

**PROPOSED SMALL-SCALE  
FUTURE LAND USE MAP (FLUM) AMENDMENT**



**OVERVIEW**

**ORDINANCE: # 2019-631**

**APPLICATION: L-5377-19C-5-7**

**APPLICANT:** STEVE DIEBENOW, ESQ.

**PROPERTY LOCATION:** 265, 281, 285 44<sup>TH</sup> STREET EAST, AND 296 45<sup>TH</sup> STREET EAST AT THE NORTHWEST CORNER OF 44<sup>TH</sup> STREET EAST AND SEBALD LANE.

**Acreage:** 0.87

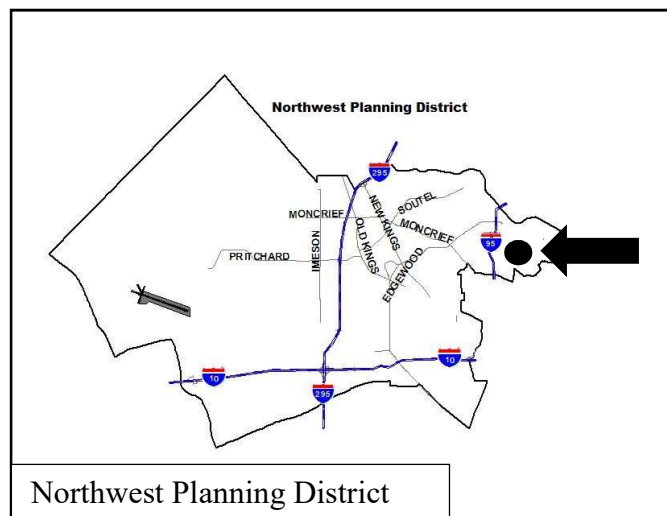
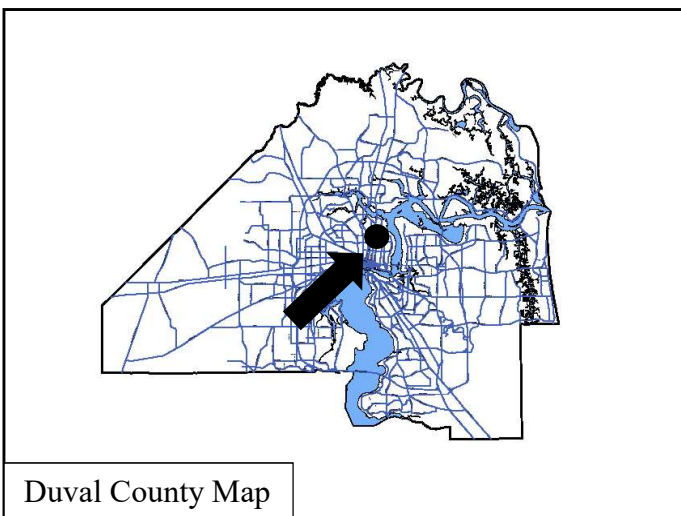
**Requested Action:**

	<b>Current</b>	<b>Proposed</b>
<b>LAND USE</b>	<b>LDR</b>	<b>PBF</b>
<b>ZONING</b>	<b>RLD-60</b>	<b>PUD</b>

Existing FLUM Category	Proposed FLUM Category	Existing Maximum Density (DU/Acre)	Proposed Maximum Density (DU/Acre)	Existing Maximum Intensity (FAR)	Proposed Maximum Intensity (FAR)	Net Increase or Decrease in Maximum Density	Non-Residential Net Increase or Decrease in Potential Floor Area
LDR	PBF	4 DU (5 DU/Acre)	N/A	N/A	11,369 Sq. Ft. (0.3 FAR)	Decrease 4 DU	Increase 11,369 Sq. Ft.

