

City of Jacksonville, Florida

Lenny Curry, Mayor

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November 4, 2021

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. 2021-417/Application No. L-5561-21C

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 AS AMENDED** Ordinance 2021-417 on November 4, 2021.

P&DD Recommendation DENY

PC Issues:

- The Urban Core CPAC provided a letter of opposition
- Amending the land use of the northern parcel is appropriate and compatible with surrounding development
- Amending the land use of the southern is incompatible with surrounding development

PC Vote: 5-0 APPROVE SUBJECT TO REMOVAL OF THE SOUTH PARCEL

David Hacker, Chair	Absent
Alexander Moldovan, Vice-Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	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
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REVISED APPLICATION

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – October 29, 2021

Ordinance/Application No.: 2021-417 / L-5561-21C

Property Location: 1239 and 1240 East 32nd Street and between Poplar Street and Franklin Street

Real Estate Number(s): 132367 0000 and 132377 0000

Property Acreage: 0.59 of an acre

Planning District: District 1, Urban Core

City Council District: District 7

Applicant: E. Emmanuel Worrell

Current Land Use: Low Density Residential (LDR)

Proposed Land Use: Light Industrial (LI)

Development Area: Urban Priority Area (UPA)

Current Zoning: Residential Low Density-60 (RLD-60)

Proposed Zoning: Industrial Light (IL)

RECOMMENDATION: Deny

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

I would like to start using with my current towing and auto repair business.

BACKGROUND

This application was revised while it was moving through the legislative process. The original application requested a land use and zoning change to the north parcel from LDR to LI and RLD-60 to IL, respectively. This revised application adds a parcel across 32nd Street East to the south and requests the same land use and zoning changes.

The 0.59 of an acre subject site is located on East 32nd Street, between Poplar Street and Franklin Street. All three roads are local roads.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from Low Density Residential (LDR) to Light Industrial (LI) to use the two properties to establish a towing and auto repair business. The properties are in the LDR land use category. The east side of the properties abut LI land use. The north side of the north parcel abuts Heavy Industrial (HI) land use. The northern parcel is surrounded by an Industrial Situational Compatibility zone, abutting the property to the north and east and approximately 300 feet west of the property. The south parcel also abuts LI land use to the east, abuts an Industrial Situation Compatibility Zone to the east and is otherwise surrounded by LDR land use.

A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-418, which seeks a zoning change from Residential Low Density-60 (RLD-60) to Industrial Light (IL).

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

North: Land Use: North Parcel: Heavy Industrial (HI), South Parcel: Low Density Residential (LDR)
Zoning: North Parcel: Industrial Heavy (IH), South Parcel: Residential Low Density-60 (RLD-60)
Property Use: North Parcel: Norfolk Southern railroad track and a trucking business, South Parcel: Towing Business

South: Land Use: LDR
Zoning: RLD-60
Property Use: North Parcel: Vacant lots directly across the street next to single family homes. South Parcel: Single family homes

East: Land Use: LI
Zoning: Industrial Light (IL)
Property Use: Industrial

West: Land Use: LDR
Zoning: RLD-60
Property Use: Single family homes

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.

Land Use Amendment Impact Assessment

Development Analysis 0.59 Acres / 25,700.4 sq.ft.		
Development Boundary	Urban Priority Development Area	
Roadway Frontage Classification / State Road	East 32 nd Street – Local Street	
Plans and/or Studies	Urban Core Vision Plan	
Site Utilization	Current: Vacant	Proposed: Towing and Auto Repair Business
Land Use / Zoning	Current: Land Use: LDR Zoning: RLD-60	Proposed: Land Use: LI Zoning: IL
Development Standards for Impact Assessment	Current: 5 dwelling units (DU) /acre	Proposed: 0.4 FAR
Development Potential	Current: 2 SF DU	Proposed: 10,280 sq. ft.
Net Increase or Decrease in Maximum Density	Decrease of 2 dwelling units	
Net Increase or Decrease in Potential Floor Area	Increase of 10,280 sq. ft. light industrial	
Population Potential	Current: 5 people	Proposed: 0
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	None	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/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	33 net new daily trips	
Potential Public School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Decrease of 159.9 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Decrease of 119.9 gpd	

Development Analysis 0.59 Acres / 25,700.4 sq.ft.	
Potential Solid Waste Impact	Increase of 26.67 tons per year
Drainage Basin/Sub-basin	Basin: St. Johns River Upstream of Trout River Sub-Basin: St. Johns River
Recreation and Parks	Longbranch Park
Mass Transit Access	None
Natural Features	
Elevations	20-22 feet
Land Cover	1300: Residential, high density – 6 or more dwelling units/acre
Soils	SIN 71: Urban land – Leon-Boulogne complex, 0-2% slopes
Flood Zones	None
Wetlands	None
Wildlife (applicable to sites greater than 50 acres)	N/A (under 50 acres)

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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 established shall continue to be based on JEA’s Water, Sewer and Reuse for New Development Projects document (latest edition).

