

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 7, 2021

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

RE: Planning Commission Advisory Report / Ordinance No. 2020-719/Application No. L-5481-20C

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 2020-719 on January 7, 2021.

P&DD Recommendation

DENY

PC Issues:

The applicant indicated that the area is a food desert and that they would like to provide retail opportunities, including healthy food items, for the neighborhood.

The Planning Commission discussed the fact that there were no speakers in opposition, that the site has been used as a convenience store for decades and only ceased use within the past five or six years and that the applicant's intent is to sell both healthy and convenience foods as well as beer and wine.

PC Vote:

6-0 APPROVE

Joshua Garrison, Chair

Aye

Dawn Motes, Vice-Chair

Absent

David Hacker, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Ian Brown

Aye

Alexander Moldovan

Absent

Jason Porter

Aye

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
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7837
KReed@coj.net

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment –December 31, 2020

Ordinance/Application No.: 2020-719/ L-5481-20C
Property Location: 1836 West 25th Street
Real Estate Number(s): 087218 0000
Property Acreage: 0.14 of an acre
Planning District: District 1, Urban Core
City Council District: District 8
Applicant: Yazmyn Johnson
Current Land Use: Low Density Residential (LDR)
Proposed Land Use: Neighborhood Commercial (NC)
Current Zoning: Residential Low Density-60 (RLD-60)
Proposed Zoning: Commercial Neighborhood (CN)
Development Boundary: Urban Priority Area

RECOMMENDATION: DENY

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

The property exists in residential area but needed for commercial use. Property was previously zoned for commercial use of convenience store and there was a 6 month gap of vacancy prior to the applicant obtaining the lease.

BACKGROUND

The 0.14 of an acre subject site currently contains two structures, a vacant convenience store and a vacant garage apartment. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) to Neighborhood Commercial (NC) and a companion rezoning from Residential Low Density-60 (RLD-60) to Commercial Neighborhood (CN) in order to use the property for commercial use.

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

North: Land Use: LDR
 Zoning: RLD - 60
 Property Use: Single-family, Vacant residential

South: Land Use: LDR
 Zoning: RLD - 60
 Property Use: Single-family, Vacant residential

East: Land Use: LDR
 Zoning: RLD - 60, PBF-1
 Property Use: Single-family, Utility

West: Land Use: LDR
 Zoning: RLD - 60
 Property Use: Single-family, Vacant 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.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	25 th Street West- local	
Plans and/or Studies	29 th and Chase Neighborhood Action Plan, Urban Core Vision Plan	
Site Utilization	Current: Vacant commercial and residential	Proposed: Commercial
Land Use / Zoning	Current: LDR/RLD-60	Proposed: NC/CN
Development Standards for Impact Assessment	Current: 5 DU per Acre	Proposed: Non-residential 0.45 FAR

Development Analysis		
		Residential 30 DU per Acre
Development Potential	Current: 1 DUs	Proposed: Scenario 1: 2,744 Sq. ft. Commercial Scenario 2: 274 Sq. ft. commercial and 3 DUs
Net Increase/Decrease in Maximum Density	Scenario 1: Decrease of 1 DU Scenario 2: Increase of 2 DUs	
Net Increase/Decrease in Potential Floor Area	Scenario 1: Increase of 2,744 Sq. Ft. Scenario 2: Increase of 274 Sq. Ft.	
Population Potential	Current: 2 people	Proposed: Scenario 1: Not applicable Scenario 2: 7 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 foot Height zone- Herlong Recreational Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	500 foot buffer	
Boat Facility Siting Zone	No	
Brownfield	Study Area	
Public Facilities		
Potential Roadway Impact	Scenario 1: 110 net new daily trips Scenario 2: 25 net new daily trips	
Potential Public School Impact	Scenario 1: Not applicable Scenario 2: De Minimis	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 128.8 Gallons per day Scenario 2: Increase of 545.7 Gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 96.6 Gallons per day Scenario 2: Increase of 409.3 Gallons per day	

Development Analysis	
Potential Solid Waste Impact	Scenario 1: Increase of 1.79 Tons per year Scenario 2: Increase of 5.63 Tons per year
Drainage Basin/Sub-basin	Trout River / Moncrief Creek
Recreation and Parks	Raymond E Davis Park
Mass Transit Access	JTA Route 22
Natural Features	
Elevations	24-27 feet
Land Cover	1300: residential, high density
Soils	74- Pelham-Urban land complex
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).

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 Planning and Development Department completed a transportation analysis, which is on file with the Department, and determined that the proposed amendment from Low Density Residential (LDR) to Neighborhood Commercial (NC) has an existing development potential under scenario 1 as 100% non-residential and under scenario 2 as 90% residential with 10% non-residential uses. If the land use is amended to NC, development could result in an increase of 110 net new daily trips under scenario 1 or

25 under scenario 2. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

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.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

Objective 2.4 of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that 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 of the TE of the 2030 Comprehensive Plan requires that 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.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 9.

The subject site is accessible via 25th Street West, a 2-lane unclassified facility and is located north of Martin Luther King Jr. Parkway. Martin Luther King Jr. Parkway is a 4-

lane divided principal arterial facility. Either scenario of the NC development will not have any significant impacts on the external roadway network.

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.

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.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Brownfields Study Area

This site is located within the Brownfields Pilot Study Area by Resolution 2000-125-A as defined in F.S. 376.79(5). The property may or may not have contamination.

Since the property is located within a Brownfield 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 property owner may qualify for tax credits.

