

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2020-0015

FEBRUARY 6, 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 **2020-0015**.

Location: 0 Myrtle Avenue North
Between Hart Street and Wolf Court

Real Estate Number: 052941 0000

Current Zoning District: Residential Medium Density-A (RMD-A)

Proposed Zoning District: Commercial Residential Office (CRO)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: District 1—Urban Core

Applicant: Arthur Clark
91444 Mornington Drive
Jacksonville, FL 32257

Owner: Arthur Clark
91444 Mornington Drive
Jacksonville, FL 32257

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0015** seeks to rezone 0.09± acres of a property from Residential Medium Density-A (RMD-A) to Commercial Residential Office (CRO.) The property is located in the Residential Professional Institutional (RPI) land use category within the Urban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought because the property is currently split-zoned between CRO and RMD-A. The property is comprised of three lots originally platted in 1927 and later combined into a single lot. In 1995, under Ordinances 1995-0403 and 1995-0404, part of this property was rezoned to RMD-A and the other portion was rezoned to CRO. The applicant is requesting the rezoning to utilize the property for their business.

This site is located within the Brownfields Pilot Study Area by Resolution 2000-125-A as defined in F.S. 376.79(4). The property may or may not have contamination. Since the property is located within a Brownfields Area, the owner may request the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.

The subject site located within the boundaries of the Kings Road/Beaver Street Neighborhood Action Plan. The NAP recommends improvements should focus on commercial improvement and streetscape improvements in the Kings Road/Myrtle Avenue Neighborhood. The proposed rezoning would extend the CRO zoning abutting to the east strengthening the commercial corridor in this area.

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 the subject property to be located in the Residential Professional Institutional (RPI) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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

Yes. The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. RPI in the Urban Priority Area primarily intended to provide compact medium to high density development. Development which includes medium to high density residential and professional office uses is preferred. RPI designations are preferred in locations that are

supplied with full urban services and in locations that serve as a transition between commercial and residential land uses.

Future Land Use Element

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.

The proposed rezoning of CRO will create uses that are more compatible with other uses already existing within the area and will not contribute to urban sprawl by allowing uses not already in existence within the surrounding area. The proposed use will comply with Objective 1.1.

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 CRO will be compatible with other uses already existing within the surrounding area and will comply with Policy 1.1.22.

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 RMD-A to CRO to allow for a commercial use.

SURROUNDING LAND USE AND ZONING

According to the Future Land Use Element (FLUE), RPI in the Urban Priority Development Area is primarily intended to provide compact medium to high density development. Development which includes medium to high density residential and professional office uses is preferred. RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RPI/MDR	CRO/RMD-A	Single Family Dwellings

East	RPI	CRO	Church, Vacant Lots
South	RPI	RMD-A/CRO	Single Family Dwellings/Vacant
West	RPI	RMD-A	Single Family Dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on January 28, 2020, 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 2020-0015 be **APPROVED**.



Source: Planning & Development Department, 1/27/20

Aerial View.