According to the City’s infrastructure map, there is an 8-inch sewer line and a 2-inch water line abutting the south side of the property on East 32nd Street.

Transportation

Parcel A

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10th Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. The subject site has a Low Density Residential (LDR) land uses on a total of approximately 0.59 of an acre. The proposed land use amendment is to allow for Light Industrial (LI) on both sites.

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing scenario for the first parcel (RE# 132367-0000) with LDR land use has a development potential of 1 Single-family dwelling unit (ITE Land Use Code 210), which could generate nine (9) daily trips.

The proposed LI land use category development impact assessment (per FLUE Policy 1.2.16) has a development potential of 6,272.6 SF of industrial space (ITE Land Use Code 110), which could generate 31 daily trips.

The trip generation comparison between the current and proposed comprehensive plan land uses will result 22 net new trips on the roadway network.

Parcel B

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing scenario for the second parcel (RE# 132377-0000) with LDR land use has a development potential of 1 Single-family dwelling unit (ITE Land Use Code 210), which could generate nine (9) daily trips.

The proposed LI land use category development impact assessment (per FLUE Policy 1.2.16) has a development potential of 4,007.5 SF of industrial space (ITE Land Use Code 110), which could generate 31 daily trips.

The trip generation comparison between the current and proposed comprehensive plan land uses will result 11 net new trips on the roadway network.

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 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.

Subject sites are accessible via 32nd Street East, an unclassified facility. The proposed LI development will have minimal net new trips and will not have any significant impacts on the external roadway network.

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.

Brownfield Study Area

The property is located within the Downtown Brownfield Pilot 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. The property 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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on July 29, 2021, the required notices of public hearing signs were posted. Thirty-four (34) 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 2, 2021 via a virtual Zoom meeting. No members of the public attended to discuss 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.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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 for 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 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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 1.2.9 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 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 on nodes, corridor development, centers or parks.

Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

Pending Property Rights Element (Ordinance 2021-334)

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 Category Description within the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Urban Priority Development Area is intended to provide for low density residential development. It is also intended to promote neighborhoods in need of redevelopment and to provide a compact single-family development typology that is supportive of transit, neighborhood commercial uses and services.

Light Industrial (LI) is a category which provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The proposed amendment to the land use category of LI for the north parcel is compatible with the uses east of the property and buffers the neighborhood from rail traffic and an area of Heavy Industrial land use that is being used by a trucking company that stores a large number of truck trailers on-site, consistent with FLUE Objective 1.1 and FLUE Policy 1.1.10.

In accordance with FLUE Policies 1.1.5 and 1.1.21, the proposed land use amendment on 0.59 of an acre would have a negligible impact on the balance of uses in the area as well as on the overall allocation of either LDR or LI land uses. With the proximity of LI and HI uses to the north parcel, the proposed land use change encourages nodal development of light industrial uses and maintains compact and compatible land use patterns, consistent with FLUE Objective 1.1 and Policies 1.1.22 and 3.2.1.

The land use north of the north parcel is HI. Land use east of both parcels is LI. The land use surrounding the south parcel to the west, north, and south is LDR. The proposed amendment to the north parcel to LI promotes a compatible land development pattern on underutilized property and is a logical extension of the abutting LI in conformance with Objective 1.1. The proposed change also provides a gradual transition from HI uses to the north and residential uses to the west and south of the subject property, consistent with FLUE Policies 1.1.10 and 3.1.3. The south parcel is within a neighborhood of single-family homes. The encroachment of Light Industrial land use into an established single-family residential area is incompatible with the character of the surrounding uses making the land use change inconsistent with Goals 1 and 3 and Policy 3.2.4.

According to the Duval County Infrastructure map, the subject site is served by central sewer and water in accordance with Policy 1.2.9.

