

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0198

APRIL 18, 2019

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 **2019-0198**.

Location: 2039 Forest Street, between Princess Labeth Court and Collins Creek Drive

Real Estate Number(s): 089920-0000; 089549-0000; 089546-0000; 089541-0000

Current Zoning District(s): Public Buildings and Facilities-1 (PBF-1)
Industrial Light (IL)

Proposed Zoning District: Public Building & Facility-2 (PBF-2)

Current Land Use Category: Public Buildings and Facilities (PBF)
Light Industrial (LI)

Planning District: Northwest, District 5

Applicant: Steve Diebenow
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

Owner(s): City of Jacksonville
214 N Hogan Street
Jacksonville, Florida 32202

The Vestcor Family Foundation
3030 Hartley Road, Suite 310
Jacksonville, Florida 32257

Payne Roberts, LLC
3721 Dupont Station Court South
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-198** seeks to rezone 12.62 acres of land from Public Buildings and Facilities-1 (PBF-1) and Industrial Light (IL) to Public Building & Facility-2 (PBF-2). The site is developed with an approximately 2,256 square foot building. The rest of the property is open space and a park with a couple of basketball courts. The applicant seeks to rezone the property to allow for the development of a charter school.

Brownfield Designation

The subject properties are a part of the Brown's Dump Ash Superfund Site. The Consent Decree between the City of Jacksonville and the EPA was adopted on July 27, 2008. Remedial actions as described in the Record of Decision will be performed on the properties for remediating the incinerator ash within the site boundaries. In addition, the properties are located within the Brownfield Pilot Program area established by Resolution 2000-125-E.

Future Land Use Element

Policy 2.2.13 Prioritize brownfield sites for redevelopment based on the extent of contamination and ease of remediation, potential for available funding, and potential for mixed use redevelopment. The City's Brownfield Coordinator should identify these sites and rank them according to the following criteria:

1. Ease of remediation and suitability of the site for residential or recreational uses
2. Location on major road corridors and accessibility to transit
3. Large sites with the greatest potential to be redeveloped as a compact and walkable project which adds needed density, parks and open space to the community

The City of Jacksonville, Solid Waste Division, as the current owner of the subject properties is responsible for overseeing the cleanup of the incinerator ash on these properties.

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 currently located in the Public Buildings & Facilities (PBF) and Light Industrial (LI) 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. 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. A description of the category is noted below.

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

Yes. According to the Future Land Use Element (FLUE), PBF is a category which is intended to accommodate major public use or community service activities. Activities that provide community service functions vary in character and locational need. Principal uses include but are not limited to all lawful government activities; Public buildings and grounds; and Schools. A portion of the site is also located within the Light Industrial (LI) Land Use Category. LI is 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 chemical and wastes. Principal uses include: Light assembly and manufacturing; Packaging; Processing; Manufacturing of paints, enamels and allied products; Concrete batching plants; Storage/warehousing; Research and development activities. Schools are permitted as a secondary use.

The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

<p>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.</p>

The virtually vacant property along Forest street is 12.62 acres of underutilized land. Allowing for a charter school on these parcels would encourage infill and development within the Urban Priority Area. The property is located close to Downtown and the revitalized area of Brooklynn giving it great potential for growth and success.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Future development of a charter school would require the site to connect to centralized wastewater collection and potable water distribution systems, if not already connected.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

The property is already zoned for Public Building Facilities-1. By allowing PBF-2 the property can develop as a charter school which would better serve the community than the underutilized park that currently exists. Allowing a charter school on these parcels would encourage infill and development within the Urban Priority Area.

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 requirements of the PBF-2 Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-90	Single Family Dwellings
South	LDR	RR-Acre	Single Family Dwellings
East	LDR	PUD 1993-1502	Single Family Dwellings
West	LDR	RLD-90	Single Family Dwellings

The proposed rezoning is located on Old St Augustine Road, a 4-lane undivided collector surrounded by single family subdivisions. The area is heavily residential in nature. Other uses within a mile of the subject property including; at least seven (7) faith-based institutions, one nursing home/senior living facility, a high school, two elementary schools, a K-8th grade private school, and some commercial uses near I-295.

