

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

January 6, 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. 2021-830/Application No. L-5611-21A

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 2021-830 on January 6, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	5-0 APPROVE

David Hacker, Chair	Aye
Alexander Moldovan, Vice-Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Joshua Garrison	Absent
Jason Porter	Absent

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

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – December 30, 2021

Ordinance/Application No.: 2021-830 / L-5611-21C

Property Location: 12233 and 12309 Sago Avenue, 104 New Berlin Road

Real Estate Number(s): 106860 0010, 106863 0000, 107440 0000

Property Acreage: 6.62

Planning District: District 6, North

City Council District: District 7

Applicant: Michael Sjuggerud

Current Land Use: Neighborhood Commercial (NC)

Proposed Land Use: Community/General Commercial (CGC)

Current Zoning: Commercial Neighborhood (CN)

Proposed Zoning: Commercial Community/General-1 (CCG-1)

Development Boundary: Suburban Area

RECOMMENDATION: **APPROVE**

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow additional property uses.

BACKGROUND

The 6.62 acre subject site is located at the Southwest quadrant of the intersection of New Berlin Road and Sago Avenue West. New Berlin Road is a collector roadway, while Sago Avenue West is unclassified. The applicant is proposing a Future Land Use Map (FLUM) amendment from Neighborhood Commercial (NC) to Community/General Commercial (CGC) to allow for additional permitted uses at the existing parcel. The applicant is also proposing a companion rezoning from Commercial Neighborhood (CN) to Commercial Community / General-1, which is pending concurrently with this amendment, pursuant to Ordinance 2021-831.

The subject site is currently a shopping center with other nearby commercial businesses as well as nearby residential areas.

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

North: Land Use: Neighborhood Commercial (NC), Low Density Residential (LDR) and Community/General Commercial (CGC)

Zoning: Commercial Neighborhood (CN), Residential Low Density-60 (RLD-60), Planned Unit Development (PUD)

Property Use: Vacant commercial, office, single family dwellings and retail

South: Land Use: Public Buildings and Facilities (PBF) and Residential-Professional-Institutional (RPI)

Zoning: Public Buildings and Facilities-1 (PBF-1) and CRO

Property Use: Park/Recreational (Oceanway Center/Park) and church

East: Land Use: PBF, LDR

Zoning: PBF-1, RLD-60

Property Use: Park/Recreational, residential

West: Land Use: CGC

Zoning: CCG-1, CCG-2

Property Use: Restaurant and Vacant Institute

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 - Application Number L-5611-21C

Development Analysis	NC to CGC	6.62 Acres
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	New Berlin Rd., Collector Sago Ave, Unclassified	
Plans and/or Studies	North Jacksonville Shared Vision Plan	
Site Utilization	Current: Shopping Center and Restaurant	Proposed Site Utilization: Shopping Center and Restaurant

Development Analysis	NC to CGC	6.62 Acres
Land Use / Zoning	Current: NC/CN	Proposed: CGC/CCG-1
Development Standards for Impact Assessment	Current: Scenario 1: 100% Non-residential .45 FAR Scenario 2: 90% residential at 15 units/acre and 10% non-residential at 0.45 FAR	Proposed: Scenario 1: 0.35 FAR, 100% non-residential Scenario 2: 80% residential at 15 units/acre and 20% non-residential at 0.35 FAR
Development Potential	Current: Scenario 1: 129,765 sq. ft. of NC uses Scenario 2: CGC: 89 units and 12,976 sq. ft.	Proposed: Scenario 1: 100,928 sq. ft of CGC uses Scenario 2: 79 units and 20,185 sq. ft of CGC uses
Net Increase or Decrease in Maximum Density	Scenario 1: N/A Scenario 2: Decrease of 10 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 28,837 sq. ft. Scenario 2: Increase of 7,209 sq. ft.	
Population Potential	Scenario 1: 0 People Scenario 2: 209 People	Scenario 1: 0 People Scenario 2: 185 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	150 foot height restriction for JIA	
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	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	Scenario 1: 396 net new daily trips Scenario 2: 486 net new daily trips	

Development Analysis	NC to CGC	6.62 Acres
Potential Public School Impact	Scenario 1: N/A Scenario 2: Increase of 17 new students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 1363 gallons of water per day. Scenario 2: Decrease of 1774 gallons of water per day.	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 1023 gallons of wastewater per day. Scenario 2: Decrease of 1331 gallons of wastewater per day.	
Potential Solid Waste Impact	Scenario 1: Decrease of 43.63 tons of solid waste per year. Scenario 2: Decrease of 12.49 tons of solid waste per year	
Drainage Basin/Sub-basin	Broward River, Little Cedar Creek	
Recreation and Parks	Oceanway Center and Park	
Mass Transit Access	No	
Natural Features		
Elevations	30-32	
Land Cover	1400: Commercial and services	
Soils	14, 69, 71	
Flood Zones	No	
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).

