

City of Jacksonville, Florida

Lenny Curry, Mayor

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May 5, 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. 2022-246/Application No. L-5679-22C

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 2022-246 on May 5, 2022.

P&DD Recommendation APPROVE
PC Issues: None
PC Vote: 6-0 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	Absent
Jordan Elsbury	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
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – April 29, 2022

Ordinance/Application No.: 2022-246 / L-5679-22C

Property Location: 10155 New Kings Road (U.S. 1) between Barth Road and Macon Road

Real Estate Number(s): 002731-1000, a portion of

Property Acreage: 0.40 of an acre

Planning District: District 6

City Council District: District 8

Applicant: Babette Ashley, Esquire

Current Land Use: Low Density Residential (LDR)

Proposed Land Use: Community General Commercial (CGC)

Development Area: Suburban Development Area

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

Proposed Zoning: Commercial Community General-2 (CCG-2)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

A review of the existing land use and zoning designations for the surrounding area reflects that this part of the New Kings Road corridor is primarily designated and utilized for commercial businesses. Only the smaller back portion of the property carries residential land use and zoning designations, which are not consistent with the remainder of the parcel or commercial uses that exist along New Kings Road. The entirety of the property is necessary and appropriate for a commercial business.

BACKGROUND

The 0.40 of an acre subject site is a portion of property located on the northeastern side of New Kings Road (U.S. 1), between Barth Road and Macon Road. According to the City’s Functional Highways Classification Map, New Kings Road is a major arterial

roadway. Although, the land use application site is within the Low Density Residential (LDR) land use category, it is a small portion of a larger property that is within the Community/General Commercial (CGC) category. Access to the site will be from the portion of property that has frontage on New Kings Road.

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 CGC in order to allow the entire property to be used for commercial purposes. A companion rezoning application is pending concurrently with the land use application via Ordinance 2022-247, which seeks to change the zoning district from Residential Low Density-60 (RLD-60) to Commercial Community/General-2 (CCG-2).

Currently the site is used for vehicle storage in association with the service garage on the larger portion of the property. Changing the land use category to CGC and zoning district to CCG-2 would make the entire property conforming. There are several commercial uses north and south of the application site along New Kings Road within the CGC land use category.

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

North: Land Use: CGC and LDR

Zoning: CCG-2 and RLD-60

Property Use: Retail store, mobile homes, single-family dwellings, used vehicle sales, multi-family dwellings, service garage, office, florist/nursery and vacant undeveloped land.

South: Land Use: CGC, LDR, Heavy Industrial (HI) and Light Industrial (LI)

Zoning: CCG-2, RLD-60, Planned Unit Development (PUD) and RR-Acre

Property Use: Mobile homes, single-family dwellings, vacant undeveloped land, open storage, service garage, used vehicle sales, retail store, convenience store/gas station and warehouse.

East: Land Use: LDR

Zoning: RLD-60

Property Use: Church, single-family dwellings, mobile homes multi-family dwelling and vacant undeveloped land.

West: Land Use: CGC, LI and LDR

Zoning: CCG-2, IL and RR-Acre

Property Use: Autobody/service garages, office, used vehicle sales, open storage, single family dwellings and mobile homes, church, multi-family dwelling, convenience store/gas station 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 Ordinance 2022-246 Application L-5679-22C

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-5679-22C

Development Analysis:		0.40 of an acre
Development Boundary	Suburban Development Area	
Roadway Frontage Classification / State Road	New Kings Road (U.S. 1) - Major arterial roadway	
Plans and/or Studies	Northwest Jacksonville Vision Plan	
Site Utilization	Current: Service garage	Proposed: Service garage
Land Use / Zoning	Current: LDR / RLD-60	Proposed: CGC / CCG-2
Development Standards for Impact Assessment	Current: 5 DU per acre	Proposed: Scenario 1: 0.35 FAR / Scenario 2: 80% Residential at 15 DU/Acre and 20% at 0.35 FAR
Development Potential	Current: 2 DUs per acre	Proposed: Scenario 1: 6,098 sq. ft. of commercial space Scenario 2: 1,219 sq. ft. of commercial space and 4 multi-family DUs
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 2 DU Scenario 2: Increase of 2 DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 6,098 sf Scenario 2: Increase of 1,219 sf	
Population Potential	Current: 5 people	Proposed: Scenario 1: 0 people Scenario 2: 9 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	

