

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

January 22, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-749**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

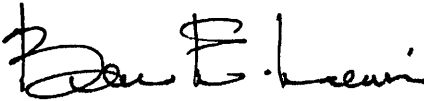
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Absent
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Aye
Jason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0749

JANUARY 21, 2020

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 2020-0749.

Location: 1859 Kings Road; Between Spires Avenue and Martel Street

Real Estate Number: 052486 0110

Current Zoning District: Commercial Residential Office (CRO)

Proposed Zoning District: Public Buildings and Facilities-3 (PBF-3)

Current Land Use Category: Residential-Professional-Institutional (RPI)

Proposed Land Use Category: Public Buildings and Facilities (PBF)

Planning District: District 1—Urban Core

Applicant: Mark Pappas
PBV Architecture
425 N Lee Street
Jacksonville, FL 32204

Owner: Randolph Mitchell
Edward Waters College
1658 Kings Road
Jacksonville, FL 32209

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0749 seeks to rezone 3.23± acres of a property from Commercial Residential Office (CRO) to Public Buildings and Facilities-3 (PBF-3.) There is a companion Small Scale Land Use Amendment (L-5500-20C, Ordinance 2020-0748) to change the land use from Residential-Professional-Institutional (RPI) to Public Buildings and Facilities (PBF.) The request is being sought to allow for new signage at the Edward Waters College athletic facility.

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, if the companion Land Use Amend is approved, the subject property would be located in the Public Buildings and Facilities (PBF) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The Public Buildings and Facilities-3 (PBF-3) Zoning District is a primary zoning district within the Public Buildings and Facilities (PBF) functional land use category, and the subject property meets the primary criteria and standards.

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

Yes. The site is located within the Residential-Professional-Institutional (RPI) land use category, within the Urban Priority Development Area. The rezoning ordinance is a companion to a land use amendment (Ordinance 2020-748) which seeks to amend the land use designation to Public Buildings and Facilities (PBF). The property will continue the existing use as an athletic field for Edward Waters College. The land use and zoning changes would allow for the placement of signage at the entry to the field. The proposed land use category, Pubic Buildings and Facilities (PBF), is a category that is intended to accommodate major public use or community service activities. Principal uses include but are not limited to public buildings and grounds, schools, public/private institutions, churches and places of worship, and nursing homes. The proposed PBF land use category and PBF-3 zoning district are appropriate land use and rezoning designations for the current institutional 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:

Future Land Use Element

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.

The proposed rezoning of PBF-3 will be compatible with the future development of the area and surrounding area and therefore will be in compliance with Policy 1.1.22.

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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

According to the JEA Availability Letter, provided by the applicant, it shows that the subject site will be supplied by City Water and City Sewer. Therefore, the subject property will be in compliance with Policy 1.2.9.

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. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from CRO to PBF-3 in order to allow for new signage at the Edward Waters College athletic field.

SURROUNDING LAND USE AND ZONING

The subject site is the location of the Edward Waters College athletic field, between Spires Avenue and Martel Street, and is located in the Urban Priority Development Area. According to the Future Land Use Element (FLUE), PBF is a category, which is intended to accommodate major public use or community service activities. Principal uses include but are not limited to all lawful government activities; public buildings and grounds; schools; general aviation uses; public/private institutions; and hospitals, including professional offices, medical clinics, pharmacies, and other uses normally associated therewith. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	PBF-2	James W. Johnson Middle School
East	RPI	CRO	Single Family Dwellings, School
South	RPI	CRO	James W. Johnson Middle School
West	LDR	RLD-60	Single-Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to PBF-3 will be consistent and compatible with the surrounding uses.

