

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING 2017-0140

MARCH 23, 2017

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 2017-0140.

Location: 0 Moncrief Road; on the west side of Moncrief Road between Rutledge Avenue and Rowe Avenue

Real Estate Number(s): 085750 0000

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Residential Medium Density-B (RMD-B)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: Northwest (5)

City Council Representative: The Honorable Katrina Brown, District 8

Planning Commission Representative: Ben Davis

Applicant/Owner: William Green
2939 Leonid Road
Jacksonville, Florida 32218

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning 2017-0140 seeks to rezone approximately 0.27 acres of land on the west side of Moncrief Road between Rutledge Avenue and Rowe Avenue from the Residential Low Density-60 (RLD-60) Zoning District to the Residential Medium Density-B (RMD-B) Zoning District. The application is requesting a zoning district to allow for a multi-family use. The area is characterized by both single-family and multi-family residential development patterns on lots ranging from approximately a tenth of an acre to ¼ of an acre.

The property is within the Medium Density Residential (MDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

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. According to the category description of the Future Land Use Element (FLUE), Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor.

The proposed Zoning District may be sought as a primary zoning district allowed in the MDR Land Use Category meeting the requirements of Section 656.350 of the Zoning Code. This request provides for a gradual transition of densities and intensities with the surrounding area's current development trend of both multi-family uses and single-family residential homes that were built starting in the late 1940's through the 1960's. The application represents a multi-family request/zoning district into an established residential neighborhood area where previous rezoning (2004-747 and 2002-274) requests have been approved for the same purpose. There are other multi-family uses in the area that would substantiate the request. As such, an approval of this rezoning would further the goals, objectives and policies of the 2030 Comprehensive Plan.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. When applying the criteria of consistency with the 2030 Comprehensive Plan, the Planning and Development Department considers the combined factors of the goals, objectives, and policies of the plan along with the appropriate Functional Land Use categories as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE). The fact that the proposed zoning change requested is permissible within a given land use category does not automatically makes the rezoning consistent with the 2030 Comprehensive Plan.

The compatibility between the uses permitted in the requested zoning district and the existing residential uses in the surrounding area must be considered in reviewing a rezoning. When viewed in this context, the Planning and Development Department concludes that the proposed rezoning to RMD-B is consistent with the following policies of the 2030 Comprehensive Plan:

FLUE Policy 1.1.1 states that “The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).”

FLUE Policy 1.1.2 states that “The Land Development Regulations shall include locational criteria and standards for densities or intensities of use for each future land use category as described in the Plan Category Description of the Operative Provisions. In order to ensure the development of a variety of neighborhoods and living environments, the Land Development Regulations shall include several zoning districts with different minimum lot size and density of development requirements in each residential land use category.”

FLUE Policy 1.1.7 states that the City shall provide for a “Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.”

FLUE Policy 1.1.20 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.

FLUE Policy 3.1.19 The City shall adopt criteria and standards in order to limit the location of single-family attached and multi-family housing units to the periphery of established single-family detached neighborhoods and non-residential nodes, along collectors, arterials, and rail transit corridors, unless the higher density residential development is a component of a mixed or multi-use project.

This proposed RMD-B Zoning District request meets all of the criteria requirements for development in the MDR Land Use Category, and allows for a multi-family use which currently exists in the area and provides for a gradual transition of densities and intensities with the surrounding area. It would seamlessly integrate with the existing multi-family and single-family residential character of the area. In addition there is RMD-B zoned property immediately to the north of the subject site and other multi-family uses/development in the area that would substantiate the placement of a similar use. Approval of this rezoning would further the goals, objectives and policies of the 2030 Comprehensive Plan.

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 RMD-B Zoning District as set forth in Section 656.306 of the Zoning Code and is currently undeveloped.

The proposed rezoning is consistent with the adjoining land uses, is an appropriate infill location, and is not a part of a mixed used or multi use development. The subject site is located within an older residential subdivision and established neighborhood. The proposed change would permit multi-family uses being integrated into an established neighborhood that already contains multi-family and single-family residential uses.

