

City of Jacksonville, Florida

Lenny Curry, Mayor

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May 19, 2022

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. 2022-299/Application No. L-5638-21C

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 2022-299 on May 19, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	8-0 APPROVE

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	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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Report of the Jacksonville Planning and Development Department

Large-Scale Future Land Use Map Amendment – May 13, 2021

Ordinance/Application No.: 2022-299 / L-5638-21C

Property Location: On the south side of 5th Street West and West of McDuff Avenue North (SR-129), located at addresses 2600 and 0 5th Street West

Real Estate Number(s): 049706-0010 and 049707-0010

Property Acreage: 12.88 Acres

Planning District: District 5, Northwest

City Council District: District 9

Applicant: Cyndy Trimmer, Esquire

Development Area: Urban Priority Area

Current Land Use: Community / General Commercial (CGC)

Proposed Land Use: Light Industrial (LI)

Current Zoning: Commercial Community / General – 2 (CCG-2)

Proposed Zoning: Industrial Light (IL)

RECOMMENDATION: APPROVAL

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Applicant seeks to use the property for parking in conjunction with its adjoining business.

BACKGROUND

The 12.88 acre subject site is located on the south side of 5th Street West and west of McDuff Avenue North (SR-129). According to the City’s Functional Highway Classification Map, 5th Street West and McDuff Avenue North (SR-129) are collector roadways. Currently, the amendment site is developed commercial land.

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 Community/General Commercial (CGC) to Light Industrial (LI) in order to permit parking

in conjunction with the adjoining business. The subject property is located within the Urban Priority Development Area. A companion rezoning application is pending concurrently with the land use application via Ordinance 2022-0300, which seeks to change the zoning district from Commercial Community/General – 2 (CCG-2) to Industrial Light (IL).

The subject property is adjacent to the KIPP Jacksonville K-8 School. Currently, the predominant land use pattern to the north, east, and west of the subject site is Light Industrial (LI) with Public Building Facilities (PBF) to the south. More specific adjacent land use categories, zoning districts and property uses are as follows:

North: **Land Use:** Light Industrial (LI) and Heavy Industrial (HI) (across 5th Street West)
Zoning: Industrial Light (IL) and Industrial Heavy (IH)
Property Use: Warehouses, manufacturing sites, service garages, and other industrial uses

South: **Land Use:** Public Business Facilities (PBF) Low Density Residential (LDR), Medium Density Residential (MDR), Community General Commercial (CGC) and LI
Zoning: Public Business Facilities-1 (PBF-1), Residential Low Density-60 (RLD-60), Residential Medium Density-D (RMD-D), RMD-B, and Commercial Community/General-2 (CCG-2)
Property Use: Jacksonville Fleet Management, single-family residential, open storage, and industrial uses

East: **Land Use:** Community/General Commercial (CGC) and LI
Zoning: CCG – 2, IL, and IH
Property Use: KIPP Jacksonville K-8 School, open storage, vacant commercial, and vacant industrial uses

West: **Land Use:** LI
Zoning: IL
Property Use: Warehouse

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site-specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Where there is not an associated site-specific policy or note on the annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	South of 5 th Street West – Collector Road	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current: Developed commercial land	Proposed: Parking for adjoining business
Land Use / Zoning	Current: CGC	Proposed: LI
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR (non-residential) Scenario 2: 0.35 FAR (20%), 45 DU per Acre (80%)	Proposed: 0.4 FAR
Development Potential	Current: <u>Scenario 1:</u> 196,368 sq. ft. <u>Scenario 2:</u> 39,273 sq. ft. and 463 DU	Proposed: 224,421 sq. ft.
Net Increase or Decrease in Maximum Density	<u>Scenario 1:</u> N/A <u>Scenario 2:</u> Decrease of 463 DU	
Net Increase or Decrease in Potential Floor Area	<u>Scenario 1:</u> Increase of 28,053 sq. ft. <u>Scenario 2:</u> Increase of 185,148 sq. ft.	
Population Potential	Current: <u>Scenario 1:</u> N/A <u>Scenario 2:</u> 1,088 people	Proposed: N/A
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 ft. Height Restriction Zone for the Herlong Recreational Airport	
Industrial Preservation Area	Situational Compatibility	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	