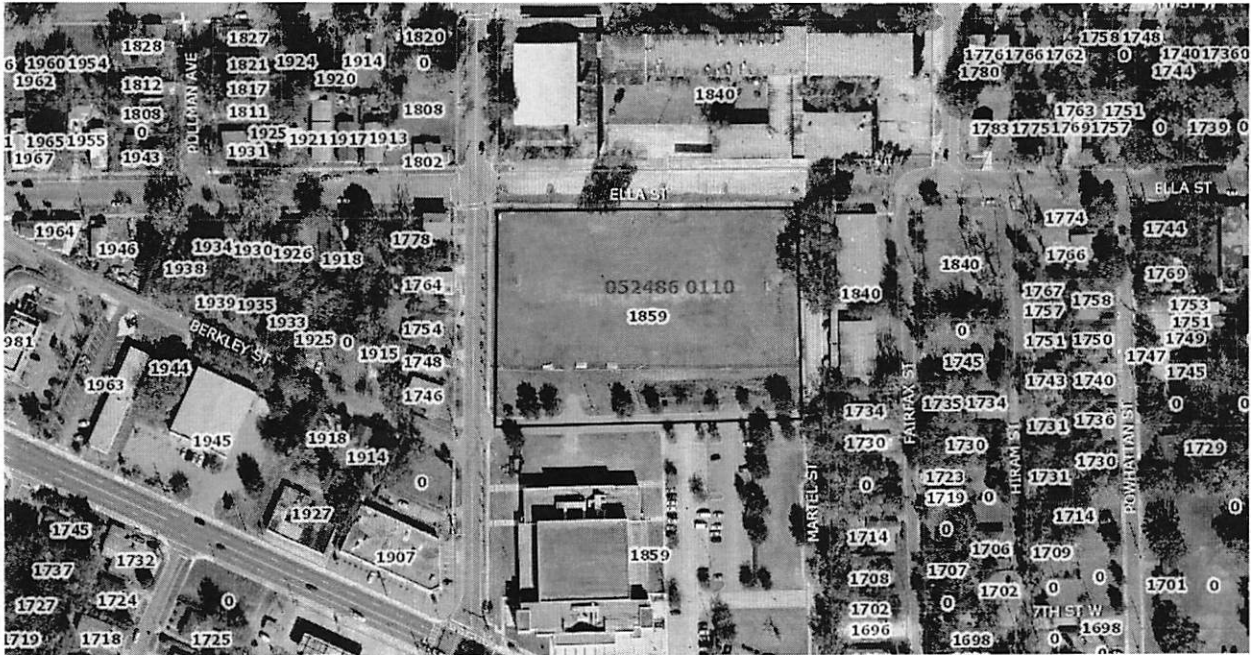
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on January 7, 2021 by the Planning and Development Department, the required Notice of Public Hearing signs **was** posted.



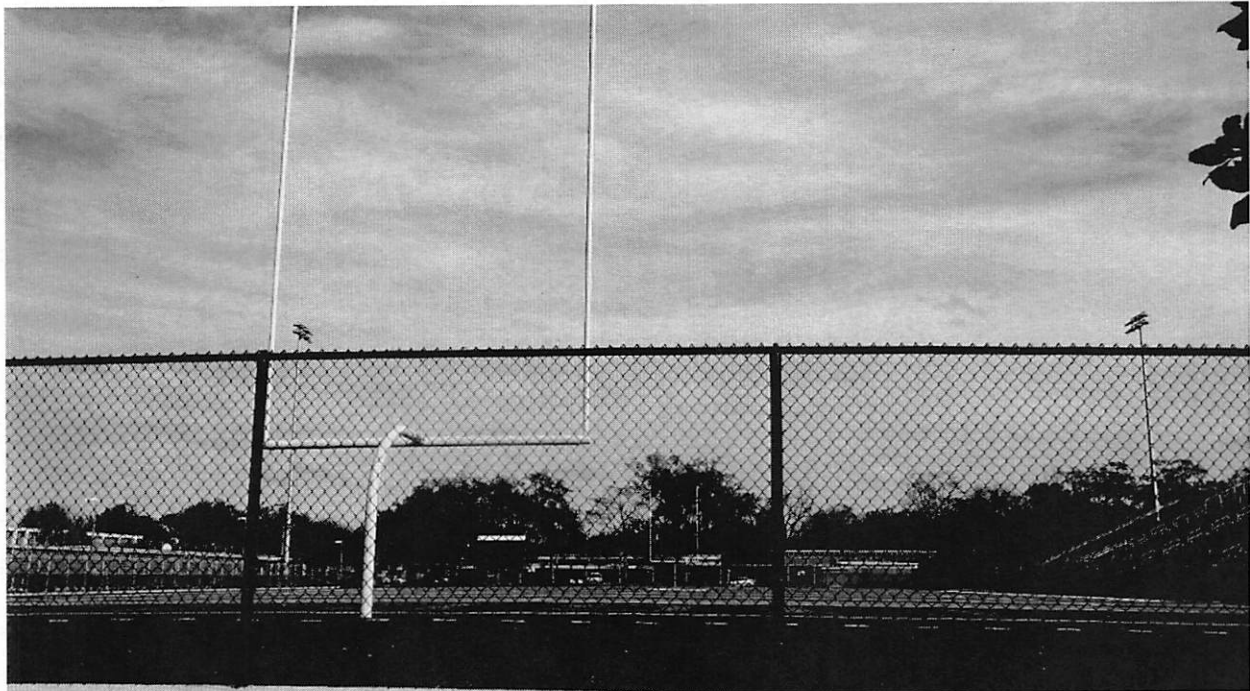
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0749 be **APPROVED**.