SURROUNDING LAND USE AND ZONING

The square 0.27 acre parcel is located on the west side of Moncrief Road between Rutledge Avenue and Rowe Avenue. The surrounding land use categories, zoning and uses are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use</u>
North	MDR	RMD-B	Vacant multi-family property
South	MDR	RLD-60	Single family dwellings
East	CGC	CCG-2	Church
West	MDR	RLD-60	Single family dwellings

The proposed rezoning will afford for a similar zoning district related to adjacent and nearby districts. The grant of this rezoning will permit development that is consistent with the logical and orderly development pattern of the area and is consistent with the adjacent and nearby residential zoning districts.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 8, 2017 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 **2017-0140** be **APPROVED**.



Aerial view of the subject site facing north



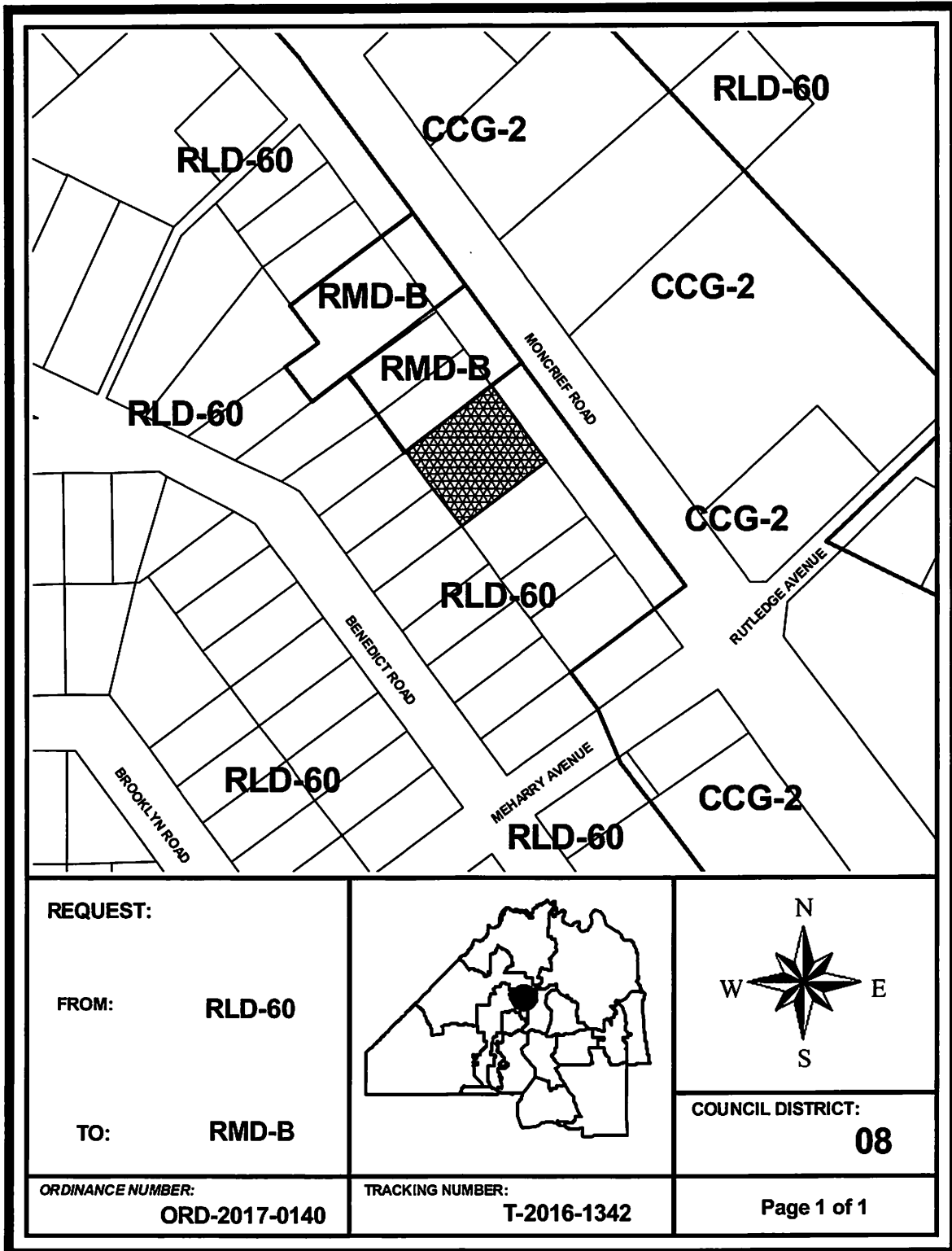
Facing west into the subject site from Moncrief Rd.



