

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0694

NOVEMBER 17, 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 **2016-0694**.

Location: 2133 Broadway Avenue,
between Line Street and Eastbrook Avenue

Real Estate Number: 077143-0000

Current Zoning District: Public Buildings and Facilities – 1 (PBF-1)
Residential Medium Density – A (RMD-A)

Proposed Zoning District: Commercial Office (CO)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Residential Professional Institutional (RPI)

Planning District: Northwest, District 5

Planning Commissioner: Ben Davis

City Council District: The Honorable Garrett L. Dennis, District 9

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

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0694** seeks to rezone .35 acres from Public Buildings and Facilities -1 (PBF-1) / to Commercial Office (CO), with a companion land use amendment Ordinance 2016-0693 (2016C-022). The property is located in the Northwest Planning District and Urban Priority Development Area with access to full urban services. The structure on the property is a former health clinic, and is currently unoccupied. The property is currently owned by the City of Jacksonville, and is slated for surplus. The site is located in a neighborhood that borders the Beaver Street commercial and industrial corridor. The property abuts single family

residential uses to the north, east and west, and to the south is adjacent to CCG-2 commercially zoned property. 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, upon approval of Ord. 2016-0693, will be located in the RPI functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. RPI is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses.

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.*

Policy 1.1.22: *Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly*

efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 3.1.3: Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Policy 3.2.4: The City shall permit 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 design criteria set forth in the Land Development Regulations.

The subject property is a City of Jacksonville owned former health clinic which is currently vacant. The City is planning to surplus the property. The property is located within the Northwest Planning District and Urban Priority Development Area with access to full urban services. Therefore, the subject site has the potential to serve as a transitional use zoning district between the CCG-2 district along Beaver Street, and the single family district to the north, thus promoting the goal of Policy 3.1.3. Additionally, Policy 3.2.4 would be met, as the property has served as a City run health clinic for many years, and with the rezoning to the CO district, would be limited to predominantly professional offices or daycares. All of the potential uses would be small in scale and specifically sized to serve the surrounding community, supporting Policy 3.2.4. Finally, Objective 1.1 and specifically Policy 1.1.22 would be met through the small scale and location of the subject site. The site is limited to the former health clinic building and its adjacent parking. The location of the proposed rezoning and companion land use amendment is within an existing urban area, and would mirror the previous use of the site, when it was used as the former clinic by the City, promoting the reuse of urban structures and reducing pressure on undeveloped areas to urbanize.

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

No. The proposed rezoning to CO would not be in conflict with any portion of the City's land use regulations. The subject property will be rezoned from PBF-1 and RMD-A to the CO zoning district as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

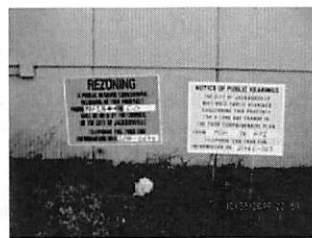
The subject property is located on the northeast corner of the intersection of Broadway Avenue and Line Street. The surrounding uses, land use category and zoning are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	MDR	RMD-A	Single Family
East	MDR	RMD-A	Single Family
South	CGC	CCG-2	Vacant Commercial Single Family Retail Sales
West	MDR	RMD-A	Vacant Residential

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, and the RMD-A district would not allow professional offices. 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.

