

1 Introduced and twice amended by the Land Use and Zoning Committee:  
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4 **RESOLUTION 2021-299-A**

5 A RESOLUTION DENYING THE APPEAL OF A FINAL ORDER  
6 OF THE JACKSONVILLE HISTORIC PRESERVATION  
7 COMMISSION APPROVING APPLICATION FOR  
8 CERTIFICATE OF APPROPRIATENESS COA-20-24689, AS  
9 REQUESTED BY 1043 WALNUT, LLC, TO DEMOLISH A  
10 MULTI-FAMILY STRUCTURE AT 1043 WALNUT STREET, IN  
11 THE SPRINGFIELD HISTORIC DISTRICT (R.E. NO.  
12 072921-0000) IN COUNCIL DISTRICT 7, PURSUANT TO  
13 CHAPTER 307 (HISTORIC PRESERVATION AND  
14 PROTECTION), PART 2 (APPELLATE PROCEDURE),  
15 *ORDINANCE CODE*; ADOPTING RECOMMENDED FINDINGS  
16 AND CONCLUSIONS OF THE LAND USE AND ZONING  
17 COMMITTEE; PROVIDING FOR NOTICE; PROVIDING AN  
18 EFFECTIVE DATE.  
19

20 **WHEREAS**, 1043 Walnut, LLC, the owner of property at 1043 Walnut  
21 Street, in the Springfield Historic District, in Council District 7,  
22 submitted Application for Certificate of Appropriateness COA-20-  
23 24689, requesting to demolish a multi-family structure; and

24 **WHEREAS**, by Final Order dated April 12, 2021, the Jacksonville  
25 Historic Preservation Commission approved Application for Certificate  
26 of Appropriateness COA-20-24689, requesting to demolish a multi-  
27 family structure; and

28 **WHEREAS**, on May 3, 2021, pursuant to Section 307.201, *Ordinance*  
29 *Code*, the Springfield Preservation and Revitalization Council, filed  
30 a Notice of Appeal, appealing the Final Order approving Application

1 for Certificate of Appropriateness COA-20-24689; and

2 **WHEREAS**, the Notice of Appeal was timely filed, and the appellant  
3 has standing to appeal; and

4 **WHEREAS**, on July 20, 2021, the Land Use and Zoning ("LUZ")  
5 Committee, as the committee of reference to the City Council, held a  
6 *de novo* hearing on the Appeal of the Jacksonville Historic  
7 Preservation Commission's Final Order approving Application for  
8 Certificate of Appropriateness COA-20-24689; and

9 **WHEREAS**, based on the record of proceedings, including the  
10 Planning and Development Department Staff Report and the evidence and  
11 testimony presented at the July 20<sup>th</sup> hearing, the LUZ Committee  
12 recommended to the Council that this matter be referred back to the  
13 Jacksonville Historic Preservation Commission (the "Commission") with  
14 specific instructions to receive additional evidence and testimony  
15 regarding Application for Certificate of Appropriateness COA-20-24689  
16 to include: (1) obtaining engineering and other estimates for costs  
17 to rehabilitate the structure; (2) reviewing and considering  
18 additional options for preservation and rehabilitation of the  
19 structure; (3) obtaining information regarding any efforts by the  
20 owner to market the property, including any quotes from prospective  
21 purchasers of the subject property, if any; and (4) investigating the  
22 economic viability of rehabilitation of the structure; and

23 **WHEREAS**, on July 27, 2021, this matter came before the Council  
24 for consideration of the LUZ Committee's recommendation and the  
25 Council, having accepted the recommendation of the LUZ Committee,  
26 referred this matter back to the Commission pursuant to Section  
27 307.205(a), *Ordinance Code*, with specific instructions to receive  
28 additional evidence and testimony as described above; and

29 **WHEREAS**, on September 22, 2021, the Commission held a limited  
30 hearing and received additional evidence and testimony as directed  
31 by the Council, including a revised Planning and Development

1 Department Staff Report, and the supplemental record was forwarded  
2 to the LUZ Committee for consideration; and

3 **WHEREAS**, on October 19, 2021, the LUZ Committee held a limited  
4 hearing during which it received and reviewed the full record of  
5 proceedings, including the revised Staff Report of the Planning and  
6 Development Department, and heard additional evidence and testimony  
7 relative to the four items enumerated above, and based on the  
8 competent substantial evidence in the record, the LUZ Committee  
9 recommended the Appeal of the Application for Certificate of  
10 Appropriateness COA-20-24689 be denied, subject to the condition more  
11 particularly described herein; now, therefore

12 **BE IT RESOLVED** by the Council of the City of Jacksonville:

13 **Section 1. Adoption of recommended findings and**  
14 **conclusions.** The Council has reviewed the record of proceedings for  
15 the Appeal of the Final Order approving Application for Certificate  
16 of Appropriateness COA-20-24689. The record of proceedings is **Revised**  
17 **On File** in the City Council Legislative Services Division and the  
18 Planning and Development Department. After reviewing the record of  
19 proceedings, the recommended findings and conclusions of the Land Use  
20 and Zoning Committee are hereby adopted by the Council. Based on the  
21 competent substantial evidence in the record of proceedings,  
22 including the revised Planning and Development Department Staff  
23 Report, the Appeal is denied, the Historic Preservation Commission  
24 Final Order approving Application for Certificate of Appropriateness  
25 COA-20-24689 is upheld, and Application for Certificate of  
26 Appropriateness COA-20-24689 is approved, subject to the condition  
27 that the owner of the subject property or its successor shall use its  
28 best efforts to salvage as many of the bricks comprising the exterior  
29 façade of the existing multi-family structure as possible and to  
30 incorporate said bricks in the redevelopment of the subject property.

1 Pursuant to Section 166.033(3), Florida Statutes, the Council hereby  
2 finds:

3 (1) This Resolution shall serve as written notice to the  
4 appellant, Springfield Preservation and Revitalization Council, and  
5 the applicant for Certificate of Appropriateness COA-20-24689, 1043  
6 Walnut, LLC.

7 (2) Based on a review and application of the criteria listed in  
8 Section 307.106, *Ordinance Code*, pertaining to demolition requests  
9 and the competent substantial evidence in the record of proceedings,  
10 Application for Certificate of Appropriateness COA-20-24689  
11 sufficiently demonstrates a basis for granting the request for  
12 demolition of the subject structure located in the Springfield  
13 Historic District.

14 **Section 2. Notice.** Legislative Services is hereby directed  
15 to mail a copy of this Resolution, as adopted, to the appellant, the  
16 applicant for Certificate of Appropriateness COA-2020-24689, and any  
17 other parties who testified before the Land Use and Zoning Committee,  
18 or who otherwise filed a qualifying written statement as defined in  
19 Section 307.202(c), *Ordinance Code*.

20 **Section 3. Effective Date.** The adoption of this Resolution  
21 shall be deemed to constitute a quasi-judicial action of the City  
22 Council and shall become effective upon the signature by the Council  
23 President and Council Secretary.

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25 Form Approved:

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27           /s/ Mary E. Staffopoulos          

28 Office of General Counsel

29 Legislation Prepared by: Mary E. Staffopoulos

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