The subject site on the left facing northwest along Moncrief Rd.



The subject site on the right facing southeast along Moncrief Rd.



Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2017-0140 Staff Sign-Off/Date BEL / 02/14/2017

Filing Date 02/21/2017 Number of Signs to Post 1

Hearing Dates:

1st City Council 03/28/2017 Planning Commission 03/23/2017

Land Use & Zoning 04/04/2017 2nd City Council N/A

Neighborhood Association ROYAL TERRACE COMMUNITY

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 1342

Application Status PENDING

Date Started 01/10/2017

Date Submitted 01/10/2017

General Information On Applicant

Last Name	First Name	Middle Name
GREEN	WILLIAM	

Company Name

Mailing Address
2939 LEONID ROAD

City	State	Zip Code
JACKSONVILLE	FL	32218

Phone	Fax	Email
9044850450	9048001233	WILLIAMGREENJ50@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
GREEN	WILLIAM	

Company/Trust Name

Mailing Address
2939 LEONID ROAD

City	State	Zip Code
JACKSONVILLE	FL	32218

Phone	Fax	Email
9044850450	9048001233	WILLIAMGREENJ50@GMAIL.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	085750 0000	8	5	RLD-60	RMD-B

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 #

Total Land Area (Nearest 1/100th of an Acre) 0.27

Justification For Rezoning Application

OWNER SEEKS THE PROPERTY FOR NEW CONSTRUCTION OF DUPLEX HOUSING. THE ADJACENT PROPERTY IS ALREADY ZONED FOR THE REQUESTED ZONING CHANGE. THIS WILL ALLOW FOR THE MOST PRODUCTIVE USE OF THE SITE.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
0	MONCRIEF RD	32209

Between Streets

ROWE AVENUE and RUTLEDGE 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**
 0.27 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
 41 Notifications @ \$7.00 /each: \$287.00
- 4) Total Rezoning Application Cost: \$2,297.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