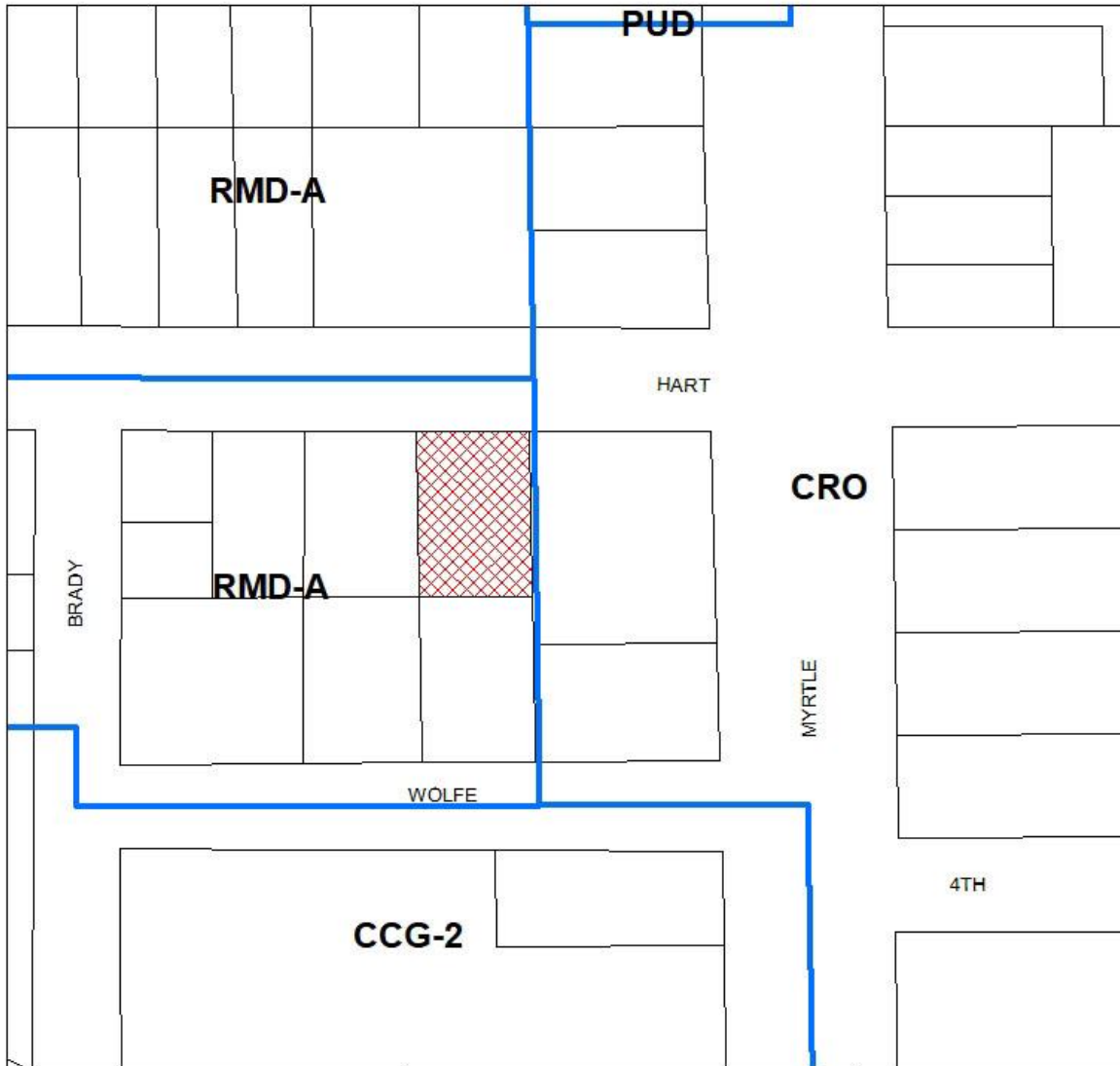
Source: Planning & Development Department, 1/28/20

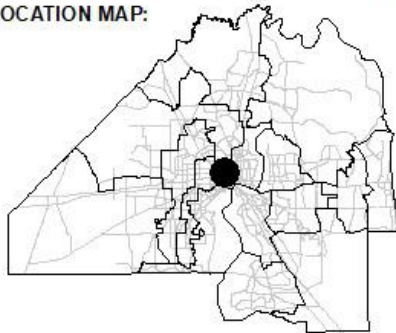
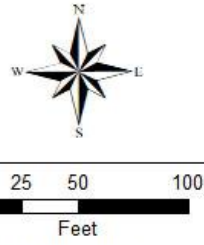
View of property facing south from Hart Street.



Source: Planning & Development Department, 1/28/20

View of neighboring property west of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 9</p>
<p>ORDINANCE NUMBER ORD-2020-0015</p>	<p>TRACKING NUMBER T-2019-2480</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map