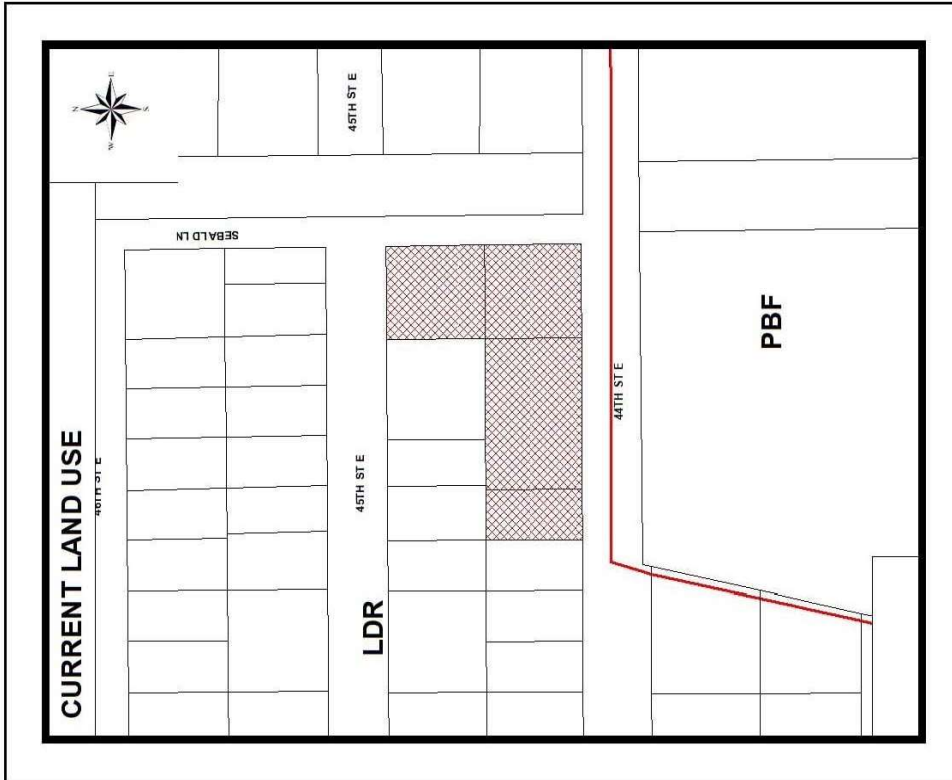
**PLANNING AND DEVELOPMENT DEPARTMENT’S RECOMMENDATION: APPROVAL**

**LOCATION MAPS:**

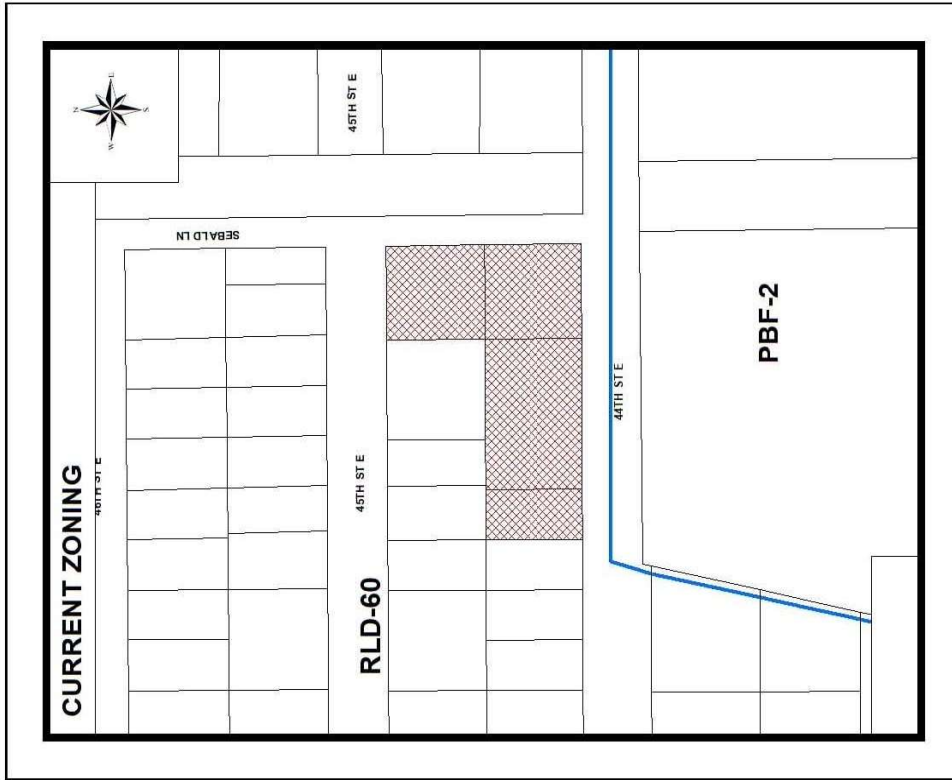


# DUAL MAP

## SMALL SCALE LAND USE APPLICATION L-5377-19C



**Existing FLUM Land Use Categories:** Low Density Residential (LDR)  
**Requested FLUM Land Use Category:** Public Buildings and Facilities (PBF)



**Current Zoning District(s):** Residential Low Density-60 (RLD-60)  
**Requested Zoning District(s):** Planned Unit Development (PUD)

# ANALYSIS

## Background:

The 0.87 of an acre subject site is currently occupied by a church and a vacant school and is located in the LDR land use category within the Urban Development Area as identified in the Future Land Use Map series (FLUM) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The site is located in Council District 7, Planning District 5 and is within the boundaries of the Northwest Jacksonville Vision Plan.