Development Analysis	
Coastal High Hazard/Adaptation Action Area	No
Groundwater Aquifer Recharge Area	Discharge
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	Brownfields Study Area
Public Facilities	
Potential Roadway Impact	0 Net New Daily Trips
Potential Public School Impact	N/A
Water Provider	JEA
Potential Water Impact	Scenario 1: increase of 6,160 gallons per day Scenario 2: decrease of 102,644 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: increase of 4,620 gallons per day Scenario 2: decrease of 76,983 gallons per day
Potential Solid Waste Impact	Scenario 1: increase of 381.52 tons per year Scenario 2: decrease of 570 tons per year
Drainage Basin/Sub-basin	Upstream of Trout River/ McCoys Creek
Recreation and Parks	Westbrook Center and Park, Westside Park, Ryder Park, and Hammond Park (approximately equidistant from the site)
Mass Transit Access	Route 32 (Stops 3495 & 3365 Northeast of the site) (Stops 5117 & 3497 Northwest of the site)
Natural Features	
Elevations	18 to 24 feet
Land Cover	1830: Race Tracks
Soils	(69) Urban Land and (63) Sapelo Fine Sand – 0 to 2 percent slopes
Flood Zones	Flood Zone A
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	N/A

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

Future Land Use Element

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

A JEA availability letter was not provided by the applicant. However, the City of Jacksonville's Infrastructure GIS maps show service lines for sewer and water mains along 5th Street West.

The map shows a 10-inch water main abutting the subject site along 5th Street West right-of-way. Additionally, there is an 8-inch sewer main abutting the site that runs east to west and ends at the center of the subject site. Another 42-inch sewer main is located directly across (north) 5th Street West.

Transportation

The subject site is 12.88 acres and is accessible from 5th Street West, a collector facility. The proposed land use amendment is located within the Urban Priority Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Community General Commercial (CGC) to Light Industrial (LI).

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

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 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.

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 5,596 or 4,712 daily trips, depending on the scenario. If the land use is amended to allow for this proposed LI development, this will result in 1,093 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in no 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 to determine if a traffic operational analysis is needed.

**Table A
Daily Trip Generation Estimation Scenarios**

Existing Land Use- Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	196,368 SF	T = 37.01 (X) / 1000	7,268	1,672	5,596
					Total Trips for Existing Scenario 1 Land Use	5,596
Existing Land Use- Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	821	39,273 SF	T = 67.52 (X) / 1000	2,652	1,061	1,591
CGC- R	220	463 MF DUs	T = 6.74 (X)	3,121	0	3,121
					Total Trips for Existing Scenario 2 Land Use	4,712
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	224,421 SF	T= 4.87 (X)	1,093	0	1,093
					Total Trips for Proposed Land Use	1,093
					<i>Scenario 1 Difference in Daily Trips</i>	0
					<i>Scenario 2 Difference in Daily Trips</i>	0

Source: Trip Generation Manual, 11th Edition, Institute of Engineers

Airport Environment Zone

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

Future Land Use Element

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

Industrial Zone

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

Future Land Use Element

Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility".

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility" are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

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 April 26, 2022, the required notices of public hearing signs were posted. Sixteen (16) 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 via Zoom on May 2, 2022. There was no one from the public in attendance to discuss the application.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

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.

Future Land Use Element:

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 sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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 areas served, availability of public facilities, and market demands.

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

Property Rights Element

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 of the Future Land Use Element (FLUE), the general intent of the Community/General Commercial (CGC) category is 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 in the Urban Priority Area is intended to provide compact development promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment.

The Light Industrial (LI) Future Land Use Category is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on

residential areas such as noise, odor, toxic chemical and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The subject site is within an Industrial Situational Compatibility Zone. Per FLUE Policy 3.2.30, sites within such zones are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

The applicant is proposing a land use change from CGC to LI. The proposed amendment seeks to use the subject property for parking in conjunction with its adjoining business. The amendment provides for additional LI designated land in order to allow for a needed use of an existing business/educational institution in an area that has the capacity to support such use. The proposed land use amendment is in the Urban Priority Development Area (UPA), in an area with access to full urban services. The designation of LI for the property promotes a compatible development pattern like the surrounding industrial uses. Therefore, the proposed amendment is consistent with the intent of the UPA and FLUE Objective 6.3 and Policy 1.1.5.

Although the applicant did not provide a JEA availability letter, the City of Jacksonville's Infrastructure GIS maps show service lines for sewer and water mains along 5th Street West, and is therefore consistent with FLUE 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.

Northwest Vision Plan

The proposed land use amendment is located within the Northwest Planning District. While the proposed uses and location for the subject site are not specifically addressed within the vision plan, a general note of parking lot concerns is expressed. Hardened surfaces increase the amount of storm water runoff and suggests developed areas of Northwest Jacksonville generate significantly more runoff than rural areas. This creates challenges for existing drainage infrastructure and should encourage future development to be storm-water friendly. Parking lots are encouraged to use porous pavements to prevent congested run-off and drainage issues.

