

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0578

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 **2016-0578**.

Location: 1225 29th Street West,
between Chase Avenue & Stuart Street

Real Estate Numbers: 088619-0000

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

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Urban Core, District 1

Planning Commissioner: **Abel Harding**

City Council District: The Honorable Katrina Brown, District 8

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

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0578** 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 Urban Core Planning District and Urban Priority Development Area with access to full urban services. Additionally, the site is located within the 29th & Chase Neighborhood Action Plan. The structure on the property is a former health clinic, and is currently unoccupied. The structure had previously been used for a daycare. The property is currently owned by the City of Jacksonville, and is slated for surplus. The site is located in a residential neighborhood, surrounded on all sides by single family residences. 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 the subject property is 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 utilized as a daycare center. The City is planning to surplus the property. The property is located within the Urban Core Planning District and Urban Priority 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. With the existing land use of LDR, and the proposed RLD-60 Zoning District will minimize the possibility of incompatible commercial uses abutting the existing residential properties.

Objective 2.5: *Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.*

The site is located within the 500 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.10051(d). See Objective 2.5 of the Future Land Use Element below:

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

No. The proposed rezoning to RLD-60 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 CO zoning district as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the northwest corner of the intersection of Stockton Road and Orion Street. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single Family
East	LDR	RLD-60	Single Family

South	LDR	RLD-60	Single Family
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 zoning district and land use category that would support and enhance the neighborhood.

The Neighborhood Action Plan states that the 29th & Chase Study Area has numerous opportunities for development and restoration. The project recommendations are interrelated and interdependent but one of the development plans is to preserve the character of the neighborhood which is reflected in the housing stock. The 29th & Chase Neighborhood is a historically single-family community. The plan states "Acquiring and redeveloping these properties would present a tremendous asset to the community. The properties currently present underused land, as well as potential crime areas. The reversion of these properties to single-family uses would provide additional affordable housing in the area, and increase the aesthetic value of the community." The proposed zoning change would assist in achieving this goal.

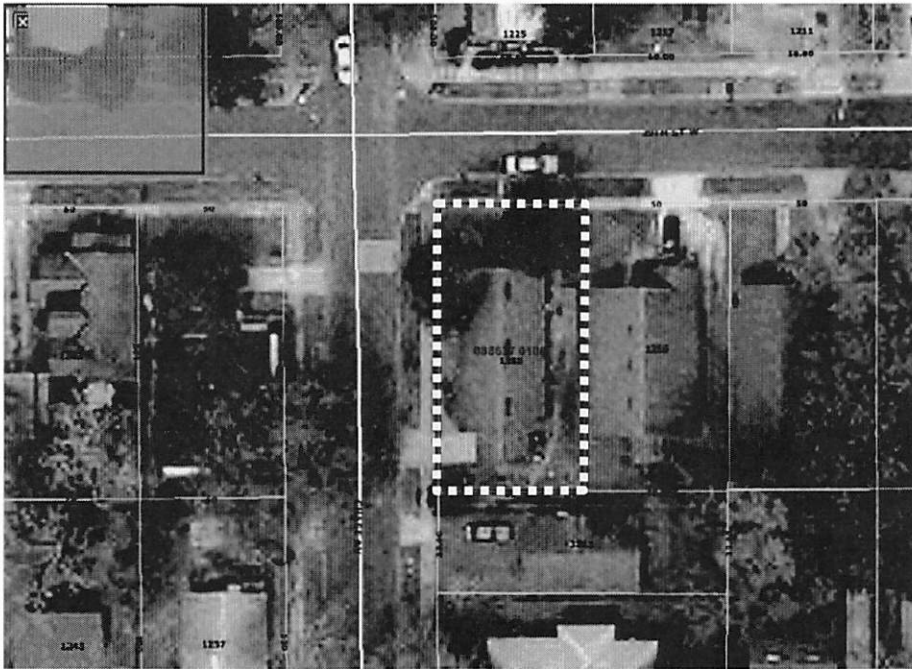
SUPPLEMENTARY INFORMATION

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 **2016-0578** 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 structure