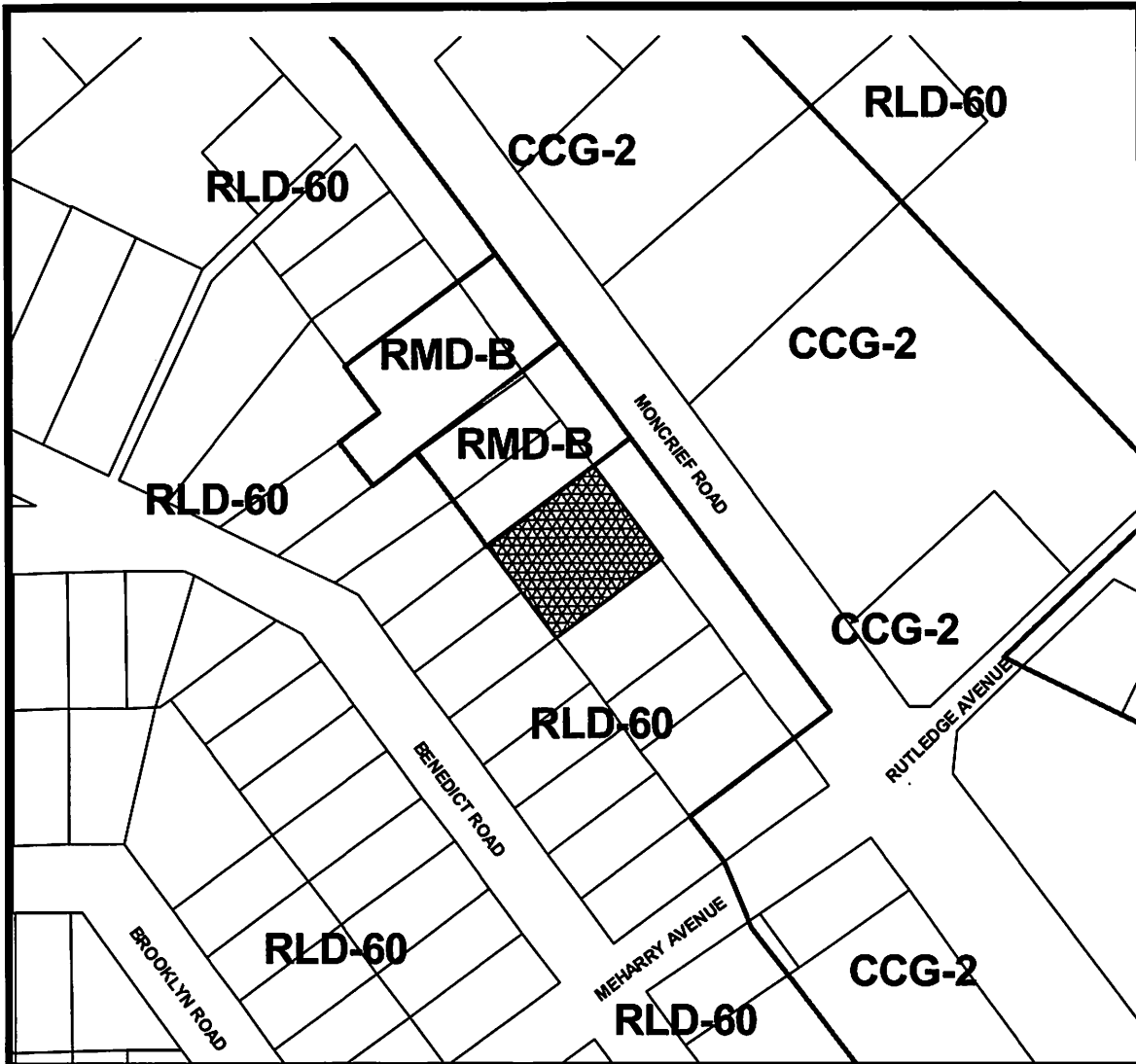
ORDINANCE _____

Legal Description

January 10, 2017

18-17 39-1S-26E
ROYAL TERRACE ADDN NO 1
LOTS 6,7 BLK 3

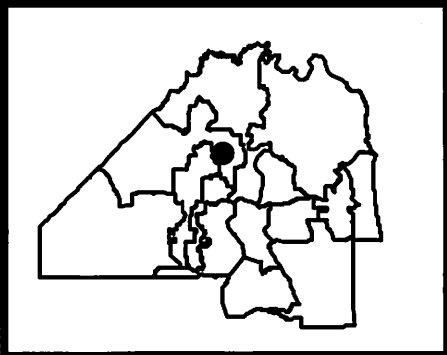
LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land	Type
1	0100	RES LD 3-7 UNITS PER AC	RLD-60	100.00	120.00	Common	100.00		Front Footage



REQUEST SOUGHT:

FROM: **RLD-60**

TO: **RMD-B**



N
W E
S

0 100 Feet

COUNCIL DISTRICT:
08

TRACKING NUMBER:
T-2017-1342

Page 1 of 1

EXHIBIT A

Property Ownership Affidavit

Date: 12.27.16

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, William Green 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 Re-zoning from RLD-60 to RMD-B,
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 27th day of
December (month), 2016 (year) by WILLIAM GREEN
who is personally known to me or has produced FDL
as identification.



