

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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April 21, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-0189/Application No. L-5630-21C

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-0189 on April 21, 2022.

| | |
|---------------------|--------------------|
| P&DD Recommendation | APPROVE |
| PC Issues: | None |
| PC Vote: | 6-0 APPROVE |

| | |
|--------------------------------|--------|
| David Hacker, Chair | Aye |
| Alexander Moldovan, Vice-Chair | Aye |
| Ian Brown, Secretary | Aye |
| Marshall Adkison | Absent |
| Daniel Blanchard | Aye |
| Joshua Garrison | Aye |
| Jason Porter | Aye |
| Jordan Elsbury | Absent |

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment –April 15, 2022

Ordinance/Application No.: 2022-189 / L-5630-21C

Property Location: 1478 Florida Avenue, on the southwest corner of 5th Street East and Florida Avenue

Real Estate Number(s): 114609 0000

Property Acreage: 0.15 of an acre

Planning District: District 1 – Urban Core

City Council District: District 7

Applicant: Cyndy Trimmer, Esquire

Current Land Use: Medium Density Residential (MDR)

Proposed Land Use: Neighborhood Commercial (NC)

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

Proposed Zoning: Planned Unit Development (PUD)

Development Boundary: Urban Priority Development Area

RECOMMENDATION: *Approve*

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Applicant intends to revitalize the property and offer community services such as the retail sale of fresh groceries and employment and financial services.

BACKGROUND

The 0.15 of an acre subject site currently includes a vacant corner store building. The applicant is proposing a Future Land Use Map (FLUM) amendment from Medium Density Residential (MDR) to Neighborhood Commercial (NC) and a companion rezoning from Residential Medium Density – A (RMD-A) to Planned Unit Development (PUD), pursuant to Ordinance 2022-190, to use the property for a neighborhood commercial use.

The adjacent land use categories, zoning districts and property uses are as follows:

North: Land Use: Medium Density Residential (MDR)
Zoning: Residential Medium Density – A (RMD-A)
Property Use: Corner grocery, single family residential

South: Land Use: MDR
Zoning: RMD-A
Property Use: Vacant, single family residential

East: Land Use: MDR
Zoning: RMD-A
Property Use: Vacant

West: Land Use: MDR
Zoning: RMD-A
Property Use: Single family residential

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site-specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Where there is not an associated site-specific policy or note on the annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

| Development Analysis | | 0.15 acres / 6,534 sq. ft. | |
|--|--|--|--|
| Development Boundary | Urban Priority Development Area | | |
| Roadway Frontage Classification / State Road | Florida Avenue – Collector Road 5 th Street East – Local Road | | |
| Plans and/or Studies | East Jax Neighborhood Action Plan Urban Core Vision Plan | | |
| Site Utilization | Current: Vacant building | Proposed: Groceries and Financial Services | |
| Land Use / Zoning | Current: MDR / RMD-A | Proposed: NC / PUD | |
| Development Standards for Impact Assessment | Current: 15 DU/Acre | Proposed: Scenario 1: 0.45 FAR Scenario 2: 0.45 FAR, 30 DU/Acre 10% Non-res / 90% Res | |
| Development Potential | Current: 2 MF DU | Proposed: Scenario 1: 2,940 sq. ft. Scenario 2: 294 sq. ft. and 4 MF DU | |
| Net Increase or Decrease in Maximum Density | Scenario 1: Decrease of 2 DU Scenario 2: Increase of 2 DU | | |
| Net Increase or Decrease in Potential Floor Area | Scenario 1: Increase of 2,940 sq. ft. Scenario 2: Increase of 294 sq. ft. | | |
| Population Potential | Current: 4 people | Proposed: Scenario 2: 9 people | |
| Special Designation Areas | | | |
| Aquatic Preserve | No | | |
| Septic Tank Failure Area | No | | |
| Evacuation Zone | No | | |
| Airport Environment Zone | No | | |
| Industrial Preservation Area | No | | |
| Cultural Resources | Yes | | |
| Archaeological Sensitivity | Low | | |
| Historic District | No | | |
| Coastal High Hazard | No | | |
| Adaptation Action Area | No | | |
| Groundwater Aquifer Recharge Area | Discharge | | |
| Wellhead Protection Zone | No | | |
| Boat Facility Siting Zone | No | | |
| Brownfield | Brownfield Study Area | | |
| Public Facilities | | | |
| Potential Roadway Impact | Scenario 1: 83 net new daily trips Scenario 2: 24 net new daily trips | | |
| Potential Public-School Impact | N/A (less than 20 dwelling units) | | |