According to the city's infrastructure map there is an 8 inch sewer main located at the intersection of New Berlin Road and Sago Avenue North. There is also a water main located adjacent to the site on Sago Avenue.

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 Planning and Development Department completed a transportation analysis, which is on file with the Department, and determined that the proposed amendment from Neighborhood Commercial (NC) to Community/General Commercial (CGC) has an existing development potential as 100% commercial under scenario 1 or 20% commercial and 80% residential uses under scenario 2. If the land use is amended to allow for this CGC development, this will result in an increase of 396 daily trips under Scenario 1 or 486 daily trips under Scenario 2, when compared to the existing land use. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

Objective 2.4 of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series 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. 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.

School Capacity

The Planning and Development Department determined that the proposed amendment from NC to CGC has the development potential under scenario 1 as 100% non-residential and under scenario 2 as 80% residential and 20% non-residential. Under scenario 2, the proposed amendment could result in development of 75 dwelling units. There will be an addition of 17 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:

- **Elementary School**
 - Concurrency Service Area (CSA) 7
 - 2021/2022 enrollment: 2,979
 - Current utilization: 83%
 - New student development from amendment: 9
 - 5-year utilization: 70%
 - Available seats in CSA 7: 689
 - Available seats in adjacent CSA(s): 1 and 2 is 10,485

- **Middle School**
 - CSA 1
 - 2021/2022 enrollment: 7,527
 - Current utilization: 88%

- New student development from amendment: 3
- 5-year utilization: 86%
- Available seats in CSA 1: 801
- Available seats in adjacent CSA(s): 2 and 7 is 756

- High School
 - CSA 7
 - 2021/2022 enrollment: 2,194
 - Current utilization: 99%
 - New student development from amendment: 5
 - 5-year utilization: 73%
 - Available seats in CSA 7: 757
 - Available seats in adjacent CSA(s): 1 and 2 is 2,118

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.

- Oceanway Elementary School
 - CSA 7
 - Amendment student generation: 9
 - School Capacity including permanent spaces and portables: 680
 - Current enrollment 20 day county for 2021/2022: 558
 - Percent Occupied: 82%
 - 4-year projection: 102%

- Oceanway Middle School
 - CSA 1
 - Amendment student generation: 3
 - School Capacity including permanent spaces and portables: 1,009
 - Current enrollment 20 day county for 2021/2022: 1,038
 - Percent Occupied: 103%
 - 4-year projection: 81%

- First Coast High School
 - CSA 7
 - Amendment student generation: 5
 - School Capacity including permanent spaces and portables: 2,212
 - Current enrollment 20 day county for 2021/2022: 2,194
 - Percent Occupied: 99%
 - 4-year projection: 101%

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 150 foot Height and Hazard Zone for the 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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on December 10, 2021, the required notices of public hearing signs were posted. Thirty-one (31) 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 November 29, 2021. 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.

- 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 1.1.11 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 1.1.22 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.

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

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.

Pending Property Rights Element (Ordinance 2021-334-E)

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.

Plan amendment requests for new NC designations in the suburban area are 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. Sites with two or more property boundaries on transportation rights-of-way will be considered preferred locations.

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.

Given the land development pattern in the area, the proposed amendment from NC to CGC continues the area's commercial development pattern at the intersection of New Berlin Road and Sago Avenue. The Comprehensive Plan encourages non-residential development to be located along corridors and particularly at commercial nodes along the corridor. The site is currently used as a commercial shopping center and the amendment application is compatible with the existing commercial development in the immediate area. This proposed pattern of development is encouraged by FLUE Goal 3, Objectives 3.2 and Objective 6.3 and Policies 1.1.5, 1.1.11, 1.1.22 and 3.2.1

This site is an appropriate continued use for commercial since the land utilization of the site will continue as a shopping center. The amendment site achieves a well-balanced combination of commercial uses served by a convenient and efficient transportation network, which will continue to offer a full range of employment, shopping, and opportunities to support the nearby residential neighborhoods. Therefore, the amendment is consistent with FLUE Goal 3, Objective 3.2, Policy 1.1.5 and 1.1.21.

Consistent with FLUE Policy 1.2.9, the subject site will be served by city water and sewer services. According to the applicant, JEA water and sewer is planned to be used. According to the city's infrastructure map there is an 8 inch sewer main located at the intersection of New Berlin Road and Sago Avenue North. There is also a water main located adjacent to the site on Sago Avenue.