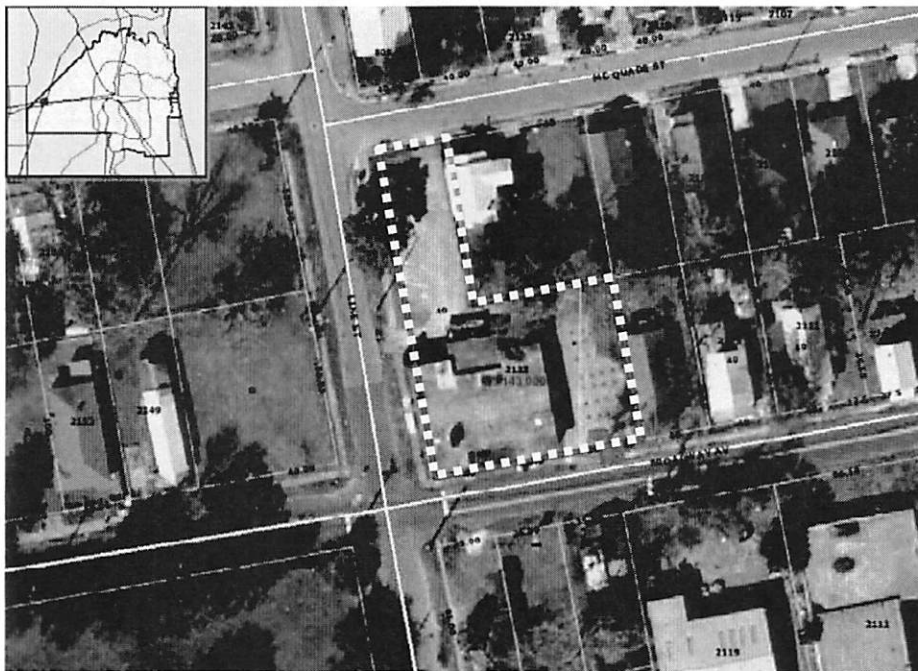
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 31, 2016, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

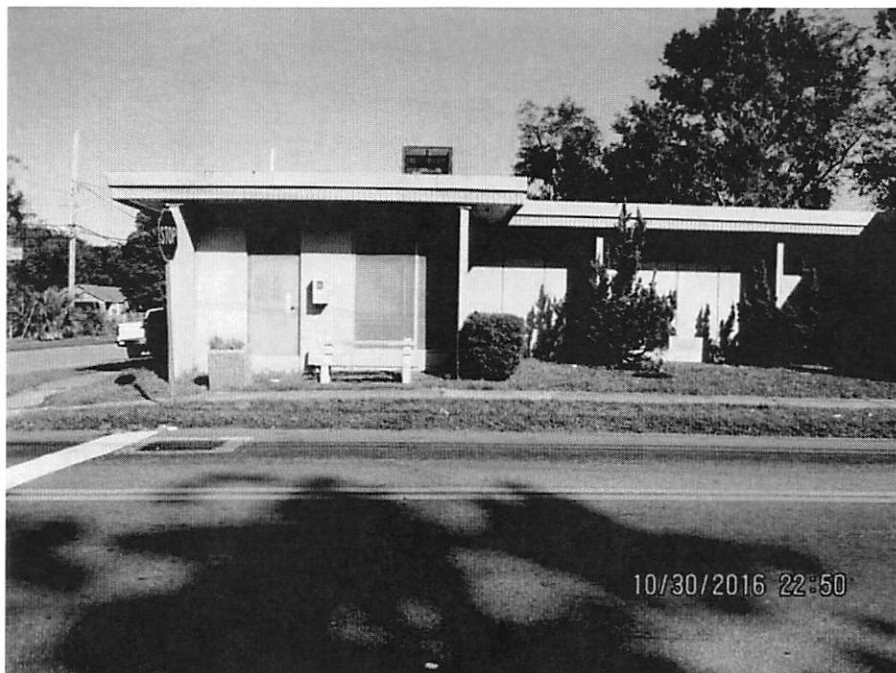
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2016-0694** be **APPROVED**.