Source: Planning & Development Department, January 7, 2021

Aerial View



Source: Planning & Development Department, January 7, 2021

Subject Site.



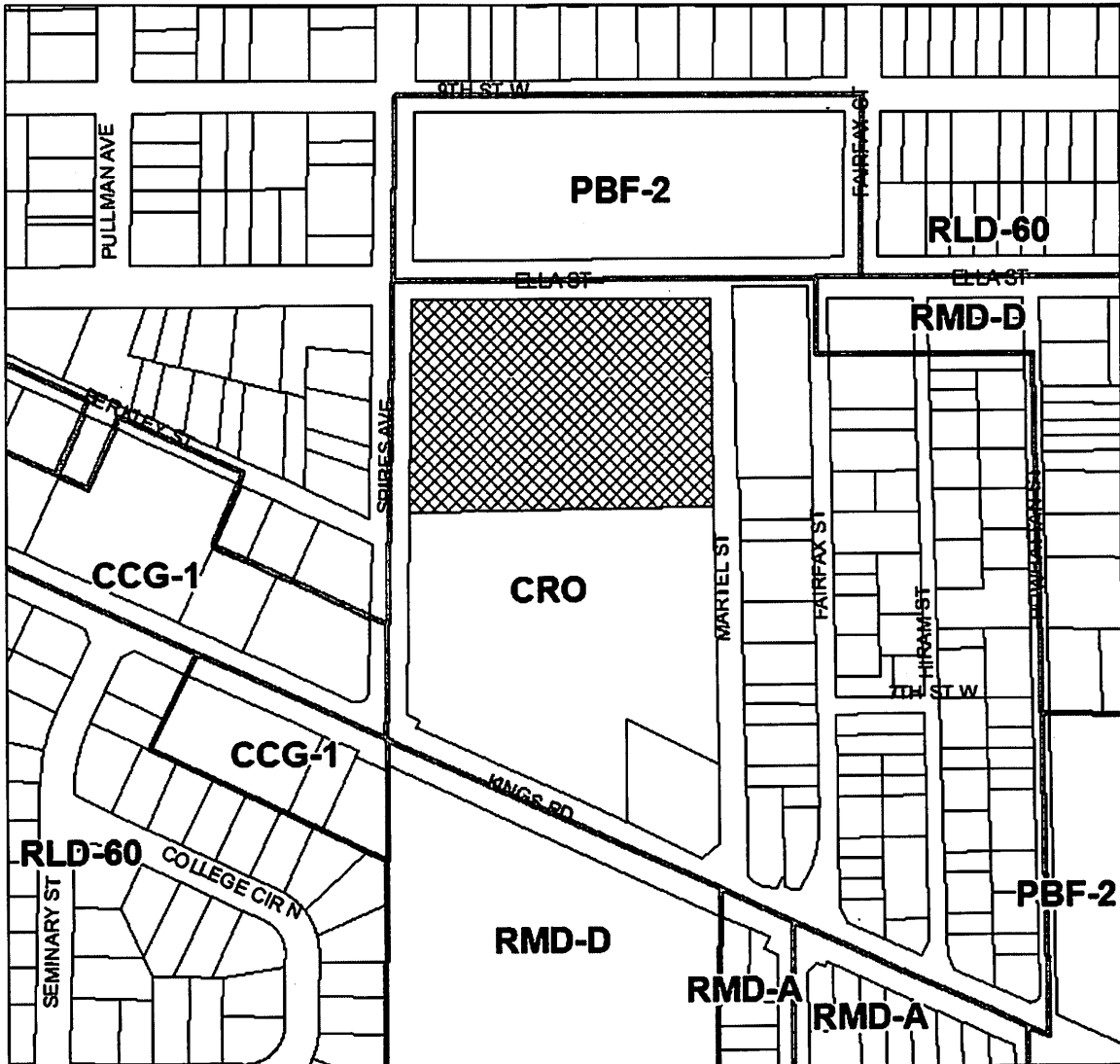
Source: Planning & Development Department, January 7, 2021