SUPPLEMENTARY INFORMATION

The applicant provided proof of the required Notice of Public Hearing signs posting on **April 2, 2019.**



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2019-198 be **APPROVED.**



Aerial



Subject Property

Source: COJ, Planning & Development Department

Date: April 9, 2019



Subject Property

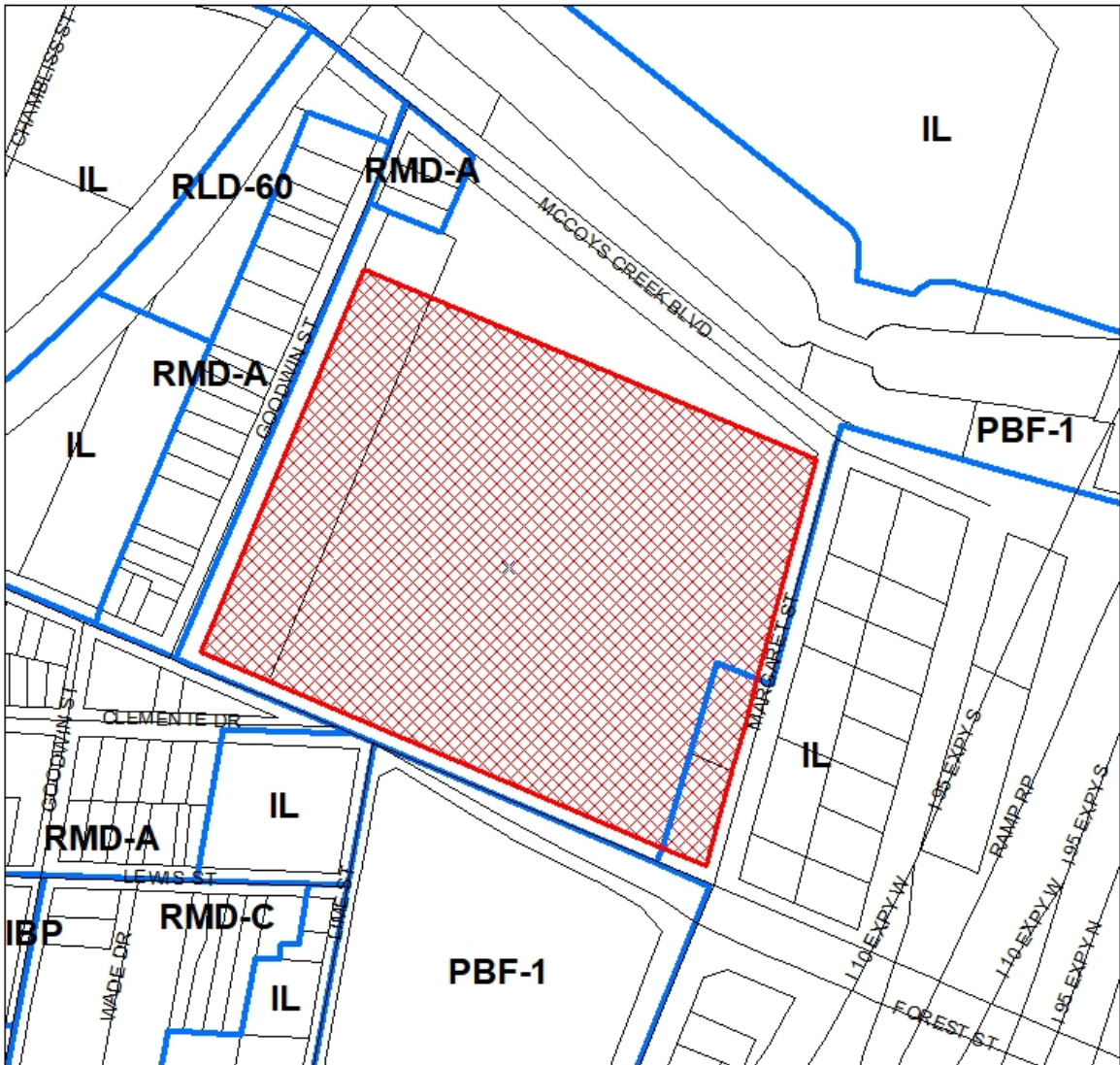
Source: COJ, Planning & Development Department

Date: April 9, 2019



Subject property along Forest Street

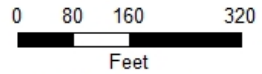
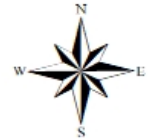
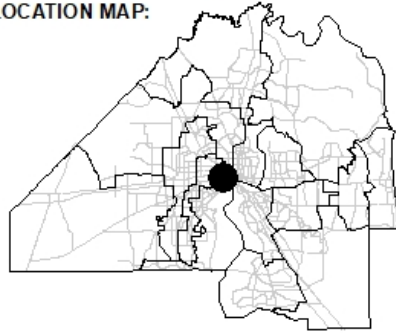
*Source: COJ, Planning & Development Department
Date: April 9, 2019*



REQUEST SOUGHT:

FROM: PBF-1 & IL
 TO: PBF-2

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2019-2250

EXHIBIT 2
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