| Development Analysis | | 0.15 acres / 6,534 sq. ft. |
|--|--|-----------------------------------|
| Water Provider | JEA | |
| Potential Water Impact | Scenario 1: Decrease of 323 gpd Scenario 2: Increase of 484 gpd | |
| Sewer Provider | JEA | |
| Potential Sewer Impact | Scenario 1: Decrease of 242 gpd Scenario 2: Increase of 363 gpd | |
| Potential Solid Waste Impact | Scenario 1: Decrease of 0.5 tons per year Scenario 2: Increase of 5.7 tons per year | |
| Drainage Basin/Sub-basin | Basin: St. John's River upstream of Trout River Sub-basin: Deer Creek | |
| Recreation and Parks | Flossie Brunson Eastside Park | |
| Mass Transit Access | Route 11 – Stop 5128 Route 11 – Stop 2753 | |
| Natural Features | | |
| Elevations | 18' to 19' | |
| Land Cover | 1300: Residential, high density - 6 or more dwelling units/acre | |
| Soils | 71 – Urban Land – Leon – Boulogne complex – 0% to 2% slopes | |
| Flood Zones | No | |
| Wetlands | No | |
| Wildlife (applicable to sites greater than 50 acres) | N/A | |

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

The applicant has provided a JEA availability letter. According to the availability letter, dated March 22, 2022, there are two connection points for potable water: an existing 16-inch water main within the Florida Avenue right of way and an existing 5-inch water main within the 5th Street East right of way. Centralized sewer connection is available from an existing 8-inch gravity sewer main within Florida Avenue right of way. The letter further provides that if gravity flow cannot be achieved, the owner will need to construct an onsite, privately owned and maintained pump station, and a JEA dedicated force main with a minimum 4-inch diameter.

Future Land Use Element

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.

Transportation

The subject site is 0.15 of an acre and is accessible from Florida Avenue, a collector facility, and 5th Street East, a local facility. The proposed land use amendment is located within the Urban Priority Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Medium Density Residential (MDR) to Neighborhood Commercial (NC).

Comprehensive Plan Consistency:

The Trip Generation Analysis is consistent with most recent version of the Transportation Element (TE) of the City of Jacksonville Comprehensive Plan (TE Objective 2.4 and Policies 1.2.1 and 2.4.2).

Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

Objective 2.4 The City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

Policy 2.4.2 The City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

Trip Generation Estimation:

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 13 daily trips. If the land use is amended to allow for this proposed NC land use, this will result 96 or 37 daily trips, depending on the scenario.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment is an increase of 83 or 24 net new daily trips (depending on the scenario) when compared to the existing land use. The traffic impact is minimal and the Transportation Planning Division does not recommend any actions at this time.

**Table A
Daily Trip Generation Estimation Scenarios**

| Proposed Land Use | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips | Less Pass-By Trips | Daily Trips |
|--|-------------------|---------------------------|----------------------|-------------|--------------------|-------------|
| MDR | 220 | 2 MF DUs | T = 6.74 (X) | 13 | 0 | 13 |
| Total Trips for Existing Land Use | | | | | | 13 |
| Proposed Land Use-Scenario 1 | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips | Less Pass-By Trips | Daily Trips |
| NC | 822 | 2,940 SF | T = 54.45 (X) / 1000 | 160 | 64 | 96 |
| Total Trips for Proposed Land Use- Scenario 1 | | | | | | 96 |
| Proposed Land Use-Scenario 2 | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips | Less Pass-By Trips | Daily Trips |
| NC- N | 822 | 294 SF | T = 54.45 (X) / 1000 | 16 | 6 | 10 |
| NC- R | 220 | 4 MF DUs | T = 6.74 (X) | 27 | 0 | 27 |
| Total Trips for Proposed Land Use- Scenario 2 | | | | | | 37 |
| Scenario 1 Difference in Daily Trips | | | | | | 83 |
| Scenario 2 Difference in Daily Trips | | | | | | 24 |

Source: Trip Generation Manual, 11th Edition, Institute of Engineers

School Capacity

While the proposed amendment could include a residential component, the site would generate fewer than 20 residential units. Therefore, the proposed development would have a de minimis impact on school capacity.

Cultural Resources

The property at 1478 Florida Avenue, known as Debs Store, has been surveyed (DU09418) and is culturally and architecturally significant. Debs Store, constructed in 1913, has been a cornerstone of the Eastside community. The first floor of the building served as the operating store (commercial), and the second floor of the building was residential. The structure is one of the few remaining historic commercial buildings in the Eastside neighborhood and is believed to be the location of the longest single family owned and operated commercial businesses in the neighborhood.