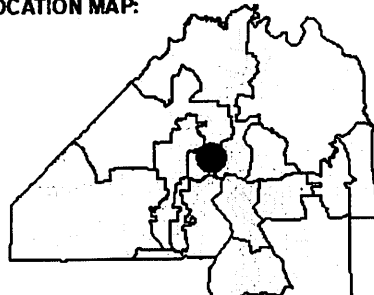
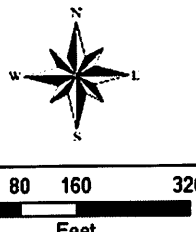
Neighboring property located west of subject property.



Source: Planning & Development Department, January 7, 2021

Neighboring property located north of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CRO</p> <p>TO: PBF-3</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0749</p>	<p>TRACKING NUMBER</p> <p>T-2020-3215</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0749 **Staff Sign-Off/Date** KPC / 11/25/2020
Filing Date 11/25/2020 **Number of Signs to Post** 5
Hearing Dates:
1st City Council 01/26/2021 **Planning Commission** 01/21/2021
Land Use & Zoning 02/02/2021 **2nd City Council** 02/09/2021
Neighborhood Association EWC CDC; GOOD NEIGHBOR M.A.N.I.A.;
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3215 **Application Status** PENDING
Date Started 10/26/2020 **Date Submitted** 10/26/2020

General Information On Applicant

Last Name PAPPAS **First Name** MARK **Middle Name** P
Company Name PBV ARCHITECTURE
Mailing Address 425 N. LEE STREET
City JACKSONVILLE **State** FL **Zip Code** 32204
Phone 9043551939 **Fax** 904 **Email** MPAPPAS@PBVARCH.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MITCHELL **First Name** RANDOLPH **Middle Name**
Company/Trust Name EDWARD WATERS COLLEGE
Mailing Address 1658 KINGS ROAD
City JACKSONVILLE **State** FL **Zip Code** 32209
Phone 9046736107 **Fax** **Email** RANDOLPH.MITCHELL@EWC.EDU

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 052486 0110	9	1	CRO	PBF-3

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

Existing Land Use Category

RPI

Land Use Category Proposed? **If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre)** 3.23**Justification For Rezoning Application**

THE PROPERTY IS AN EXISTING ATHLETIC FIELD WITH MINIMAL FACILITIES. IT WILL REMAIN AN ATHLETIC FIELD WITH NEW BLEACHER FACILITIES AND RESTROOM/CONCESSIONS, AS WELL AS A WALKING TRACK. THE SCHOOL WOULD LIKE TO PLACE SIGNAGE AT THE ENTRY OF THE BLEACHERS TO HONOR FORMER COLLEGE PRESIDENT NATHANIEL GLOVER. THE SIGNAGE WOULD BE LARGER THAN THE ALLOWABLE FOR CRO ZONING. THE SCHOOL BELIEVES THE CORRECT ZONING IS PBF-3 BASED ON SIMILAR PROPERTIES.

