

# 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

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. 2021-643/Application No. L-5591-21C**

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-643 on November 4, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

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  
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](mailto:KReed@coj.net)

Report of the Jacksonville Planning and Development Department

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

**Ordinance/Application No.:** 2021-643 L-5591-21C

**Property Location:** 11191 Key Haven Boulevard, on the southeast corner of Dunn Avenue (SR 104) and Key Haven Boulevard and between Key Haven Boulevard and North Campus Boulevard

**Real Estate Number(s):** 020151-0000

**Property Acreage:** 0.22 of an acre

**Planning District:** District 6, North

**City Council District:** District 8

**Applicant:** Emily G. Pierce, Esquire

**Current Land Use:** Low Density Residential (LDR)

**Proposed Land Use:** Neighborhood Commercial (NC)

**Development Area:** Suburban Development Area

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

**Proposed Zoning:** Commercial Neighborhood (CN)

***RECOMMENDATION: APPROVE***

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

To permit development of the property with a stormwater pond and an access road.

**BACKGROUND**

The 0.22 of an acre subject site is located on the southeast corner of Dunn Avenue (SR 104) and Key Haven Boulevard. According to the City's Functional Highways Classification Map, Dunn Avenue is a state road and minor arterial roadway and Key Haven Boulevard is a local roadway. The land use application site is presently a single family home.

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 LDR to NC in order to redevelop the site with a stormwater retention pond and an access road to serve the Gate convenience store and gas station located to the east of the site. A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-644, which seeks to change the zoning district from RLD-60 to CN.

Currently the site is surrounded by a mix of single-family homes, commercial uses and undeveloped vacant land.

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

North: Land Use: Regional Commercial (RC)  
Zoning: Commercial Community/General-1 (CCG-1)  
Property Use: Vacant undeveloped land, hospital, convenience store with gas station and retail store

South: Land Use: LDR and Medium Density Residential (MDR)  
Zoning: RLD-60, Residential Medium Density-A (RMD-A), Planned Unit Development (PUD) and CN  
Property Use: Single-family dwellings

East: Land Use: CGC  
Zoning: CCG-1  
Property Use: Gate convenience store/gas station and vacant undeveloped land

West: Land Use: LDR and NC  
Zoning: RLD-60 and PUD  
Property Use: Single family dwellings and vacant undeveloped land

## **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

### Land Use Amendment Impact Assessment - Application Number L-5591-21C

<b>Development Analysis: 0.22 of an acre</b>		
Development Boundary	Suburban Development Area	
Roadway Frontage Classification / State Road	Dunn Avenue (SR 104) - minor arterial roadway Key Haven Boulevard – local roadway	
Plans and/or Studies	Northwest Jacksonville Vision Plan	
Site Utilization	Current: Single family home	Proposed: Stormwater pond and access road
Land Use / Zoning	Current: LDR/RLD-60	Proposed: NC/CN
Development Standards for Impact Assessment	Current: 5 Single-family DUs / Acre	Proposed: Scenario 1: 0.45 FAR Scenario 2: 10% nonresidential and 90% residential at 15 units/acre in Suburban Area
Development Potential	Current: 1 Single-family DU	Proposed: Scenario 1: 4,312 sq. ft. of commercial space Scenario 2: 431 sq. ft. of commercial space and 3 multi-family DUs
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 1 dwelling units Scenario 2: Increase of 2 dwelling units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 4,312 sq. ft. of commercial space Scenario 2: Increase of 431 sq. ft. of commercial space	
Population Potential	Current: 2 people	Proposed: Scenario 1: 0 people Scenario 2: 7 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	150 foot Height Restriction Zone for Jacksonville International Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low sensitivity	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge area	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	