The two-story masonry vernacular commercial building has a brick exterior with fenestration consisting of double hung sash windows. Originally, the structure featured a balcony porch with a shed roof, square posts and balustrade extending from the second story over the sidewalk. Other notable exterior architectural features include a corbelled brick cornice, arched lintels and a continuous concrete block foundation.

Another notable feature was the large, painted Coca-Cola sign located on the north face of the building with the "Debs Store" lettering painted above. This feature was painted over in the early 1990s. While there are no requirements prohibiting demolition of the structure, the structure is locally significant based on the Florida Master Site File for the building.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Brownfields Area

The property is located within the Downtown Brownfield Pilot Program Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. 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.

A Phase I Environmental Site Assessment (ESA) was performed on the subject site as part of the City's current Brownfields Assessment Grant. The Phase I ESA did not identify any Recognized Environmental Conditions (RECs) or Controlled RECs in relation to the site. A copy of the ESA is on file with the Department.

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

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on March 21, 2022, the required notices of public hearing signs were not posted. It appears they were

removed after being posted on March 21, 2022. The signs were replaced on April 6, 2022. Eighty-five (85) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on March 28, 2022. One member of the public expressed support for the project.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Urban Priority Development Area (UA): The UPA is the first tier Development Area and generally includes the historic core of the City and major connecting corridors. The intent of the UPA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities which are highly supportive of transit and result in the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is expected to employ urban development characteristics as further described in each land use plan category. The UPA does not include the Central Business District Land Use Category boundaries.

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
A. Fosters vibrant, viable communities and economic development opportunities;
B. Addresses outdated development patterns;
C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate

data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

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.

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.

Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.6 The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development.

The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for nonresidential traffic.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the of the areas served, availability of public facilities, and market demands.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Property Rights Element

Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City shall ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Future Land Use Element (FLUE), Medium Density Residential (MDR) in the Urban Priority Area is intended to provide compact medium to high density mixed use development. Plan amendment requests for new MDR 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. Density is limited to 20 units

per acre. There is no minimum density for single-family dwellings because the predominant surrounding development typology is made up of single-family dwellings.

The Neighborhood Commercial (NC) land use category is primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. New NC land use category designations in the Urban Priority Development Area are preferred in locations which are supplied with full urban services; which abut a roadway classified as a collector or higher on the Functional Highway Classification Map; and which are compatible with adjacent residential neighborhoods. Sites with two or more property boundaries on transportation rights-of-way will be considered preferred locations.

The 0.15 of an acre subject site currently contains a two-story building that has been used for commercial purposes on the ground floor and residential uses on the second floor. The applicant is proposing a change from MDR to NC to allow for the revitalization of the property and offer community services such as the retail sale of fresh groceries and employment and financial services. The area surrounding the subject site is primarily made up of single-family residences. There is a corner store directly across 5th Street East. Several properties near the store are vacant and undeveloped. The amendment will facilitate infill and redevelopment of an existing and vacant commercial building at the subject site that has access to full urban services and infrastructure providing consistency with FLUE Objective 6.3.

The proposed amendment to NC would be consistent with the existing development pattern in the area. Further, the proposed amendment would be compatible with the surrounding residential uses and provide convenient commercial services to the neighborhood. Therefore, the proposed amendment is consistent with FLUE Goals 1 and 3, Objective 3.1, and Policy 3.1.3 of the FLUE.

According to the category description for the NC land use category, NC is preferred in areas which abut a roadway classified as a collector or higher. The site is located along Florida Avenue, which is a collector road. Additionally, the subject site is located at a commercial node within the residential area. As such, the proposed amendment is consistent with Policies 3.2.1, 3.2.6, and 3.2.7 of the FLUE.

Consistent with FLUE policy 1.2.9, the site is served by multiple possible connection points for central sewer and water service, per JEA letter of availability, dated March 22, 2022.

The proposed small-scale amendment would have a negligible impact on the amount of MDR and NC designated land throughout the City. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and

improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

Vision Plan

The subject property is located within the boundaries of the Urban Core Vision Plan (2010). Sub-Principle 2.3 of the Vision Plan encourages redevelopment of existing commercial sites in need of redevelopment, i.e., vacant, blighted, partially razed, by providing incentives. This land use amendment would allow for the redevelopment of an unused, historic property with access to full urban services to serve the neighborhood. Therefore, the proposed land use amendment to NC is consistent with the Urban Core Vision Plan.