Location Of Property**General Location**

1859 KINGS ROAD, JACKSONVILLE, FL

House #	Street Name, Type and Direction	Zip Code
1859	KINGS RD	32209

Between Streets

SPIRES AVENUE and MARTEL 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
3.23 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee
63 Notifications @ \$7.00 /each: \$441.00
- 4) Total Rezoning Application Cost: \$2,481.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION OF THE EDWARD WATERS FOOTBALL FIELD PARCEL.

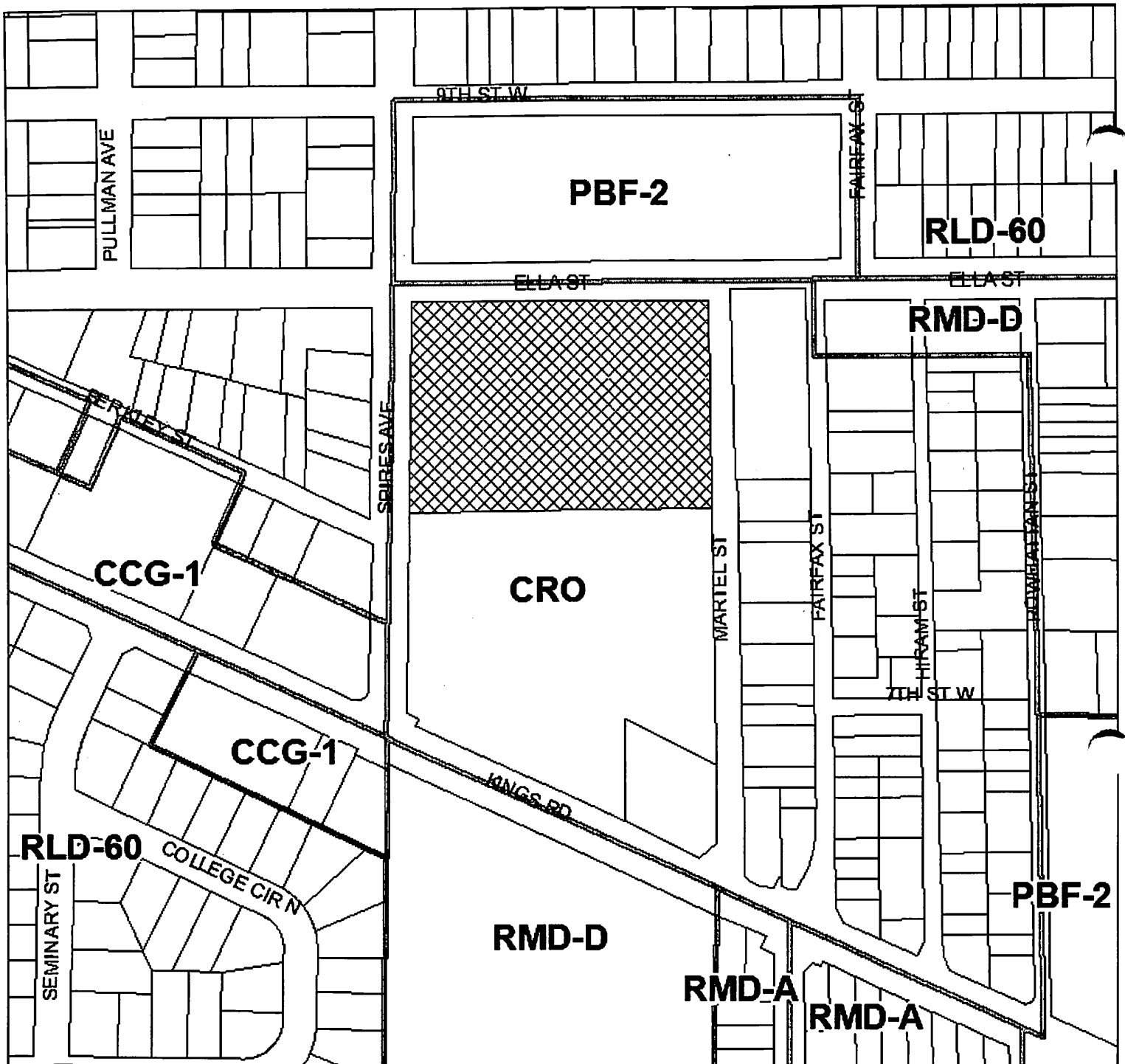
A portion of Tract 1, according to Overstreet's Replat, recorded in Plat Book 15, Page 42, of the current Public Records of Duval County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of Lot 3, according to Griffins Subdivision of Lot 7, recorded in Plat Book 1, Page 22 of said Public Records, said point also lying on the Southerly right-of-way line of Ella Street (a variable width right of way, as now established), said point also lying on the Easterly right-of-way line of Martel Street (a variable width right of way, as now established); thence S01°03'46"E, departing said Southerly right-of-way line and along said Easterly right-of-way line for 13.36 feet; thence S88°56'14"W, departing said Easterly right-of-way line, for 25.01 feet to the intersection of the Westerly right-of-way line of Martel Street, said point is also the POINT OF BEGINNING.

