

LAND USE AND ZONING COMMITTEE SECOND AMENDMENT

The Land Use and Zoning Committee offers the following second amendment to File 2021-299:

- (1) On **page 1, line 5, strike** "CONCERNING" and **insert** "DENYING"; and
- (2) On **page 1, lines 17-19, after** "COMMITTEE;" **strike** "REFERRING THE MATTER BACK TO THE JACKSONVILLE HISTORIC PRESERVATION COMMISSION WITH SPECIFIC INSTRUCTIONS FOR FURTHER ACTION;"; and
- (3) On **page 2, line 5, strike** "now, therefor" and **insert** "and"; and
- (4) On **page 2, line 5½, insert** additional recitals to read as follows:

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

WHEREAS, based on the record of proceedings, including the Planning and Development Department Staff Report and the evidence and testimony presented at the July 20th hearing, the LUZ Committee recommended to the Council that this matter be referred back to the Jacksonville Historic Preservation Commission (the "Commission") with specific instructions to receive additional evidence and testimony regarding Application

for Certificate of Appropriateness COA-20-24689 to include: (1) obtaining engineering and other estimates for costs to rehabilitate the structure; (2) reviewing and considering additional options for preservation and rehabilitation of the structure; (3) obtaining information regarding any efforts by the owner to market the property, including any quotes from prospective purchasers of the subject property, if any; and (4) investigating the economic viability of rehabilitation of the structure; and

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

WHEREAS, on September 22, 2021, the Commission held a limited hearing and received additional evidence and testimony as directed by the Council, including a revised Planning and Development Department Staff Report, and the supplemental record was forwarded to the LUZ Committee for consideration; and

WHEREAS, on October 19, 2021, the LUZ Committee held a limited hearing during which it received and reviewed the full record of proceedings, including the revised Staff Report of the Planning and Development Department,

and heard additional evidence and testimony relative to the four items enumerated above, and based on the competent substantial evidence in the record, the LUZ Committee recommended the Appeal of the Application for Certificate of Appropriateness COA-20-24689 be denied, subject to the condition more particularly described herein; now, therefore"; and

- (5) On **page 2, lines 7-31** and on **page 3, lines 1-4, strike** Section 1 in its entirety and **insert** a new Section 1 to read as follows:

"Section 1. Adoption of recommended findings and conclusions. The Council has reviewed the record of proceedings for the Appeal of the Final Order approving Application for Certificate of Appropriateness COA-20-24689. The record of proceedings is **Revised On File** in the City Council Legislative Services Division and the Planning and Development Department. After reviewing the record of proceedings, the recommended findings and conclusions of the Land Use and Zoning Committee are hereby adopted by the Council. Based on the competent substantial evidence in the record of proceedings, including the revised Planning and Development Department Staff Report, the Appeal is denied, the Historic Preservation Commission Final Order approving Application for Certificate of Appropriateness COA-20-24689 is upheld, and Application for Certificate of Appropriateness COA-20-24689 is approved, subject to the condition that the owner of the subject property or its

successor shall use its best efforts to salvage as many of the bricks comprising the exterior façade of the existing multi-family structure as possible and to incorporate said bricks in the redevelopment of the subject property. Pursuant to Section 166.033(3), Florida Statutes, the Council hereby finds:

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

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

- (6) Remove **On File** and replace with **Revised On File**.
- (7) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared by: Mary E. Staffopoulos