

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
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Jacksonville, FL 32202  
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August 18, 2022

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-531/Application No. L-5712-22C**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairman Carrico and Honorable Members of the City Council:

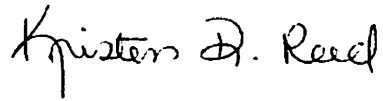
Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-531 on August 18, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

David Hacker, Chair	Aye
Alexander Moldovan, Vice-Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
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,

A handwritten signature in cursive script that reads "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  
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(904) 255-7837  
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**Report of the Jacksonville Planning and Development Department**

**Small-Scale Future Land Use Map Amendment – August 12, 2022**

**Ordinance/Application No.:** 2022-531 / L-5712-22C

**Property Location:** 8255 Dix Ellis Trail, between Philips Highway (US-1) and Interstate-95 (I-95)

**Real Estate Number(s):** 152683 0100

**Property Acreage:** 1.71 acres

**Planning District:** District 3, Southeast

**City Council District:** District 11

**Applicant:** Paul Harden, Esquire

**Current Land Use:** Community/General Commercial (CGC)

**Proposed Land Use:** Community/General Commercial (CGC) with site specific Future Land Use Element (FLUE) Policy 4.4.35

**Current Zoning:** Planned Unit Development (PUD)

**Proposed Zoning:** Planned Unit Development (PUD)

**Development Boundary:** Suburban Area

**RECOMMENDATION: APPROVE**

**APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT**

To develop as apartments.

**BACKGROUND**

The 1.71 acre subject site contains a hotel and is located along the east side of Dix Ellis Trail, an unclassified road, between Philips Highway (US-1) and Interstate 95 (I-95), a limited access highway. The applicant is proposing a Future Land Use Map (FLUM) amendment from Community/General Commercial (CGC) to Community/General Commercial (CGC) with site specific FLUE Policy 4.4.35 (detailed below and included as Exhibit 3, dated June 10, 2022 to the Ordinance) to allow for use of the site as a single-use residential development with a maximum of 110 dwelling units. The applicant is also

proposing a companion rezoning from Planned Unit Development (PUD) to PUD which is pending concurrently with this amendment, pursuant to Ordinance 2022-532.

There are two proximate pending land use amendments. Ordinance 2022-527 is located at 8365 Dix Ellis Trail, to the southeast of the subject site, and is proposing a change from CGC to CGC with Site-Specific FLUE Policy 4.4.33 to allow for use of the site as a single-use residential development with a maximum density of 32 units per acre. Ordinance 2022-529 is located at 8220 Dix Ellis Trail, to the west of the subject site, and is proposing a change from CGC to CGC with Site-Specific FLUE Policy 4.4.34 to allow for use of the site as a single-use residential development with a maximum of 110 dwelling units.

Proposed site specific FLUE Policy 4.4.35

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2022-531 for a small scale amendment is approved subject to the following:

To implement Policy 1.1.25 of the 2030 Comprehensive Plan Future Land Use Element, the following shall apply to this small scale land use map amendment:

- o Single use residential development shall be permitted on 100% of the site.
- o Single use residential development shall not exceed 110 dwelling units and shall be exempt from mixed use requirements.

The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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. The site is located in close proximity to public transportation and connects to full urban services.

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

North: Land Use: CGC  
Zoning: PUD  
Property Use: Commercial, Church

South: Land Use: CGC, MU  
Zoning: PUD  
Property Use: Hotel, Office, Undeveloped

East: Land Use: CGC, LI  
Zoning: CCG-1, PUD, IL  
Property Use: Interstate-95, Warehouse

West: Land Use: CGC, MU, CSV  
Zoning: PUD

**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**

<b>Development Analysis</b>		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Dix Ellis Trail - Unclassified	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Hotel	Proposed: Multi-family Residential
Land Use / Zoning	Current: CGC / PUD	Proposed: CGC with Site Specific Policy 4.4.35 / PUD
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 80% residential at 15 units/acre and 20% non - residential at 0.35 FAR	Proposed: Scenario 1: 0.35 FAR Scenario 2: Pursuant to proposed SSP 4.4.35 – residential to not exceed 110 dwelling units
Development Potential	Current: Scenario 1: 26,070 sq. ft. Scenario 2: 5,214 Sq. Ft. and 20 MF DUs	Proposed: Scenario 1: 26,070 sq. ft. Scenario 2: 110 MF DUs
Net Increase/Decrease in Maximum Density	<u>Scenario 1:</u> Not applicable <u>Scenario 2:</u> Increase of 90 DUs	
Net Increase/Decrease in Potential Floor Area	<u>Scenario 1:</u> No net increase or decrease <u>Scenario 2:</u> Decrease of 5,214 Sq. Ft.	
Population Potential	Current: <u>Scenario 1:</u> Not applicable <u>Scenario 2:</u> 47 people	Proposed: <u>Scenario 1:</u> Not applicable <u>Scenario 2:</u> 258 people