East Jacksonville Neighborhood Action Plan

The subject property is located within the boundaries of the East Jacksonville Neighborhood Action Plan (2001). The action plan provides several conclusions and recommendations in support of the land use change including directing efforts targeted toward social services and economic development and providing retail and commercial services within the neighborhood to provide employment opportunities for residents.

Strategic Regional Policy Plan

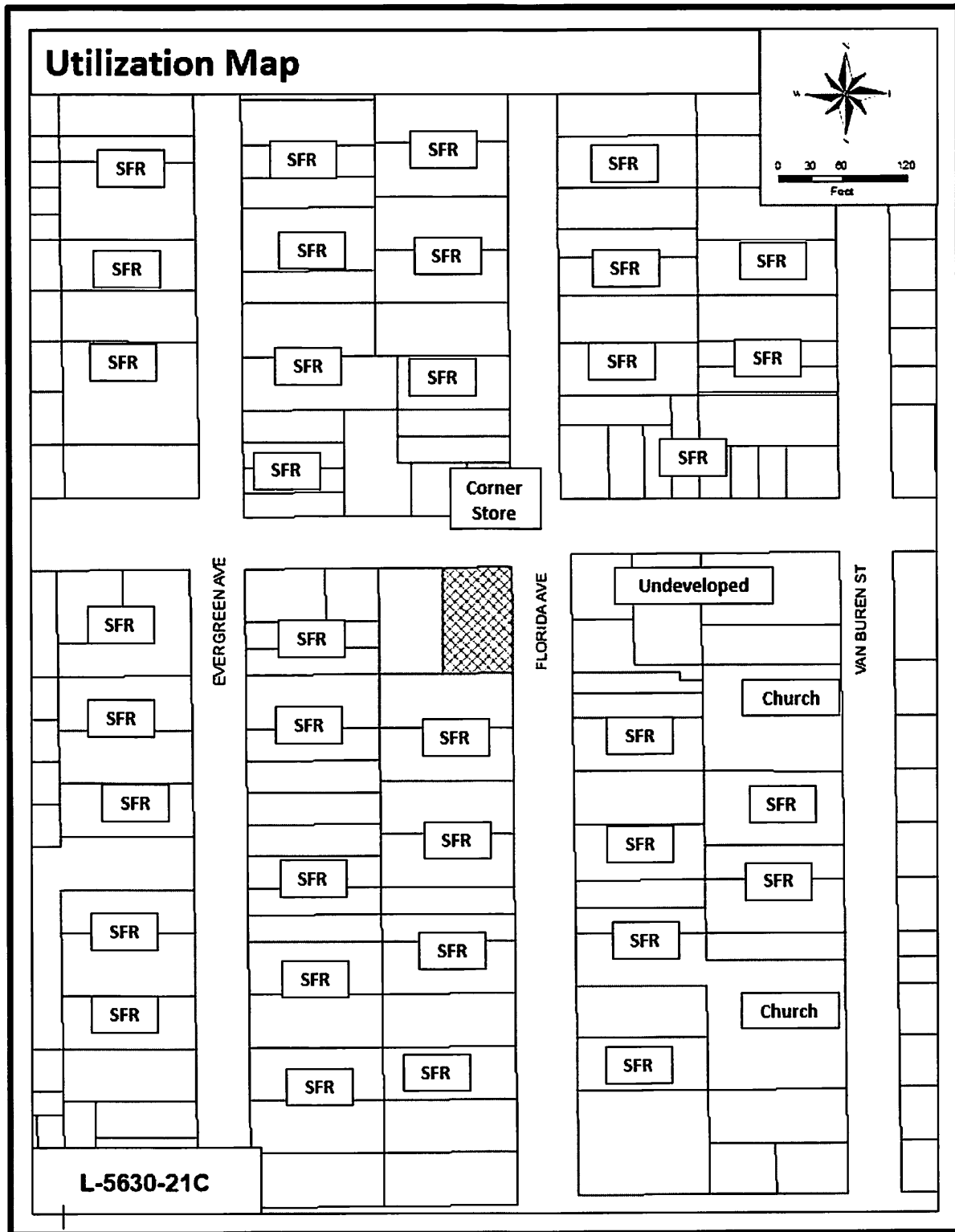
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Objective: A region where all people can thrive

Policy 4: Non-compact development patterns and limited mobility options are a barrier to success for all, and have a greater impact on low-income residents, seniors and those with disabilities or health challenges. The Region supports more compact development connected by transportation corridors.

There are two bus stops at the site location, and therefore would support a commercial development connected by transportation corridors, consistent with Policy 4 of the SRPP.

LAND USE AMENDMENT
FIELD / LOCATION / CURRENT LAND USE MAPS



CURRENT LAND USE