(Notary Signature)



EXHIBIT B

Agent Authorization

Date: 12.27.16

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

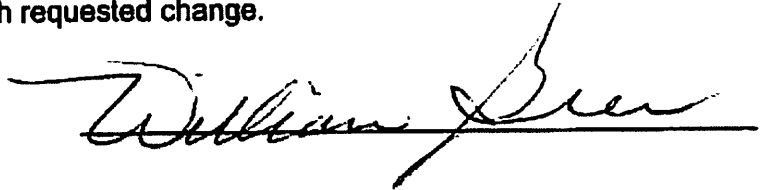
Re: Agent Authorization for the following site location:

0 Moncreif Road, Jacksonville, FL 32209 (No Address assigned) Real Estate # 085750.0000

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 Ray R Evans to act as agent to file application(s) for Re-zoning from RLD-60 to RMD-B 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)



STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 27 day of DECEMBER (month), 2016 (year) by William J. Evans, who is personally known to me or has produced FDL as identification.

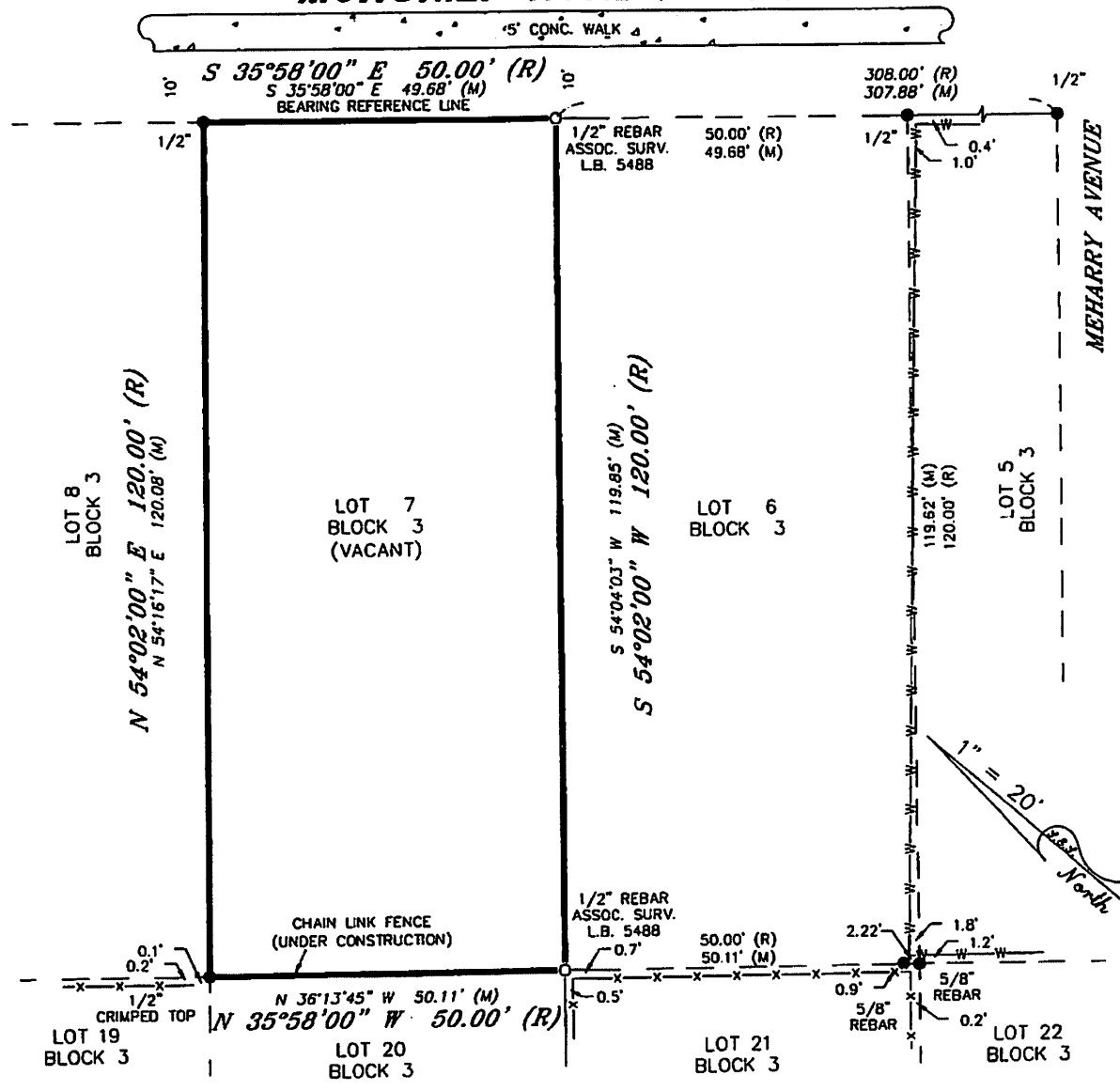

(Notary Signature)