The subject site consisting of a church, vacant school, and an undeveloped parcel is located on the north side of 44<sup>th</sup> Street East, a minor arterial roadway, on the south side of 45<sup>th</sup> Street East and the west side of Sebald lane, both local roadways according to the City's Highway Classification Map. Both 44<sup>th</sup> Street East and 45<sup>th</sup> Street East have sidewalks; Sebald Lane does not.

The applicant proposes a future land use map amendment from Low Density Residential (LDR) to Public Buildings and Facilities (PBF) and a rezoning from Residential Low Density-60 (RLD-60) to Planned Unit Development (PUD). The companion rezoning is pending concurrently with this land use amendment application pursuant to Ordinance 2019-632. According to the applicant, the purpose of the land use amendment and rezoning is to allow for the continued use of a church and the conversion of the vacant school building into a group care home.

The predominant land use west, north and east of the application site is single-family in the LDR land use category. A cemetery is located to the south of the subject site in the PBF land use category. Detailed information about the surrounding area can be found on Page 2, Dual Map, and Page 11, Attachment A – Existing Land Utilization Map.

Adjacent Property	Land Use	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Homes
South	PBF	PBF-2	Cemetery
East	LDR	RLD-60	Single-Family Homes
West	LDR	RLD-60	Single-Family Homes

The proposed amendment does not include a residential component. Therefore, school capacity will not be impacted.

## 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.

## 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). According to a JEA letter, dated April 1, 2019 that was provided in the companion rezoning application, the site has access to water and sewer.

### Infrastructure Element

#### Sanitary Sewer Sub-Element

Policy 1.1.1 JEA shall provide for regional wastewater facilities associated with development within the Urban Area as defined in the Future Land Use and Capital Improvements Element, excluding improvements within the service area of an investor-owned public utility company of regional status.

## Transportation

The Planning and Development Department completed a transportation analysis (see Attachment B) and determined that the proposed amendment has the potential to result in an increase of 10 net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. 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.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the Maximum Service Volumes (MSV) from the current FDOT Quality/Level of Service Handbook (2012) for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 9 is 0.84.

The proposed land use amendment based on impact assessment standards has the development potential of 11,369 SF of institutional/office space and generating approximately 48 daily vehicular trips onto the roadway network. Subject site is accessible via 44th Street, a 2-lane collector roadway, and operating at 0.46 of its 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.

### **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(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 property owner may qualify for tax credits.

# IMPACT ASSESSMENT

[ L-5341-18C ]

DEVELOPMENT ANALYSIS		
Development Boundary	Urban Development Area	
Roadway Frontage Classification	44 <sup>th</sup> Street – Minor Arterial Road 45 <sup>th</sup> Street – Local Road Sebald Lane – Local Road	
Plans/Studies	Northwest Jacksonville Vision Plan	
	<b><u>CURRENT</u></b>	<b><u>PROPOSED</u></b>
Site Utilization	Church and Vacant School	Church with Group Care Home
Land Use/Zoning	LDR/RLD-60	PBF/PUD
Development Standards For Impact Assessment	5 Dwelling Units/Acre	0.3 FAR
Development Potential	4 Dwelling Units	11,369 Square Feet
Population Potential	10 People	0 People
SPECIAL DESIGNATIONS AREAS		
	<b><u>YES</u></b>	<b><u>NO</u></b>
Aquatic Preserve		X
Septic Tank Failure Area		X
Airport Environ Zone		X
Industrial Preservation Area		X
Cultural Resources		X
Archaeological Sensitivity	Low	
Historic District		X
Coastal High Hazard /Adaptation Action Areas		X
Ground Water Aquifer Recharge Area		X-Discharge
Well Head Protection Zone		X
Boat Facility Siting Zone		X
Brownfield	Brownfield Study Area	
State Road (SR)	SR Name: N/A	X
PUBLIC FACILITIES		
Potential Roadway Impact	10 net new daily trips	
Potential Public School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Decrease in 266.2 gallons/day	
Sewer Provider	JEA	
Potential Sewer Impact	Decrease in 199.6 gallons/day	
Potential Solid Waste Impact	Increase of 7.79 tons/year	
Drainage Basin / Sub-Basin	St. Johns River Basin upstream of Trout River / Long Branch Sub-Basin	
Recreation and Parks	May Mann Jennings Park	
Mass Transit	Route 1 on Main Street, Bus stops # 2835 and 2836	