Aerial

Source: Staff, Planning and Development Department

Date: October 31, 2016



Subject property

Source: Staff, Planning and Development Department

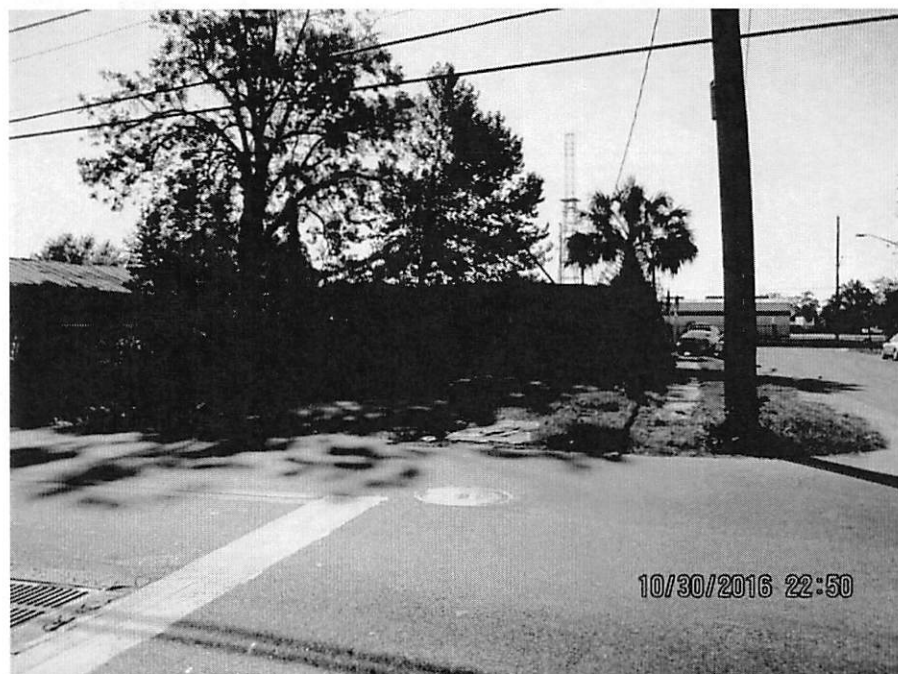
Date: October 31, 2016



Adjacent residential structure

Source: Staff, Planning and Development Department

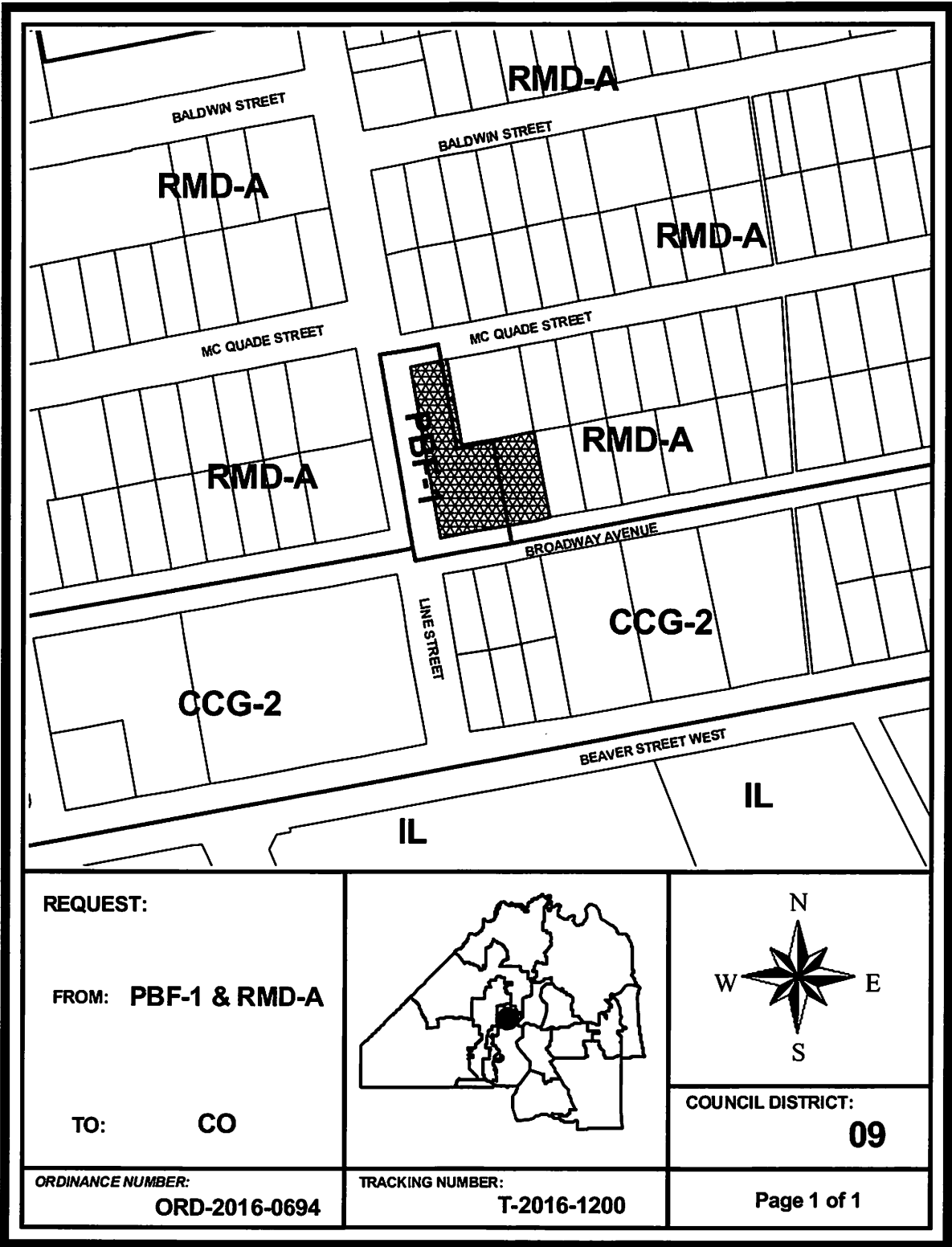
Date: October 31, 2016



Commercial use across Broadway Avenue

Source: Staff, Planning and Development Department

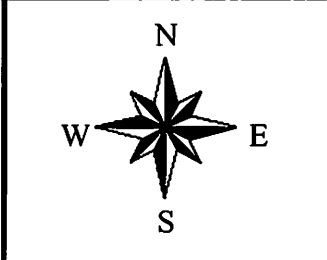
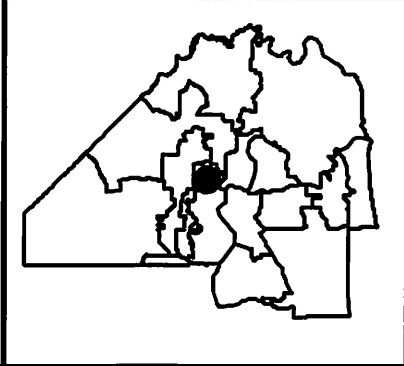
Date: October 31, 2016



REQUEST:

FROM: PBF-1 & RMD-A

TO: CO



COUNCIL DISTRICT:

09

ORDINANCE NUMBER:

ORD-2016-0694

TRACKING NUMBER:

T-2016-1200

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Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2016-0694 **Staff Sign-Off/Date** CAP / 10/12/2016
Filing Date 10/19/2016 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 11/22/2016 **Planning Commission** 11/17/2016
Land Use & Zoning 12/06/2016 **2nd City Council** 12/13/2016
Neighborhood Association ROBINSONS ADDITION NEIGHBORHOOD
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 1200 **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 Zoning District	From Zoning District(s)	To Zoning District
Map 077143 0000	9	5	PBF-1	CO
Map 077143 0000	9	5	RMD-A	CO

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

Existing Land Use Category

MDR

Land Use Category Proposed? ✓

If Yes, State Land Use Application #

5215

Total Land Area (Nearest 1/100th of an Acre) 0.35

Justification For Rezoning Application

REZONING OF SURPLUS PROPERTY FOR SALE BY THE REAL ESTATE DIVISION.