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 Vision Plan

The subject site is located within the boundaries of the North Jacksonville Vision Plan (July, 2003). The shared vision in this plan is to: Changing the Economic Paradigm, Eradicating the Ugliness, Creating the North Jacksonville Town Center, Creating a Sense of Community, Creating Great Neighborhoods, Connecting with the environment, Connecting the Places, Connecting the Neighborhoods, Protecting the Corridors and Embracing our History and Culture. This land use amendment proposes to allow additional property uses. This site will contribute to the vision, because having the possibility of more uses will allow a variety of more uses to be allowed on the site. These uses can cater to the surrounding residential areas or commercial uses. Therefore, the proposed land use change is consistent with the North Jacksonville Vision Plan.



Strategic Regional Policy Plan

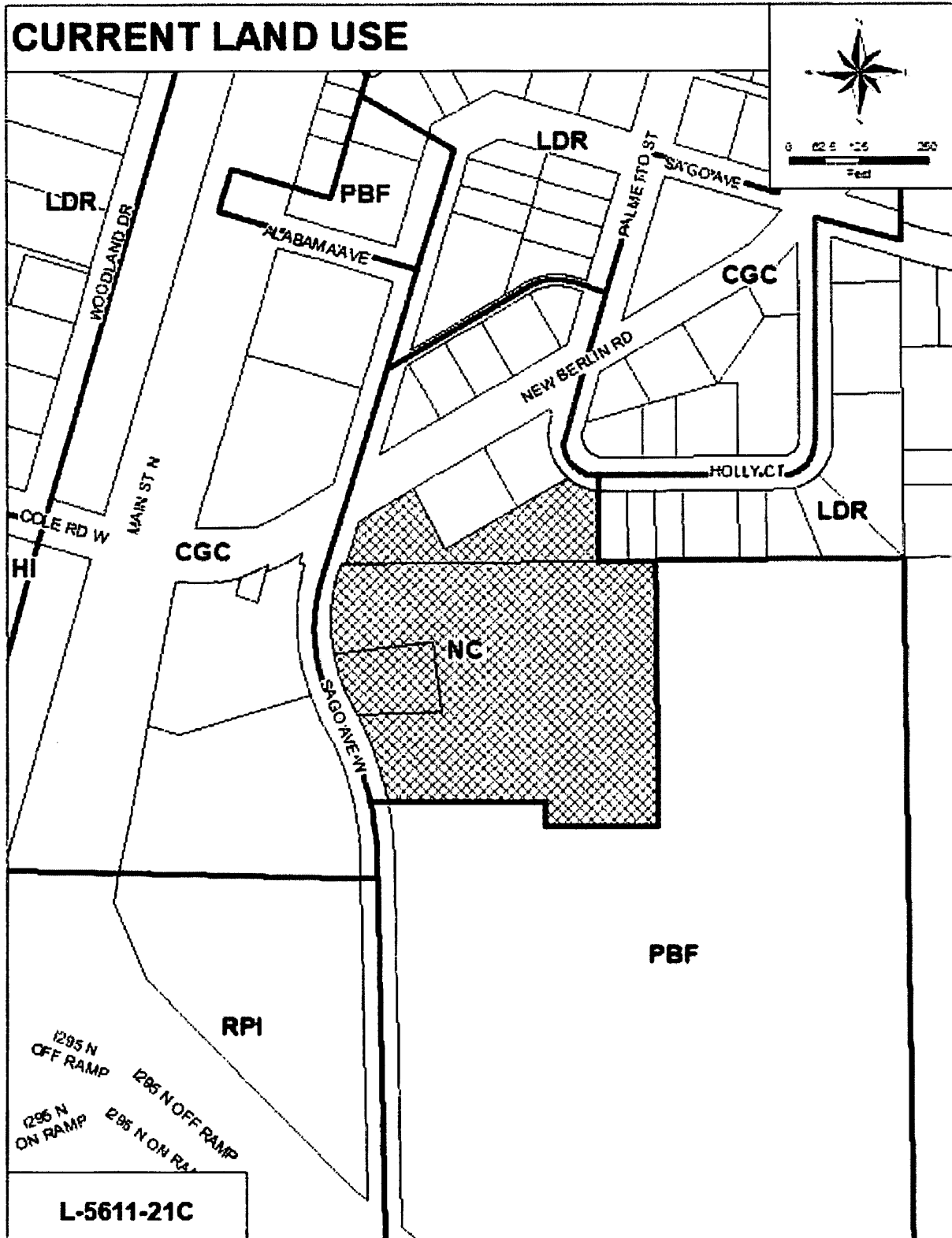
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Objective: A region where all people can thrive

Policy 4: Non-compact development patterns and limited mobility options are a barrier to success for all, and have a greater impact on low-income residents, seniors and those with disabilities or health challenges. The Region supports more compact development connected by transportation corridors.

The proposed land use amendment is located within close proximity to residential areas and major transportation corridors, which makes it consistent with Policy 4 of the SRPP.

LAND USE AMENDMENT MAP



LAND UTILIZATION MAP