Development Analysis:	0.40 of an acre
Coastal High Hazard	No
Adaptation Action Area	No
Groundwater Aquifer Recharge Area	Discharge area
Evacuation Zone	Zone C
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	No
Public Facilities	
Potential Roadway Impact	Scenario 1: Increase of 180 daily trips Scenario 2: Increase of 48 daily trips
Potential Public School Impact	De minimus
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 227.1 gallons per day Scenario 2: Increase of 468.95 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario1: Decrease of 170.3 gallons per day Scenario 2: Increase of 351.71 gallons per day
Potential Solid Waste Impact	Scenario 1: Increase of 4.557 tons per year Scenario 2: Increase of 7.150 tons per year
Drainage Basin/Sub-basin	Drainage Basin: Trout River Sub-drainage Basin: Trout River
Recreation and Parks	Dinsmore Center and Park
Mass Transit Access	No bus service at this location
Natural Features	
Elevations	10 to 22 feet above mean sea level
Land Cover	1400 – Commercial and Service
Soils	(63) Sapelo fine sand
Flood Zones	No
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	Not applicable

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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 March 10, 2022 is included in the companion rezoning application. The letter indicates that an 18-inch water main is within the New Kings Road right-of way. However, sanitary sewer services are not within ¼ mile of the subject property.

Transportation

Background Information:

The subject site is 0.40 of an acre and is accessible from New Kings Road (US 1), a major arterial facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 5. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Community General Commercial (CGC).

Comprehensive Plan Consistency:

The Trip Generation Analysis is consistent with most recent version of the Transportation Element (TE) of the City of Jacksonville Comprehensive Plan (TE Objective 2.4 and Policies 1.2.1 and 2.4.2).

Transportation Element

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

Objective 2.4 The City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

Policy 2.4.2 The City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

Trip Generation Estimation:

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 19 daily trips. If the land use is amended to allow for this proposed CGC development, this will result in 199 or 67 daily trips depending on the scenario.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment is an increase of 180 or 48 net new daily trips when compared to the existing land use. US 1 is subject to FDOT review and access management requirements. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and the City of Jacksonville Traffic Engineer.

Table A
Trip Generation Estimation Scenarios

Current Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	2 SF DU	T= 9.43 (X)	19	0	19
				Total Trips for Existing Land Use		19
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	6,098 SF	T = 54.45 (X) / 1000	332	133	199
				Total Trips for Proposed Land Use- Scenario 1		199
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	822	1,219 SF	T = 54.45 (X) / 1000	66	26	40
CGC- R	220	4 MF DUs	T = 6.74 (X)	27	0	27
				Total Trips for Proposed Land Use- Scenario 2		67
				Scenario 1 Difference in Daily Trips		180
				Scenario 2 Difference in Daily Trips		48

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

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.

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.

Evacuation Zone

The subject site is within Evacuation Zone C. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD, no impacts to countywide evacuation

times are anticipated from the amendment proposed in L-5679-22C. Proximity to New Kings Road indicates sufficient access to evacuation routes (I-295 and I-95). Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on April 15, 2022 the required notices of public hearing signs were posted. Nineteen (19) 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 April 27, 2022 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** 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 3.2.4** 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.

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 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.

The CGC land use category in the Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services, abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

A JEA availability letter, dated March 10, 2022 is included in the companion rezoning application. The letter indicates that an 18-inch water main is within the New Kings Road right-of way. However, sanitary sewer services are not within ¼ mile of the subject property. Commercial development at the proposed location will need to have a private septic system designed for the needs of the proposed development area under the provisions of Section 381.0065, Florida Statutes, and will need to connect to centralized sewer when it becomes available per Section 381.00655, Florida Statutes as required in FLUE Policy 1.2.9.

Although the application site is abuts a residential land use category and zoning district on three sides of the site, it is a portion of a larger property in a commercial area with frontage on a major arterial roadway. Access can only be gained through the commercial area of the property. Amending the site to CGC allows for the expansion and increased viability of an underutilized commercial site, therefore the amendment site is consistent with FLUE Policy 1.1.11, Objective 3.2 and Goal 3.

The Comprehensive Plan allows expansion of commercial use adjacent to residential uses in certain cases. The land use amendment, which expands the CGC, enhances the existing CGC property to the west, which is under the same ownership. In addition, the land use change does not encourage through-traffic into the residential areas. Therefore, it is consistent with FLUE Objective 3.2, and Policies 1.1.10 and 3.2.4.

The proposed small-scale amendment would have a negligible impact on the provision of both CGC and LDR designated land 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. The proposed land use would unify the entire parcel under one land use category. 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 application site is within the North Jacksonville Shared Vision and Master Plan area. The plan does not identify specific recommendations for the subject site. However, the site is located approximately one mile south of the proposed Dinsmore Rural Village Center where the proposed center is to provide market based combination of retail shopping, commercial services, entertainment, work places, residential, civic facilities, and parks that address the everyday needs of the surrounding community.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Policy of the Northeast Florida Regional Council (NEFRC) Strategic Regional Policy Plan (March 2021), Regional Transportation Element Goal, Objective, and portions of Policy 4:

Goal: Create efficient connectivity within the Region, and with state, national, and global economies. Include centers of population and jobs that are well-connected, limit commute times for most residents and provide opportunities for all residents of the region to work if they choose.