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 Urban Core Vision Plan does not address the specific area of the amendment site. However, the vision plan calls for the promotion of Guiding Principle Two:

Promote mixed-use/mixed-income redevelopment and infill.

The proposed land use amendment to the north parcel would allow for infill on an underutilized property with full urban services available to the subject property.

The proposed land use amendment to the south parcel would intrude into a residential area.

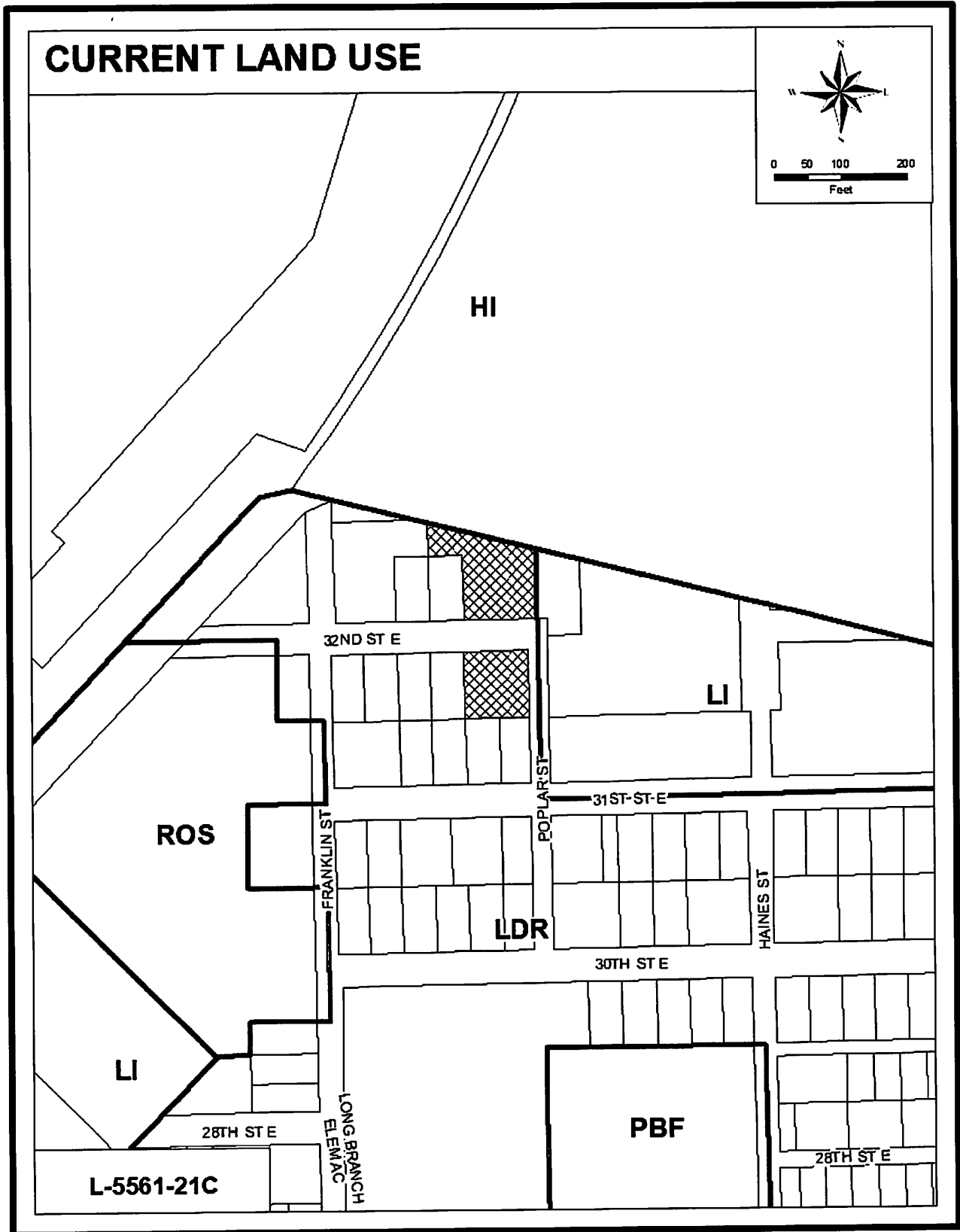
Strategic Regional Policy Plan

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

Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.

The proposed land use amendment promotes an environment that is conducive to the creation of new business thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element.

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