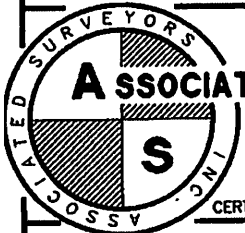
MAP SHOWING BOUNDARY SURVEY OF
 LOT 7, BLOCK 3, ACCORDING TO THE PLAT OF
ROYAL TERRACE ADDITION NO. 1
 AS RECORDED IN PLAT BOOK 18, PAGE 17, OF THE CURRENT
 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 WILLIAM GREEN

MONCRIEF ROAD (100' R/W)



X-REFERENCE JOB NO.: 48090



ASSOCIATED SURVEYORS INC.
 LAND & ENGINEERING SURVEYS
 3846 BLANDING BOULEVARD
 JACKSONVILLE, FLORIDA 32210
 904-771-6468

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATION CODE, CHAPTER 472, F.S.

BY: *Charles B. Hatcher*
 CHARLES B. HATCHER FLORIDA CERTIFICATE NO. 3771
 CHARLES L. STARLING FLORIDA CERTIFICATE NO. 4579
 RAYMOND J. SCHAEFER FLORIDA CERTIFICATE NO. 6132

JOB NO. 51467B DATE 12-04-2006
 SCALE: 1" = 20' DRAFTER J.M. Hochlinski

GENERAL NOTES:
 PLAT BOOK 18, PAGE 17

- BEARINGS ARE BASED ON _____ X AS BEST
- PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE _____ X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 155 DATED 08-13-1993.
- THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
- JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
- THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE, COVENANTS, RESTRICTIONS, CLOSURES, TAKINGS OR ORDINANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
- UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