Thence S01°03'46"E, along said Westerly right-of-way line, for 294.76 feet; thence S89°11'48"W, departing said Westerly right-of-way line, for 458.08 feet to the intersection with the Easterly right-of-way line of Spires Street (a 55' right of way, as now established); thence N00°53'37"E, along said Easterly right-of-way line, for 301.84 feet to the intersection with the Southerly right-of-way line of afore said Ella Street; thence S89°54'50"E, departing said Easterly right-of-way line and along said Southerly right-of-way line, for 447.86 feet to the POINT OF BEGINNING herein described.

Containing 3.10 acres more or less.

Said lands situated, lying and being in Duval County, Florida.

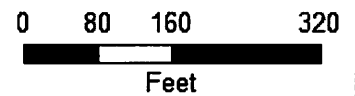
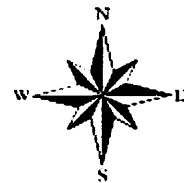
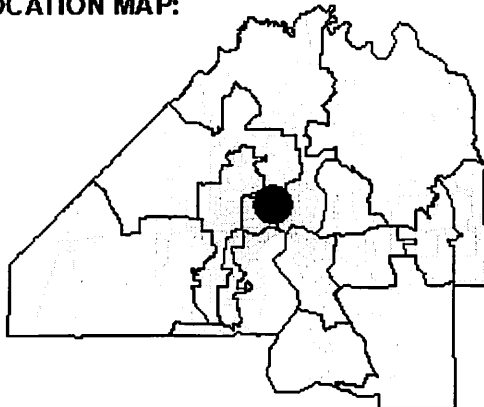


REQUEST SOUGHT:

FROM: CRO

TO: PBF-3

LOCATION MAP:



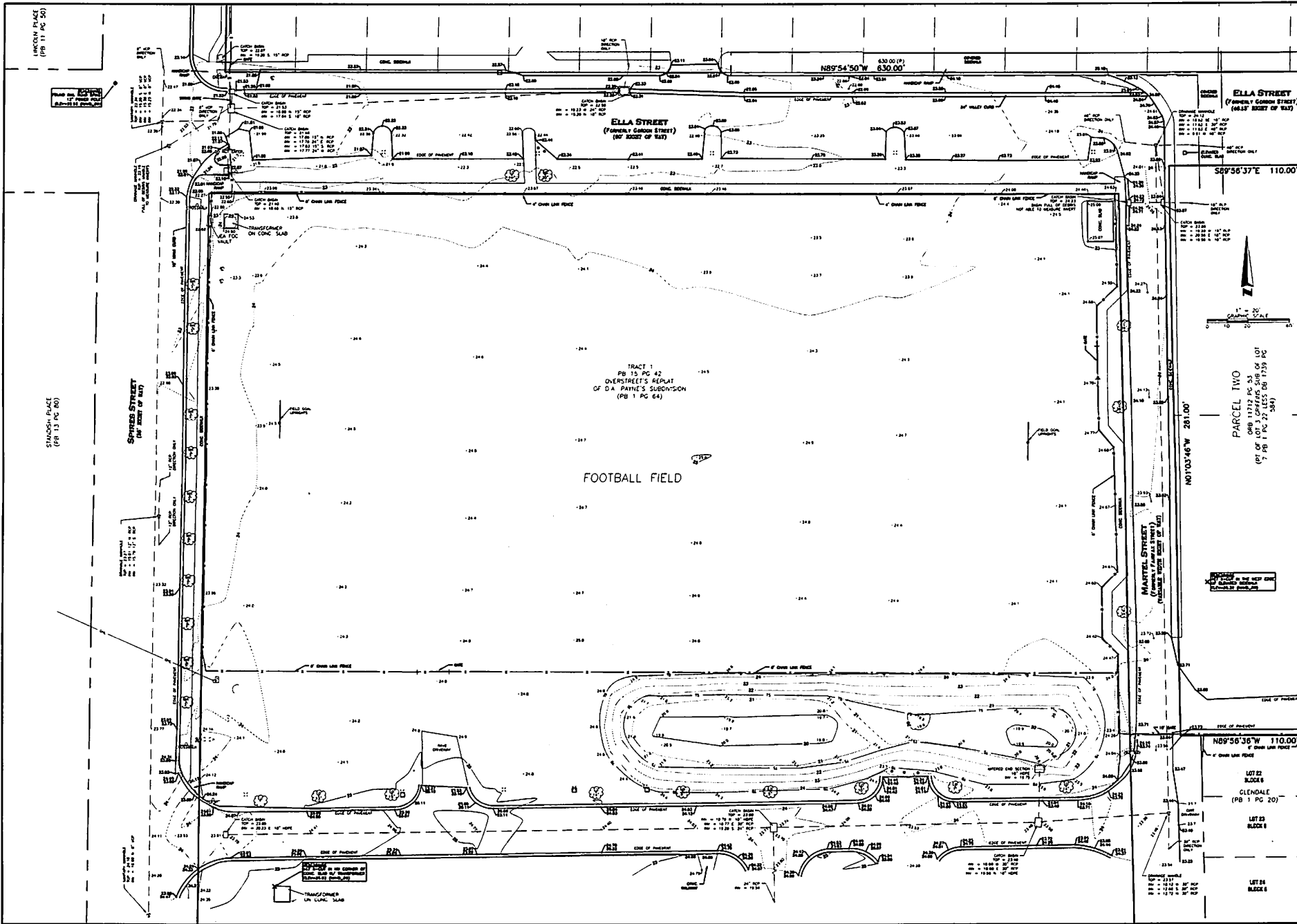
COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2020-3215

**EXHIBIT 2
PAGE 1 OF 1**



SHEET NUMBER 2 OF 2
NOT VALID THROUGHOUT

1" = 20'
GRAPHIC SCALE

<p>TRACT 1 PB 15 PG 42 OVERSREET'S REPLAT OF D.A. PATTIE'S SUBDIVISION (PB 1 PG 64)</p>	<p>PARCEL TWO ORB 11712 PG 53 PT OF OR 07.3 CORRECTION, SUB OF LOT 7 PB 1 PG 22-55-56</p>
<p>SPRUCES PLACE (PB 13 PG 80)</p>	<p>ELLAS STREET (FORMERLY GORDON STREET) (EAST SIDE OF WAY)</p>
<p>SPRUCES STREET (ON WEST SIDE OF WAY)</p>	<p>MARTEL STREET (NORTHWEST CORNER OF LOT)</p>
<p>LOT 22 BLOCK 6 GLENDALE (PB 1 PG 20)</p>	<p>LOT 23 BLOCK 8</p>
<p>LOT 24 BLOCK 6</p>	<p>TOPOGRAPHIC SURVEY EDWARD WATERS COLLIER 1840 8TH STREET WEST, JACKSONVILLE, FL DATE: 03/04/2017 SCALE: 1" = 20'</p>
<p>DRAWING NUMBER 01260002 SP</p>	<p>SHEET NUMBER 2 OF 2</p>