Location Of Property

General Location

ON THE CORNER OF BROADWAY AVENUE AND LINE STREET

House #	Street Name, Type and Direction	Zip Code
2133	BROADWAY AV	32209

Between Streets

LINE STREET **and** EASTBROOK AVENUE

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

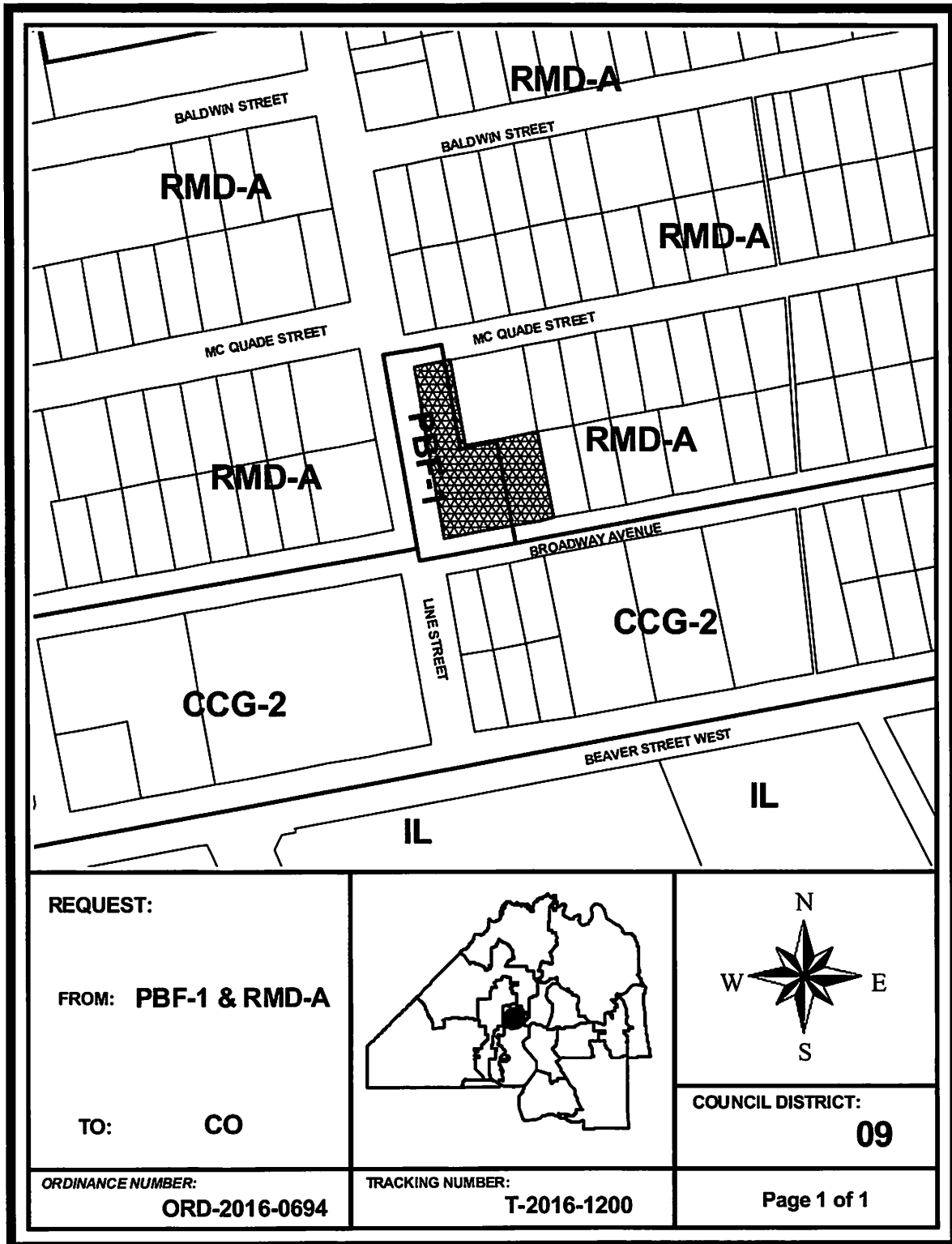
NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description

Exhibit 2

RE#077143-0000

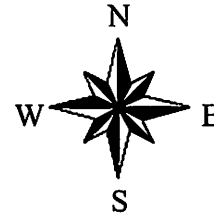
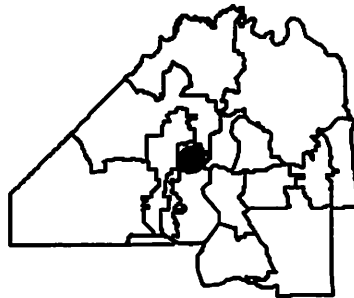
EXHIBIT 2



REQUEST:

FROM: PBF-1 & RMD-A

TO: CO



COUNCIL DISTRICT:

09

ORDINANCE NUMBER:

ORD-2016-0694

TRACKING NUMBER:

T-2016-1200

Page 1 of 1

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 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: _____