<b>Development Analysis</b>	
<b>Special Designation Areas</b>	
Aquatic Preserve	No
Septic Tank Failure Area	No
Evacuation Zone	No
Airport Environment Zone	500 foot height zone NAS Jax
Industrial Preservation Area	No
Cultural Resources	No
Archaeological Sensitivity	Low
Historic District	No
Coastal High Hazard Area	No
Adaptation Action Area	Yes - 0.02 of an acre
Groundwater Aquifer Recharge Area	No
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	No
<b>Public Facilities</b>	
Potential Roadway Impact	Scenario 1: no net new daily trips Scenario 2: 436 net new daily trips
Potential Public School Impact	Scenario 1: Not applicable Scenario 2: 26 new students
Water Provider	JEA
Potential Water Impact	Scenario 1: no net increase or decrease Scenario 2: Increase of 20,889 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: no net increase or decrease Scenario 2: Increase of 15,667 gallons per day
Potential Solid Waste Impact	Scenario 1: no net increase or decrease Scenario 2: Increase of 225 tons per year
Drainage Basin/Sub-basin	Julington Creek / Arlington River
Recreation and Parks	Freedom Commerce Center Property
Mass Transit Access	JTA Routes 28 and 50 stops approximately 632 feet away
<b>Natural Features</b>	
Elevations	19-23 feet
Land Cover	1300: Residential High Density
Soils	69: Urban Land

<b>Development Analysis</b>	
Flood Zones	No
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	Not applicable

### **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 letter of service availability dated April 15, 2022, which was submitted with the companion PUD rezoning application identifying that the site has existing connection points to both sewer and water access.

### 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 1.71 acres and is accessible from Dix Ellis Trail, an unclassified facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 1. The applicant proposes to change the existing land use from Community General Commercial (CGC) land use to CGC land use subject to a site-specific policy that allows for 100% of residential uses.

### **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 852 or 305 daily trips depending on the scenario. If the land use is amended to allow for this proposed CGC with a site-specific policy, this will result 741 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 0 or 436 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer.

**Table A  
Trip Generation Estimation Scenarios**

Current Land Use Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	26,070 SF	T = 54.45 (X) / 1000	1,420	568	852
				<i>Existing Scenario 1 Total</i>		<b>852</b>
Current Land Use Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC-N	822	5,214 SF	T = 54.45 (X) / 1000	284	114	170
CGC-R	220	20 MF DUs	T = 6.74 (X)	135	0	135
				<i>Existing Scenario 2 Total</i>		<b>305</b>
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- R	220	110 MF DUs	T = 6.74 (X)	741	0	741
				<i>Proposed Total</i>		<b>741</b>
				<b>Scenario 1 Net New Daily Total</b>		<b>0</b>
				<b>Scenario 2 Net New Daily Total</b>		<b>436</b>



### **School Capacity**

The 1.71 acre proposed land use map amendment has a development potential of 110 dwelling units and, under scenario 2, 26 new students. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

<b>Application Review Request:</b> COJ PDD: School Impact Analysis <b>Proposed Name:</b> L-5712-22C Dix Ellis Trail School Impact Analysis <b>Requested By:</b> Ed "Luke" Lukacovic / Krista Fogarty <b>Reviewed By:</b> Shalene B. Estes <b>Due:</b> 7/26/2022							
Analysis based on maximum dwelling units: <b>110</b>							
School Type	CSA <sup>1</sup>	2021-22 Enrollment/CSA	Current Utilization (%)	New Student/Development <sup>2</sup>	5-Year Utilization (%)	Available Seats - CSA <sup>2</sup>	Available Seats - Adjacent CSA 3&5
Elementary	4	5,363	79%	13	89%	867	2,245
Middle	4	3,915	80%	5	71%	601	497
High	4	924	72%	8	74%	112	624
<b>Total New Students</b>				<b>26</b>			

**NOTES:**

<sup>1</sup> Proposed Development's Concurrently Service Area (CSA)

<sup>2</sup> Available CSA seats include current reservations

<sup>3</sup> Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

**Public School Facilities Element**

**Policy 2.3.2** The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

**Policy 2.3.3** The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

**Objective 3.2** **Adopted Level of Service (LOS) Standards**  
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

**Policy 3.1.1** The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

**Supplemental School Information:**

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance. Note that the percentage occupied may not appear correct due to ESE space requirements.