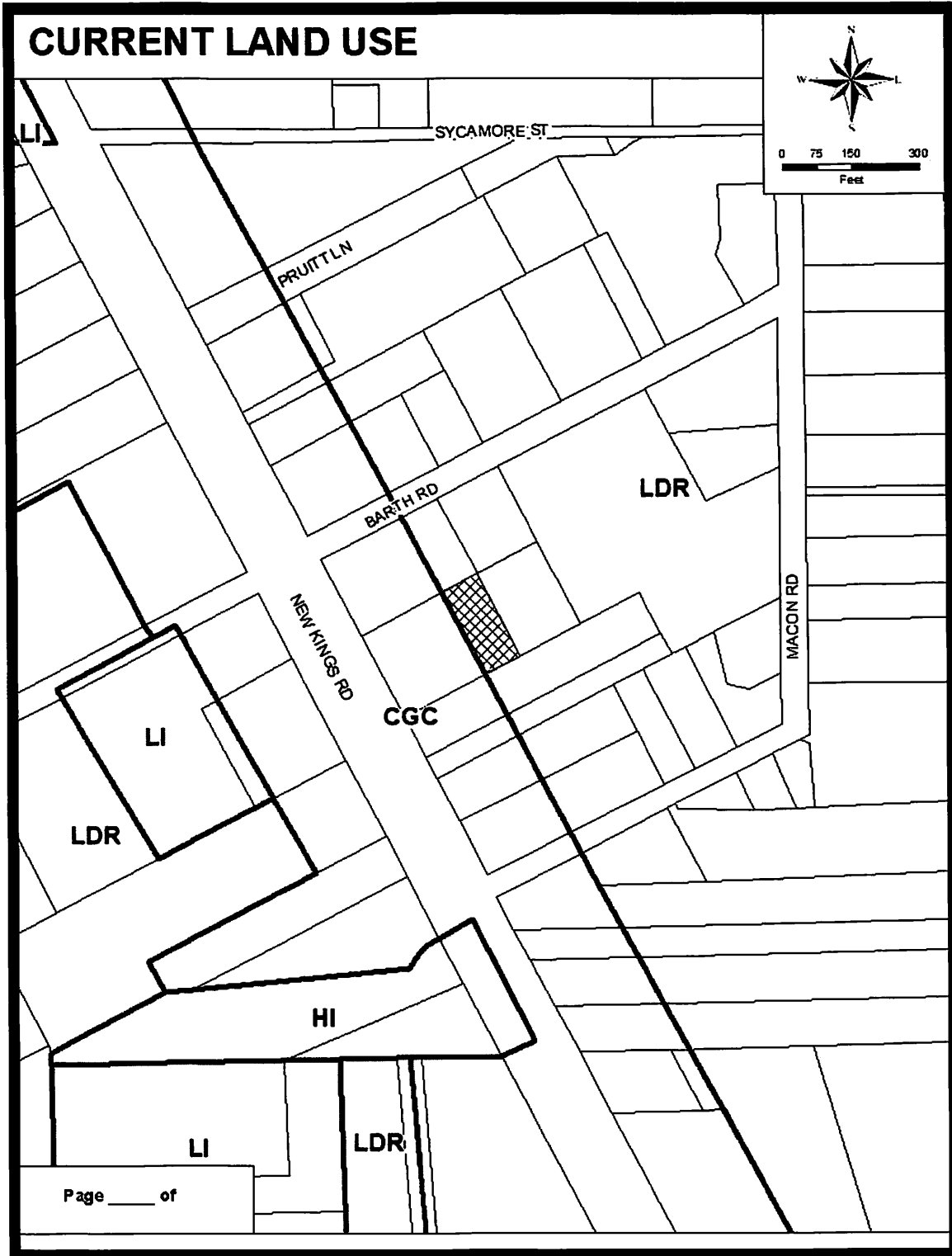
Objective: Integrated Planning: The link between land use, resources and mobility.

Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

- Local governments as they identify areas appropriate for mixed-use development.
- Incentives for dense and/or mixed use development.
- Maintenance of a diversity of land use in the region.
- Infill and redevelopment.

CGC is a mixed use land use category. The proposed land use amendment to CGC reduces the non-conformity of a commercially used property and provides the opportunity for the potential of mixed use development. Therefore, the proposed amendment is inconsistent with Transportation Element Goal, Objective and Policy 4 of the Strategic Regional Policy Plan.

CURRENT LAND USE MAP



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LAND UTILIZATION MAP