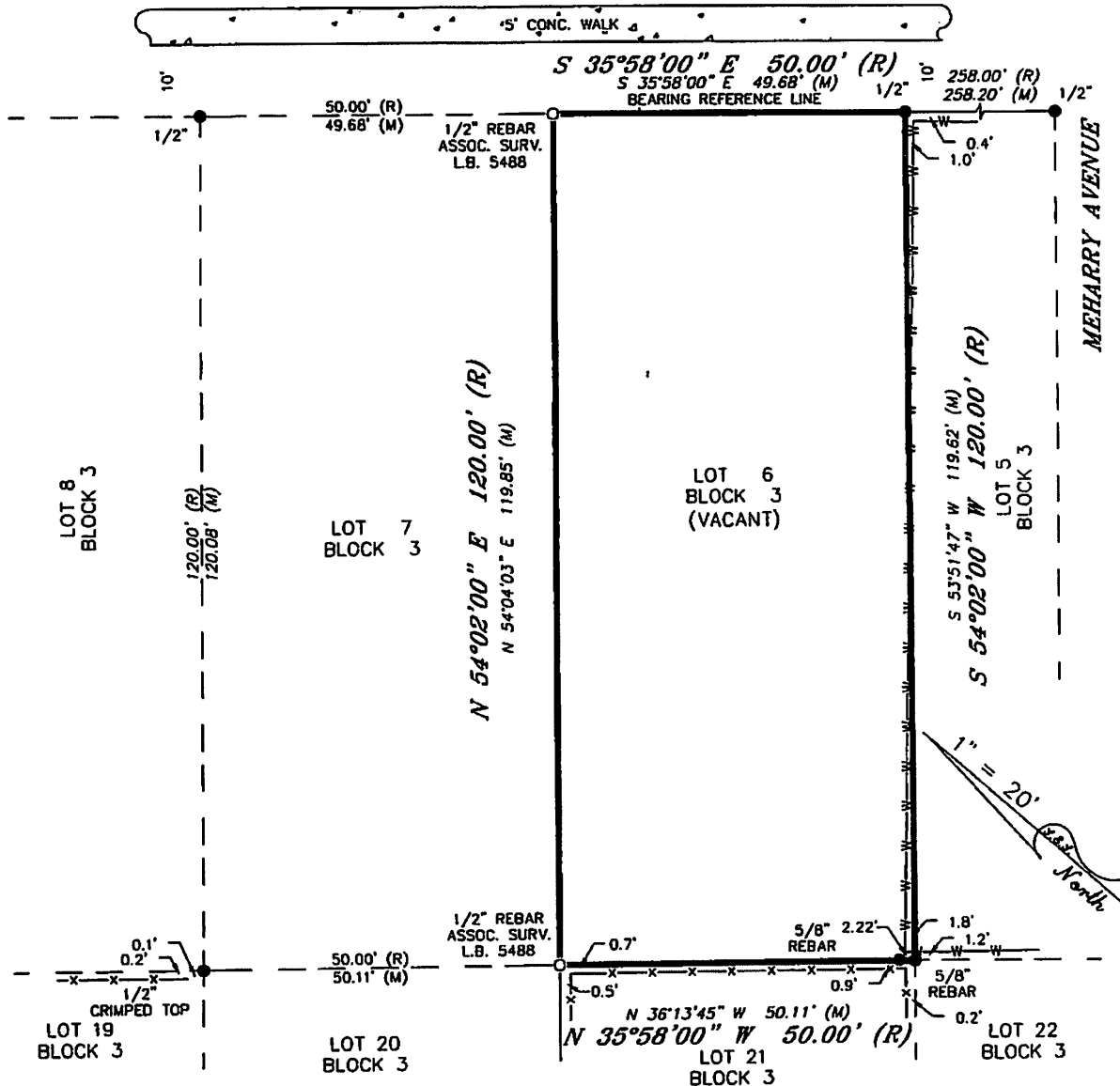
LEGEND/ABBREVIATIONS

- | | | |
|--|----------------------------------|---|
| ○ SET IRON PIPE OR REBAR | P.C. = POINT OF CURVE | COVD = COVERED |
| ● "ASSOC. SURVEY" OR L.B. 5488 | P.T. = POINT OF TANGENCY | E.B. = ELECTRIC BOX |
| ● FOUND IRON PIN OR PIPE (IP) | P.R.C. = POINT OF REVERSE CURVE | |
| ● FOUND CONCRETE MONUMENT (C.M.) | P.C.C. = POINT OF COMPOUND CURVE | |
| X = CROSS CUT OR DRILL HOLE | (C) = COMPUTED DATA | R/W = RIGHT OF WAY |
| (R) = RECORD | (M) = MEASURED | CONC. = CONCRETE |
| R = RADIUS | L = ARC LENGTH | B.T. = BUILDING TIE |
| O.R.B. = OFFICIAL RECORD BOOK | | A/C = AIR CONDITIONER (E.T.) = EAVE TIE |
| O.R.V. = OFFICIAL RECORD VOLUME | | W.M. = WATER METER |
| P.R.M. = PERMANENT REFERENCE MONUMENT | | U.P. = UTILITY POLE |
| B.R.L. = BUILDING RESTRICTION LINE | | P.E.Q. = POOL EQUIPMENT |
| E.T. = ELECTRIC TRANSFORMER & PAD | | -O.U.- = OVER HEAD UTILITIES |
| J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY | | CH = CHORD |
| | | X-X CHAIN LINK FENCE |
| | | BTN. = BETWEEN |
| | | W-W WIRE FENCE |
| | | -O-D- WOOD FENCE |
| | | C & R = COVENANTS & RESTRICTIONS |

MAP SHOWING BOUNDARY SURVEY OF
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 AS RECORDED IN PLAT BOOK 18, PAGE 17, OF THE CURRENT
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CERTIFIED TO:
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