<b>Development Analysis: 0.22 of an acre</b>	
<b>Public Facilities</b>	
Potential Roadway Impact	De minimis
Potential Public School Impact	De minimis
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 50.4 gallons/day Scenario 2: Increase of 460.55 gallons/day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Decrease of 37.8 gallons/day Scenario 2: Increase of 345.41 gallons/day
Potential Solid Waste Impact	Scenario 1: Increase of 4.299 tons/year Scenario 2: Increase of 5.889 tons per year
Drainage Basin/Sub-basin	Trout River Basin and West Branch Sub-basin
Recreation and Parks	Bethesda Park
Mass Transit Access	Bus stop 3245; on corner of Dunn Avenue and Biscayne Boulevard; Routes 1 & 3
<b>Natural Features</b>	
Elevations	19 feet above mean sea level
Land Cover	1300; Residential High Density
Soils	(51) Pelham fine sand
Flood Zones	No
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	No

### 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).

A JEA availability letter, dated August 16, 2021 is included in the companion rezoning application. The letter indicates that there is an existing 16-inch water main and an existing 10-inch gravity sewer main within the Key Haven Boulevard. In addition the letter states that if necessary, the application site is to be used with the adjacent service station to the east, the existing connection at the service station can be utilized if adequate.

### Transportation

While the proposed amendment includes both residential and commercial components, the site will not be residential or commercial development since the site will be used for a stormwater pond. Therefore, the proposed development will have a de minimis impact on transportation.

### **School Capacity**

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

### **Airport Environment Zone**

The site is located within the 150 foot Height and Hazard Zone for Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150 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.

### **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.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on September 17, 2021 the required notices of public hearing signs were posted. Fifty-one (51) 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 September 20, 2021 for the adoption of the small-scale land use amendment. Other than the applicant, no members of the public were present.

# **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.

- 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 1.1.10            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 1.1.11            Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.
- 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 may be 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, recreation 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 3.2** 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.

**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.

#### 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.

#### 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 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 Category Descriptions of the Future Land Use Element (FLUE), LDR in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

NC in the Suburban Area is 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.

According to the JEA letter dated August 16, 2021 the site has access to potable water or sanitary sewer services. There is an existing 16-inch water main and an existing gravity sewer main along Key Haven Boulevard. FLUE Policy 1.2.9 requires connection to sewer and water when available. Since the site is to be connected to the adjacent commercial property sewer and water connections can also be utilized at that location if necessary. Therefore FLUE Policy 1.2.9 is satisfied.

Although the site is part of a single-family residential subdivision, the corner lot has frontage on the commercial corridor along Dunn Avenue (SR 104), a minor arterial roadway. The land use category adjacent to the site is CGC. Amending the site to NC allows for the expansion of a commercial site, therefore the amendment site is consistent with FLUE Policy 1.1.11, Goal 3 and Objective 3.2.

The Comprehensive Plan allows expansion of commercial use adjacent to residential uses in certain cases. The land use amendment, which expands the commercial area to the existing CGC property to the east, will be under the same ownership and operation of the Gate fueling station and convenience store. In addition, the land use change does not encourage through-traffic into the residential neighborhood. Therefore, the proposed land use amendment is consistent with FLUE Objective 3.2 and Policies 1.1.0 and 3.2.4.

The proposed small-scale amendment will have a negligible impact on the provision of both NC and LDR designated lands in the immediate area and overall for the City due to the minimal acreage subject to this amendment. The characteristics of the surrounding area demonstrate the amendment would result in compatible uses and development scale. In addition, the proposed land use would add to the commercial corridor of Dunn Avenue. Therefore, the land use amendment is consistent with Flue Policies 1.1.5 and 1.1.21.

The proposed amendment is required to comply with ROSE Policy 2.2.1 regarding the provision of open space and will be evaluated for consistency during site plan review.

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.

#### **North Jacksonville Shared Vision and Master Plan**

The amendment site is located within the boundaries of the North Jacksonville Vision Plan. The Plan does not specifically identify the application site. However, the site lies approximately one mile west of the intersection of Lem Turner Road and Dunn Avenue which is planned as an area to be developed as a village center concept. The concept of the village center is to create a highly themed, low intensity, mixed-use center to serve the daily needs of the nearby residential neighborhoods and commercial areas. The Center should contain a mix of uses consisting of a core storefront area of retail, restaurants, and office with some surrounding residential uses. The amendment change to CGC supports this concept and is consistent with the Vision Plan.