Source: Staff, Planning and Development Department

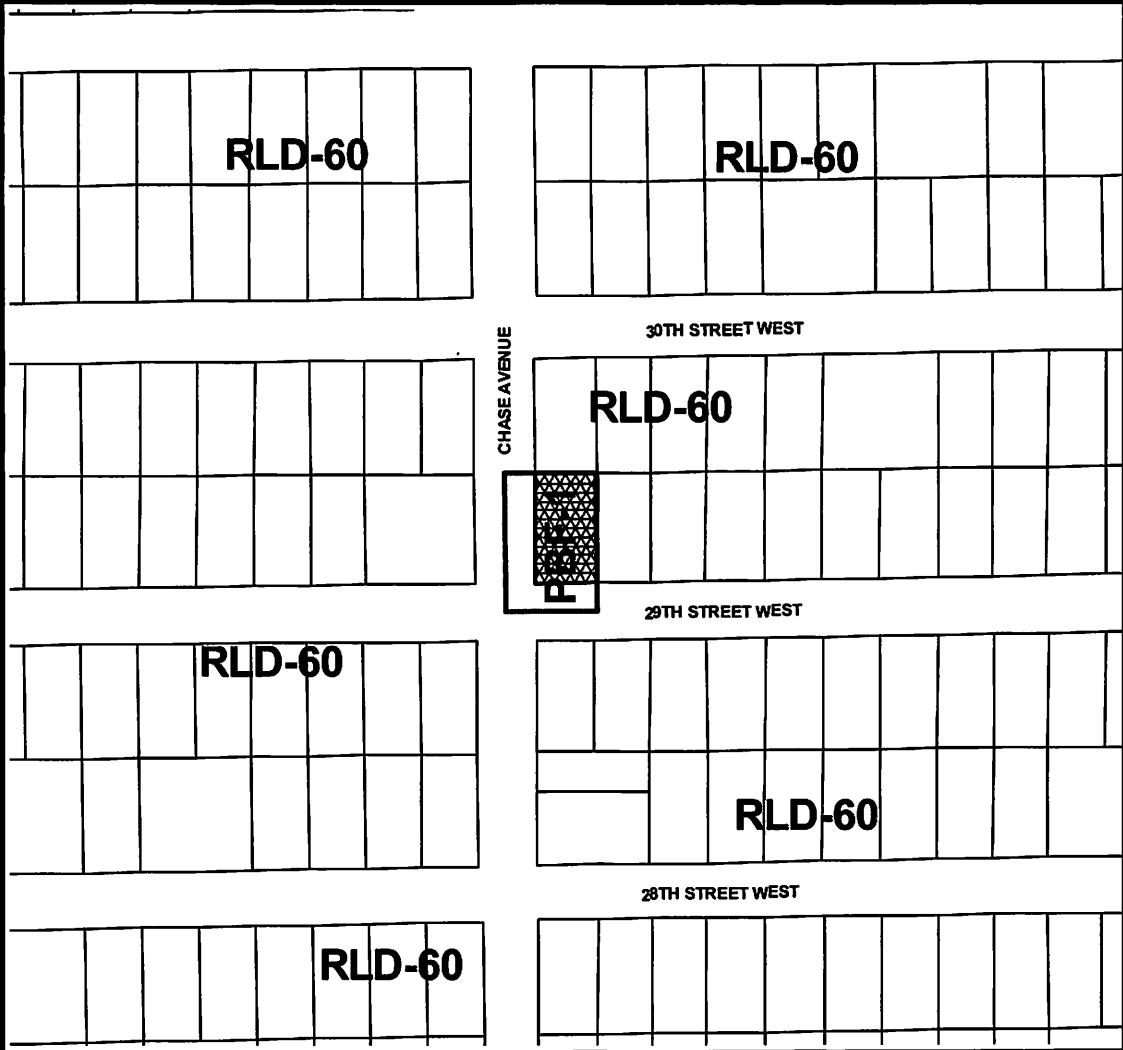
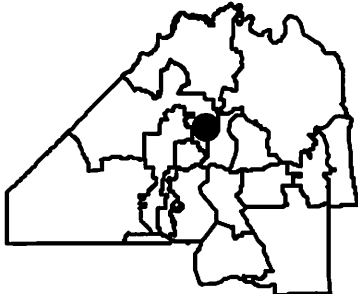

Date: August 30, 2016



Nearby residential structure

Source: Staff, Planning and Development Department

Date: August 30, 2016

		
REQUEST:		
FROM: PBF-1		
TO: RLD-60	COUNCIL DISTRICT:	
ORDINANCE NUMBER: ORD-2016-0578	TRACKING NUMBER: T-2016-1211	08 Page 1 of 1

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2016-0578 **Staff Sign-Off/Date** CAP / 08/10/2016
Filing Date 08/17/2016 **Number of Signs to Post** N/A
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
Neighborhood Action Plan/Corridor Study 29TH & CHASE

Application Info

Tracking # 1211 **Application Status** FILED COMPLETE
Date Started 08/08/2016 **Date Submitted** 08/09/2016

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 Zoning District	From Zoning District(s)	To Zoning District
Map 088619 0000	8	1	PBF-1	RLD-60

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

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

Justification For Rezoning Application

CITY SPONSORED REZONING FOR THE SURPLUS AND SALE OF PROPERTY.

Location Of Property

General Location

INTERSECTION OF W 29TH STREET & CHASE AVENUE

House #	Street Name, Type and Direction	Zip Code
1225	29TH ST W	32209

Between Streets

CHASE AVENUE and STUART STREET

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# 088619-0000

8/9/16

02-2S-26E

SPEEDWAY PARK

LOT 11 BLOCK 12

Exhibit 2

RLD-60	RLD-60
	30TH STREET WEST
	RLD-60
RLD-60	RLD-60
	28TH STREET WEST
RLD-60	

CHASE AVENUE

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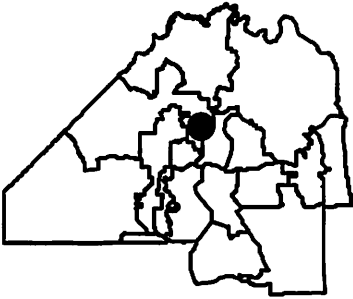
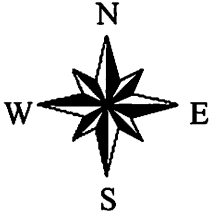
<p>REQUEST:</p> <p>FROM: PBF-1</p> <p>TO: RLD-60</p>		
<p>ORDINANCE NUMBER: ORD-2016-0578</p>	<p>TRACKING NUMBER: T-2016-1211</p>	<p>COUNCIL DISTRICT: 08</p>
<p>Page 1 of 1</p>		

EXHIBIT A - Property Ownership Affidavit

Date: 7-12-16

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 ^{the City is} hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for re-zoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

City of Jacksonville

By _____

By Stephanie Burch

Print Name: _____

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 Clinics

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: _____