NATURAL FEATURES	
Elevations	15 to 17 feet above mean sea level
Land Cover	1300- Residential High Density
Soils	71- Urban land-Leon-Belogne Complex
Flood zone	N/A
Wetlands	N/A
Wildlife (sites greater than 50 acres)	N/A

## PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on September 13, 2019, the required notice of public hearing signs were posted. Sixty-three (63) 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’s Information Meeting was held on September 16, 2019. No members of the public were present.





## CONSISTENCY EVALUATION

### 2030 Comprehensive Plan

Proposed amendment analysis in relation to the Goals, Objectives, and Policies of the 2030 Comprehensive Plan:

#### Future Land Use Element (FLUE):

- 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.
- 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.
- Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.
- 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.

#### Recreation and Open Space Element (ROSE):

- Policy 2.2.1 The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

## **Comprehensive Plan Analysis**

The current land use category, LDR in the Urban Development Area, is primarily intended to provide for low density residential development at up to seven units per acre. Single family dwellings are the predominant use in the LDR Category.

The proposed land use category, Public Buildings and Facilities (PBF), is a category which is intended to accommodate major public use or community service activities. Activities that provide community service functions vary in character and locational need. Principle uses include but are not limited to Churches and places of worship, Nursing homes; Group care homes; Homes for the aged or orphans and other uses normally associated therewith are also permitted within this land use category.

According to a JEA letter, dated April 1, 2019 and submitted with the companion rezoning application, there is a 12-inch water main and 8-inch gravity sewer main within the 44<sup>th</sup> Street East right-of-way. Therefore, the site has access to centralized sewer and wastewater, pursuant to FLUE Policy 1.2.9.

The proposed amendment to the PBF land use category promotes a compact and compatible combination of residential and institutional uses, facilitates infill redevelopment on an underutilized parcel in an existing building that is located within the Urban Development Area and has access to urban services. Therefore, the proposed amendment discourages sprawl by encouraging the reuse of a vacant building in an area with existing access to public utilities and infrastructure. The proposed amendment is consistent with FLUE Goal 3, Objective 6.3, and Policy 1.1.22.

The proposed land use amendment will be required to comply with ROSE Policy 2.2.1 concerning the adequate provision of open space.

The proposed amendment has been reviewed and found to comply with the Northwest Jacksonville Vision Plan pursuant to FLUE Policy 4.1.8B; see below.

## **Northwest Vision Plan**

The subject property is located within the boundaries of the Northwest Jacksonville Vision Plan, in the area identified as the Trout River traditional building area. According to the Plan, the focus is to strengthen existing neighborhoods through revitalization and build on the character of older urban communities. The development of this property will help address that issue because it will allow the infill and re-use of an underutilized building. Therefore, the proposed development is consistent with the recommendation of the Northwest Jacksonville Vision Plan.

## **Strategic Regional Policy Plan**

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

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

The proposed land use amendment is consistent with Policy 3 of the Communities and Affordable Housing section of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it provides an opportunity for infill development to improve quality of life in the northeast Florida region.

## **RECOMMENDATION**

The Planning and Development Department recommends **APPROVAL** of this application based on its consistency with the 2030 Comprehensive Plan and the Strategic Regional Policy Plan.

# ATTACHMENT A

## Existing Land Utilization:



## ATTACHMENT B

### Traffic Analysis:



ONE CITY. ONE  
JACKSONVILLE.

## 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](http://www.coj.net)

### MEMORANDUM

**DATE:** September 23, 2019

**TO:** Susan Kelly  
Community Planning Division

**FROM:** Lurise Bannister  
Transportation Planning Division

**SUBJECT:** Transportation Review: Land Use Amendment L-5377-19C

A trip generation analysis was conducted for Land Use Amendment L-5377-19C, located at the intersection of Sebald Lane and 44 Street East in the Urban Development Area of Jacksonville, Florida. The subject site has multiple parcels with an existing Low Density Residential (LDR) land use category. The proposed land use amendment is for Public Building Facilities (PBF) on approximately 0.87 +/- acres. The site will be redeveloped with an assisted living facility.