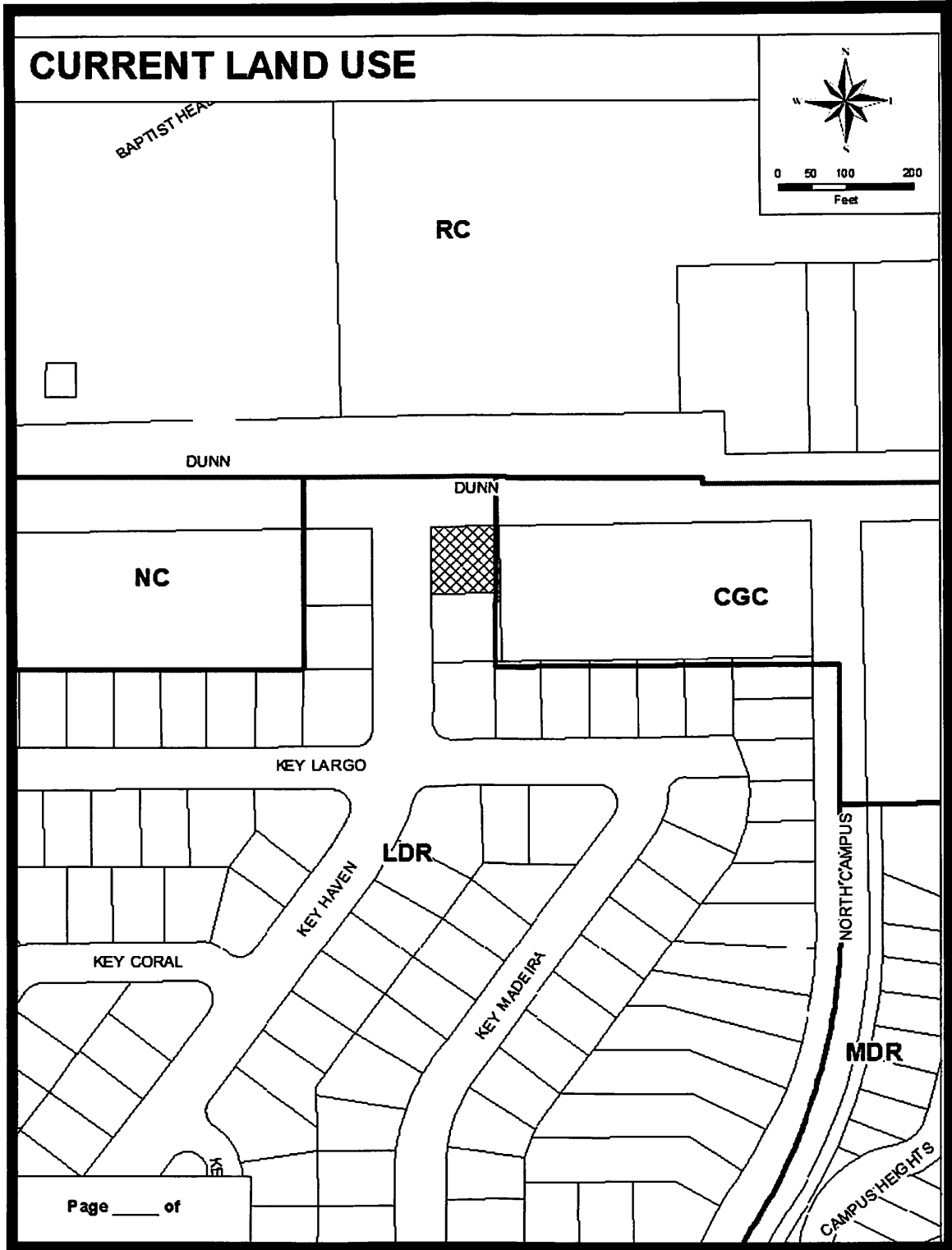
#### **Strategic Regional Policy Plan**

The proposed amendment is consistent with the following Objective and Policy 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 expansion of existing businesses 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.

**CURRENT LAND USE MAP**



# LAND UTILIZATION MAP

