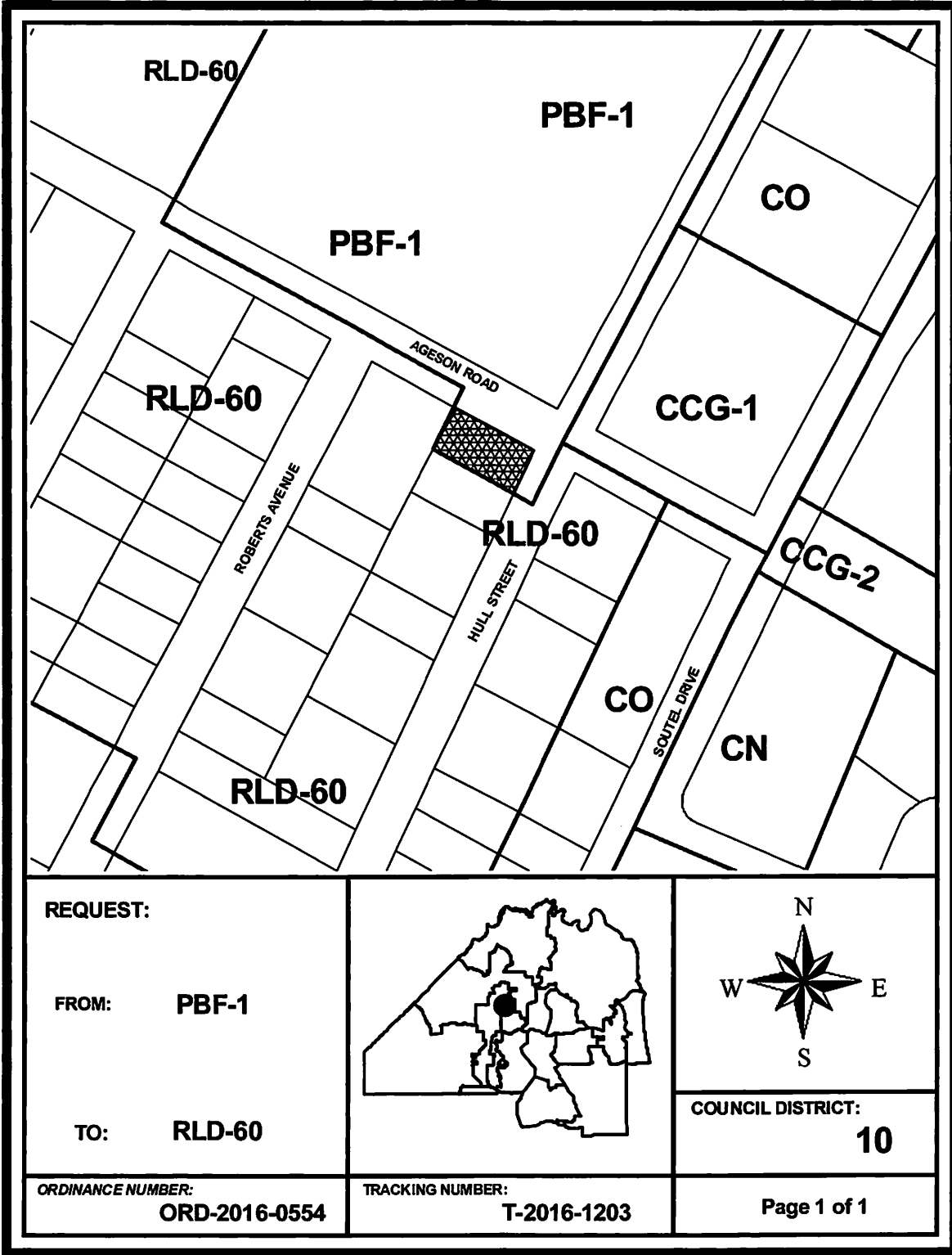
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**LOT 1 BLK C**

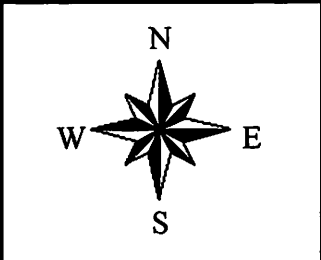
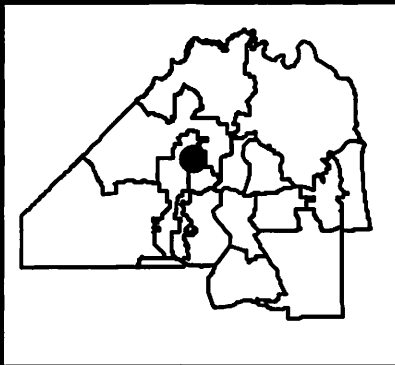
**ORD 76-434-304**

**8/9/16**

EXHIBIT 2



**REQUEST:**  
  
**FROM:** PBF-1  
  
**TO:** RLD-60



**COUNCIL DISTRICT:**  
**10**

**ORDINANCE NUMBER:**  
**ORD-2016-0554**

**TRACKING NUMBER:**  
**T-2016-1203**

**EXHIBIT A - Property Ownership Affidavit**

Date: 7-12-14

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:  
\_\_\_\_\_

To Whom It May Concern:

Stephanie Burch <sup>the City is</sup> hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:\*

By \_\_\_\_\_  
Print Name: \_\_\_\_\_

Print Corporate Name:  
City of Jacksonville  
By Stephanie Burch  
Print Name: Stephanie Burch  
Its: Chief, Real Estate Division

\*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2014, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

\_\_\_\_\_  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: \_\_\_\_\_

**EXHIBIT B - Agent Authorization Affidavit- Property Owner**

Date: 7-12-16

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: COT Health Clinic

To Whom it May Concern:

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 \_\_\_\_\_ to act as agent to file application(s) for \_\_\_\_\_ 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.

If Owner is Individual:

If Owner is Corporate Entity:\*

Print Corporate Name:

COT

By \_\_\_\_\_

By \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: Stephanie Burch

Its: \_\_\_\_\_

\*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2014, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

\_\_\_\_\_  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: \_\_\_\_\_