<b>Application Review Request:</b> COJ PDD: Baseline Checklist Review <b>Proposed Name:</b> L-5712-22C Dix Ellis Trail <b>Requested By:</b> Ed "Luke" Lukacovic / Krista Fogarty <b>Reviewed By:</b> Shalene B. Estes <b>Due:</b> 7/26/2022  Analysis based on maximum dwelling units: <b>110</b>						
SCHOOL <sup>1</sup>	CSA	STUDENTS GENERATED (Rounded) <sup>3</sup>	SCHOOL CAPACITY <sup>2</sup> (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Beauclerc ES #230	4	13	1041	660	63%	75%
Alfred dupont MS #66	4	5	1071	701	65%	71%
Atlantic Coast HS #268	5	8	2443	2388	98%	95%
		26				

**NOTES:**

<sup>1</sup> Attendance school may not be in proposed development's Concurrency Service Area (CSA)

<sup>2</sup> Does not include ESE & room exclusions

<sup>3</sup> Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

### **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 Jacksonville Naval Air Station. Zoning will limit development to a maximum height of 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.

### **Adaptation Action Area (AAA)**

Approximately 0.02 of an acre of the site is located within the Adaptation Action Area (AAA) boundary (Ordinance 2021-732-E). The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2021-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

### **Conservation/Coastal Management Element**

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

### **Future Land Use Element**

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning

district, and/or conservation easement.

## **PROCEDURAL COMPLIANCE**

The applicant provided photos of the posed public hearing signs on July 25, 2022. Upon site inspection by the Planning and Development Department on July 29, 2022, the required notices of public hearing signs were not posted. Replacement signs were posted by the applicant and photos of the posted replacement signs were provided to the department. Fourteen (14) 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 August 1, 2022. 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*

*Suburban Area (SA):* The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as further described in each land use plan category.

- 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 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth

techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

**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 1.1.22** 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 1.1.25** The City will encourage the use of such smart growth practices as:

1. Interconnectivity of transportation modes and recreation and open space areas;
2. A range of densities and types of residential developments;
3. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
4. Use of the Development Areas;
5. Revitalization of older areas and the downtown, and
6. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

**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.

Policy 1.3.8 The City shall require through the development review process, the interconnections of land uses in order to reduce the need for trip generation and encourage alternative methods of movement. The development review criteria shall include provisions for convenient on-site traffic flow, considering need for vehicular parking.

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

Policy 3.2.7 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.

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

Policy 2.2.2 The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

Policy 2.2.5 All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.



Property Rights Element (PRE)

- 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 will 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), Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

The applicant is proposing a change from CGC to CGC with site specific Future Land Use Element (FLUE) Policy 4.4.35. The site specific policy permits single use residential development on 100 percent of the site and allows for a maximum of 110 dwelling units.

The CGC designation is consistent and compatible with the existing commercial corridor along Dix Ellis Trail consistent with FLUE Goal 1 and Policies 3.2.1 and 3.2.7. Further, the site offers an infill redevelopment opportunity on a site that has existing infrastructure consistent with FLUE Objective 6.3.

While CGC is a commercial category, it also allows for residential development. The proposed site specific policy and the companion PUD rezoning application and policy

indicate an intent to develop the site as a residential development. The proposed use of the site for a residential development would allow for a wider mix of uses along the Dix Ellis Trail corridor, consistent with Goal 3 of the FLUE, and ensure adequate land is designated for residential uses, while maintaining compatibility with the surrounding area, consistent with FLUE Objective 3.1. The proposed companion PUD rezoning allows for an opportunity to offer innovative site design techniques, consistent with FLUE Policy 1.1.12. Additionally, the proposed redevelopment will be required to meet the open space provisions required by ROSE Policies 2.2.2 and 2.2.5.

The site specific policy allows for an increase in maximum density from 20 units per acre to 110 dwelling units. The increase in density will facilitate the revitalization of the existing hotel on the subject site, which will provide additional housing opportunities in the area to serve the needs of the growing population consistent with FLUE Objective 6.3 and Policies 1.1.15 and 1.1.25.

The applicant has provided a JEA letter of service availability dated April 15, 2022, which was submitted with the companion PUD rezoning application identifying that the site has existing connection points to both sewer and water access, consistent with FLUE Policy 1.2.9.

The proposed amendment would encourage reuse of the site within the Suburban Development Area, where access to full urban services, including public transit, is available, along with a mix of uses. The proposed reuse of the site as residential will broaden the mix of uses in the area. As such, the proposed amendment is consistent with FLUE Policies 1.1.22, 1.1.25, and 1.3.8.