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10<sup>th</sup> Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing LDR land use category development impact assessment standard is 5 single-family dwelling units per acre, resulting in a development potential of 4 homes (ITE Land Use Code 210), generating 38 daily vehicular trips. The proposed the PBF land use category development impact assessment standards is 0.3 FAR per acre, resulting in a development potential of 11,369 SF of institutional/office space (ITE Land Use Code 254), generating 48 new daily vehicular trips. This will result in 10 net new daily vehicular trips if the land use is amended to allow for PBF development, as shown in Table A.

## ATTACHMENT B (cont.)

<b>Table A</b>						
<b>Trip Generation Estimation</b>						
Current Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips	Less Pass-By Trips	Net New Daily Trip Ends
LDR	210	4 SFDUs	T = 9.44 (X)	38	0.00%	38
<b>Total Section 1</b>						<b>38</b>
Proposed Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips PM/Daily	Less Pass-By Trips	Net New Daily Trip Ends
PBF	254*	11,369 SF	T = 4.19(X) / 1000	48	0.00%	48
<b>Total Section 2</b>						<b>48</b>
ITE 254* applied for Assisted living/residential group home				<b>Net New Daily Trips</b>		<b>10</b>
<i>Source: Trip Generation Manual, 10th Edition, Institute of Engineers</i>						

### **Additional 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.

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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.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

## **ATTACHMENT B (cont.)**

The result of the V/C ratio analysis for the overall Mobility Zone 9 is **0.84**.

The proposed land use amendment based on impact assessment standards has the development potential of 11,369 SF of institutional/office space and generating approximately 48 daily vehicular trips onto the roadway network. Subject site is accessible via 44<sup>th</sup> Street, a 2-lane collector roadway, and operating at 0.46 of its capacity.

# ATTACHMENT C

**Aerial Photo:**





# ATTACHMENT D

## Land Use Amendment Application:



### APPLICATION FOR SMALL-SCALE LAND USE AMENDMENT TO THE FUTURE LAND USE MAP SERIES - 2030 COMPREHENSIVE PLAN

<b>Date Submitted:</b>	3/26/19	<b>Date Staff Report is Available to Public:</b>	9/27/2019
<b>Land Use Adoption Ordinance #:</b>	2019-631	<b>Planning Commission's LPA Public Hearing:</b>	10/3/2019
<b>Rezoning Ordinance #:</b>	2019-632	<b>1st City Council Public Hearing:</b>	10/8/2019
<b>JPDD Application #:</b>	L-5377-19C	<b>LUZ Committee's Public Hearing:</b>	10/15/2019
<b>Assigned Planner:</b>	Ed Lukacovic	<b>2nd City Council Public Hearing:</b>	10/22/2019

#### GENERAL INFORMATION ON APPLICANT & OWNER

**Applicant Information:**

STEVE DIEBENOW

ONE INDEPENDENT DRIVE, STE. 1200  
JACKSONVILLE, FL 32202  
Ph: 904-301-1269  
Fax: 904-301-1279  
Email: SDIEBENOW@DMPHLAW.COM

**Owner Information:**

BRUCE HICKSON  
UNITY MISSIONARY BAPTIST CHURCH OF  
JACKSONVILLE FL INC.  
12346 RALEIGH RIDGE DR S  
JACKSONVILLE, FL 32225

#### DESCRIPTION OF PROPERTY

**Acreage:** 0.87  
**Real Estate #(s):** 031465 0000 031468 0000  
031467 0000 031511 0000

**General Location:**

NORTHWEST CORNER OF 44TH ST E AND SEABALD LN

**Planning District:** 5  
**Council District:** 7  
**Development Area:** URBAN AREA  
**Between Streets/Major Features:**  
LIBERTY STREET BLVD and SEABALD LN

**Address:**

265 44TH ST E  
281 AND 285 44TH ST E  
296 45TH ST E

#### LAND USE AMENDMENT REQUEST INFORMATION

**Current Utilization of Property:** VACANT SCHOOL, CHURCH  
**Current Land Use Category/Categories and Acreage:**  
LDR 0.87

**Requested Land Use Category:** PBF**Surrounding Land Use Categories:** LDR, PBF**Applicant's Justification for Land Use Amendment:**

TO PERMIT REDEVELOPMENT OF THE VACANT SCHOOL AS A COMMUNITY RESIDENTIAL HOME/GROUP CARE HOME.

#### UTILITIES

**Potable Water:** JEA**Sanitary Sewer:** JEA

#### COMPANION REZONING REQUEST INFORMATION

**Current Zoning District(s) and Acreage:**  
RLD-60 0.87

**Requested Zoning District:** PUD

Additional information is available at 904-255-7888 or on the web at <http://maps.coi.net/luzap/>