Wellhead

The land use amendment site is within the 500-foot buffer of a wellhead. The proposed amendment has been forwarded to the City's Environmental Quality Division for review.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.3 The City shall implement the Wellhead Protection Ordinance to protect its potable water supply source. Improperly constructed or maintained Hawthorne Group and Floridan Aquifer private wells in proximity to a Public Potable Water well within Duval County are potentially harmful to the drinking water supply of the City of Jacksonville. A Pathway Focused Approach to prevent migration of contamination from the shallow aquifer into the Floridan aquifer is reasonable and prudent to protect public water supplies. The intent of this policy is to protect and safeguard the health, safety and welfare of the residents of Duval County by establishing a Pathway Focused Approach to wellhead protection that safeguards the Floridan aquifer from intrusion of any contaminants that may jeopardize present and future public water supply wells.

Within Wellhead Protection Areas, the following shall apply:

1. Within a 500-foot radius around an existing Public Potable Water well, those actions and uses established by the Florida Department of Environmental Protection in Rule 62-521.400, Fla. Admin. Code shall be prohibited.
2. Pursuant to Chapter 366 City of Jacksonville Municipal Code, no existing private wells shall be deepened and no new wells shall be constructed within designated Wellhead Protection Areas that penetrate a portion of the Hawthorne Group or the Floridan Aquifer without first obtaining a well construction permit from the City of Jacksonville Environmental Quality Division (EQD) as provided in Environmental Protection Board Rule 8 and including a review of areas of known contamination at or near the proposed or existing well location. All new wells within such areas must be fully grouted.
3. Pursuant to Chapter 366 City of Jacksonville Municipal Code, abandonment of existing wells shall be in accordance with applicable SJRWMD requirements and a copy of the plugging and abandonment report shall be submitted to the EQD.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on December 2, 2020, the required notices of public hearing signs were posted. Eighty-six (86) 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 November 30, 2020. No members of the public attended to speak on the proposed amendment.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Urban Priority Area (UPA): 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 3.1.2 The City shall eliminate incompatible land uses or blighting influences from potentially stable, viable residential neighborhoods through active code enforcement and other regulatory measures.

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.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) is a category intended to provide for low density residential development. Further, it is intended to promote neighborhoods in need of redevelopment and to provide a compact single-family development typology that is supportive of transit, neighboring commercial uses and services.

The Neighborhood Commercial (NC) land use category is intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. Preferred development patterns include those described in FLUE Policy 3.2.6, above. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicle Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Plan amendment requests for new NC designations 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 are considered preferred locations.

The 0.14 of an acre subject site currently contains two structures, a vacant convenience store and a vacant garage apartment. The applicant is proposing a change from LDR to NC to allow for commercial uses on the site. The area surrounding the subject site in all directions is currently designated as LDR and contains single-family residential uses. The proposed amendment to NC would be inconsistent with the existing development pattern in the area. Further, the proposed amendment would be intrusive and incompatible with the single-family uses within the surrounding residential neighborhood. Therefore, the proposed amendment is inconsistent with FLUE Goals 1 and 3 and Objective 3.1. Additionally, the encroachment of commercial uses into the residential neighborhood could result in a potentially blighting influence in the area. Thus, the amendment is also inconsistent with Policies 3.1.2 and 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 25th Street West, which is a local road. There are no commercial corridors or nodes

proximate to the subject site. Additionally, the nearest roadway that is classified as a collector or higher is Martin Luther King Jr. Parkway, which is located approximately 800 feet to the south of the subject site, and the nearest intersection of two roads classified as a collector or higher is the intersection of Myrtle Avenue and Moncrief Road, located approximately 0.70 of a mile away from the subject site. As such, the proposed amendment is inconsistent with Policies 3.2.1, 3.2.6, and 3.2.7 of the FLUE.

A JEA availability letter has been provided for the subject site as part of the companion rezoning application, dated October 29, 2020. The letter states that the subject site has access to both water services or centralized sewer services, consistent with FLUE Policy 1.2.9.

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

Vision Plan

The subject property is located within the boundaries of the *Urban Core Vision Plan*. Sub-Principle 2.1 of the Vision Plan, "Redevelopment and Infill" promotes the redevelopment and infill development of sites within the study area, particularly as mixed-use or mixed-income redevelopment. However, the plan also cautions that infill development should be cognizant of scale and compatibility with adjacent areas and uses. As such, the proposed amendment is inconsistent with the Urban Core Vision Plan.

Neighborhood Action Plan

The subject site is located within the boundaries of the 29th and Chase Neighborhood Action Plan in the Moncrief Park area of the Plan. While the Plan does not make any specific recommendations for the subject site, it encourages commercial development in an area described as "The Triangle". The Triangle is bounded by Myrtle Avenue, Moncrief Road, and Dr. Martin Luther King Expressway. The subject site is located approximately 0.6 of a mile away from The Triangle area and within a residential neighborhood. Thus, the proposed amendment is inconsistent with the recommendations of the Neighborhood Action Plan.

Strategic Regional Policy Plan

The proposed amendment is inconsistent with the following policies of the Strategic Regional Policy Plan, Communities and Affordable Housing:

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

Policy 8: The Region values the availability of lifestyle and livelihood choice, including agricultural, rural, suburban, and urban.

The proposed land use amendment is inconsistent with Policies 3 and 8 of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it promotes

incompatible, commercial use in a residential area and would likely reduce the quality of life for residents in the vicinity.

LAND USE AMENDMENT
FIELD / LOCATION / CURRENT LAND USE MAP