The proposed small scale amendment would have no impact on the amount of CGC designated land throughout the City, as the site is already designated as CGC and the companion PUD still permits the development of commercial uses. 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 *Southeast Vision Plan*. The Vision Plan identifies this area as a commercial corridor. Guiding Principle 2 of the Southeast Vision Plan states, "Promote mixed-use/mixed-income redevelopment and infill." The proposed amendment to CGC with a site specific policy would allow for the infill redevelopment of a variety of uses including residential and commercial. The option for residential would allow for a wider range of housing opportunities and choices in the area, consistent with Guiding Principle 2 of the Southeast Vision Plan.



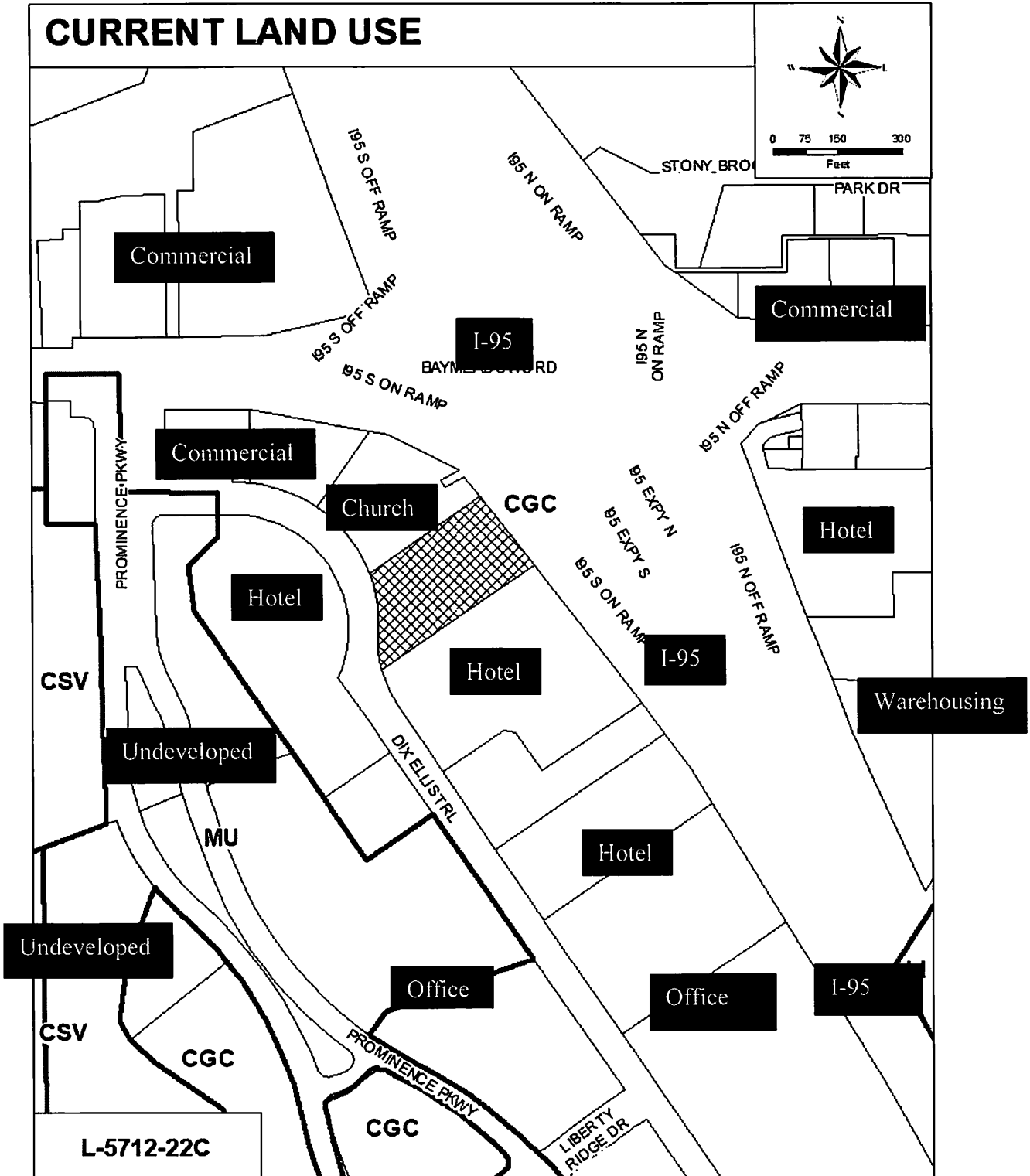
**Strategic Regional Policy Plan**

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

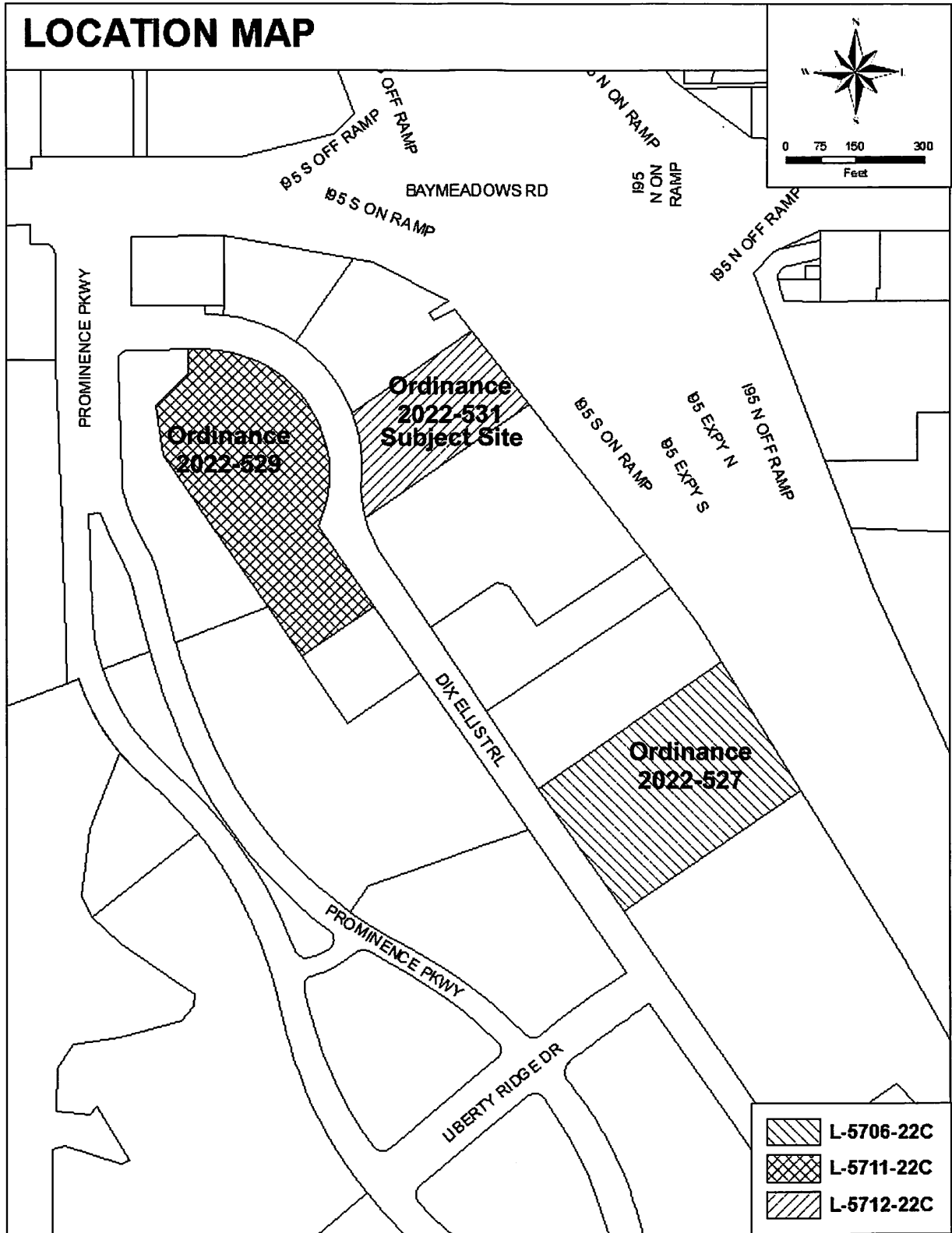
Goal: A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.

The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing in the northeast Florida region and creating a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

**LAND USE AMENDMENT**  
**FIELD / LOCATION / CURRENT LAND USE MAP**



# MAP OF PROXIMATE PENDING LAND USE AMENDMENTS



**Site Specific Policy with L-5712-22C / Ordinance 2022-531  
June 10, 2022**

**FUTURE LAND USE ELEMENT**

**4.4.35**

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2022-531 for a small scale amendment is approved subject to the following:

To implement Policy 1.1.25 of the 2030 Comprehensive Plan Future Land Use Element, the following shall apply to this small scale land use map amendment:

- Single use residential development shall be permitted on 100% of the site.
- Single use residential development shall not exceed 110 dwelling units and shall be exempt from mixed use requirements.

The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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. The site is located in close proximity to public transportation and connects to full urban services.