Strategic Regional Policy Plan

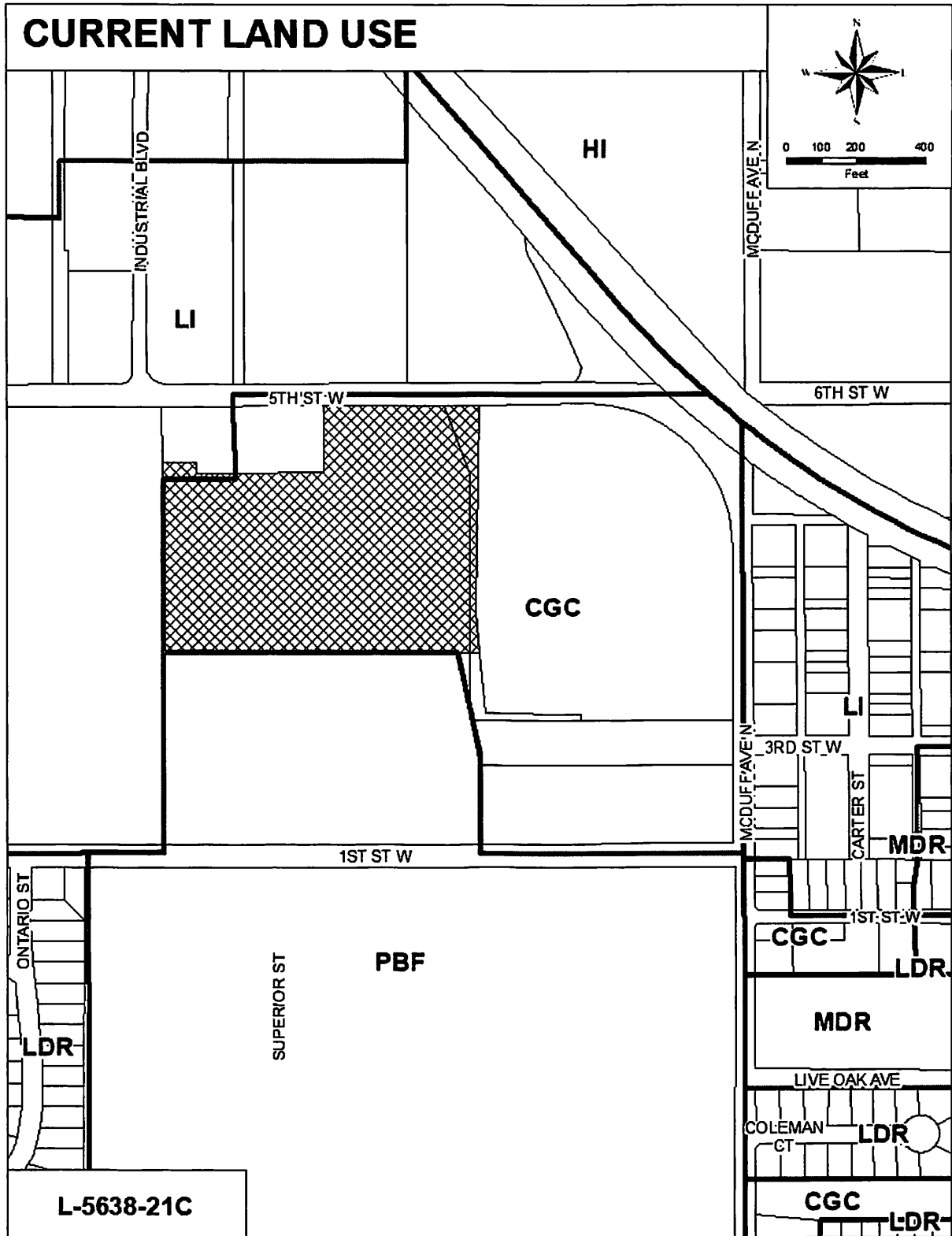
The proposed land use amendment is consistent with the following objective and policy of the Strategic Regional Policy Plan:

Goal	Recognize the importance of cultivation in Northeast Florida and be part of the conversation on what approaches are appropriate here and how to successfully implement them.
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Policy 2 Support the existing base level of facilities and jobs, and look for opportunities to increase these sectors and expand existing businesses and services.

The proposed land use amendment supports the KIPP Jacksonville Public School by proposing parking in conjunction with the school's adjoining business. This would support the existing educational institution's demand for parking and successfully support their business.

SMALL SCALE LAND USE APPLICATION L-5638-21C



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