

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
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Jacksonville, FL 32202  
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August 18, 2022

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-551/Application No. L-5722-22C**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairman Carrico 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 2022-551 on August 18, 2022.

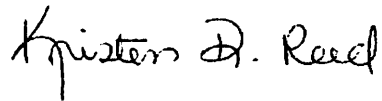
P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

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	Absent

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If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – August 12, 2022

**Ordinance/Application No.:** 2022-551 / L-5722-22C

**Property Location:** 0 Paris Avenue between Tuskegee Road and 45<sup>th</sup> Street West

**Real Estate Number(s):** 086290 0000

**Property Acreage:** 0.14 of an acre

**Planning District:** District 5, Northwest

**City Council District:** District 8

**Applicant:** Zach Miller, Esquire

**Current Land Use:** Community / General Commercial (CGC)

**Proposed Land Use:** Residential-Professional-Institutional (RPI)

**Development Area:** Urban Priority Development Area

**Current Zoning:** Commercial Office (CO)

**Proposed Zoning:** Commercial, Residential and Office (CRO)

***RECOMMENDATION: APPROVE***

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

The area surrounding the property is entirely residential. The land use change will allow for development of residential uses consistent with the surrounding area while preserving low intensity commercial uses that are currently allowed.

**BACKGROUND**

The 0.14 of an acre subject site is located one parcel south of the southwest corner of Tuskegee Road and Paris Avenue. Currently the site is vacant and undeveloped. The area north, south and east of the parcel is primarily single-family residential. One block west of the parcel, along Avenue B, there are a couple churches, single-family residences, some commercial establishments, and undeveloped properties.

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 CGC to RPI in the Urban Priority Development Area to develop the site with residential uses. The land use north, south, and west of the subject site is CGC with one parcel across Tuskegee Road that is in the MDR land use category. Two parcels south of the site are in the RPI land use category. Everything east of the site is in the MDR land use category. A companion rezoning application is pending concurrently with the land use application via Ordinance 2022-552, which seeks to change the zoning district from CO to CRO.

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

North: Land Use: CGC (predominately) and MDR  
Zoning: CO and RMD-A  
Property Use: Single-family residential, vacant

South: Land Use: CGC, RPI, and MDR  
Zoning: CO and RMD-A  
Property Use: Single-family residential

East: Land Use: MDR  
Zoning: RLD-60  
Property Use: Single-family residential

West: Land Use: CGC  
Zoning: CCG-1  
Property Use: Commercial, single-family residential, churches, vacant

### **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

<b>Development Analysis</b>	<b>0.14 Acres</b>	<b>6,098 sq. ft.</b>
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	Paris Avenue – Local Road	
Plans and/or Studies	45 <sup>th</sup> and Moncrief NAP Northwest Vision Plan	
Site Utilization	Current: Vacant	Proposed: Residential Uses (while preserving low intensity commercial potential)
Land Use / Zoning	Current: CGC / CO	Proposed: RPI / CRO
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 0.35 FAR and 45 DU / Acre – 10%/90%	Proposed: Scenario 1: 0.5 FAR Scenario 2: 0.5 FAR and 30 DU / Acre – 10%/90%
Development Potential	Current: Scenario 1: 2,134 sq. ft. Scenario 2: 427 sq. ft. and 5 MF DU	Proposed: Scenario 1: 3,049 sq. ft. Scenario 2: 305 sq. ft. and 3 MF DU
Net Increase or Decrease in Maximum Density	Scenario 1: N/A Scenario 2: Decrease of 2 MF DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 915 sq. ft. Scenario 2: Decrease of 122 sq. ft.	
Population Potential	Current: 11 people	Proposed: 7 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	Yes	
Evacuation Zone	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	Brownfield Study Area	
<b>Public Facilities</b>		
Potential Roadway Impact	Scenario 1: 0 new net daily trips Scenario 2: 0 new net daily trips	
Potential Public-School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Increase of 107 gpd Scenario 2: Decrease of 470 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Increase of 80 gpd	

<b>Development Analysis</b>	<b>0.14 Acres</b>	<b>6,098 sq. ft.</b>
		Scenario 2: Decrease of 353 gpd
Potential Solid Waste Impact		Scenario 1: Increase of 1.46 tons per year Scenario 2: Increase of 5.4 tons per year
Drainage Basin/Sub-basin		Basin: Trout River Sub-basin: Moncrief Creek
Recreation and Parks		Scott Park
Mass Transit Access		Route 22, Stops 3840 and 3854
<b>Natural Features</b>		
Elevations		25' - 26'
Land Cover		1200: Residential, medium density – 2-5 du/acre
Soils		73 – Urban land-Mascotte Sapelo complex – 0%-2% slopes
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 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).

The applicant provided a JEA Availability letter dated April 20, 2022. There is an existing 6-inch water main within the Paris Avenue right-of-way. There is an existing 12-inch gravity sewer main also within the Paris Avenue right-of-way. The water special conditions require an infill layout prior to applying for new service. The sewer special conditions provide that if gravity flow cannot be achieved, then the sewer point of contact cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately owned and operated pump system.

**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 subject site is 0.14 of an acre and is accessible from Paris Avenue and is an unclassified facility. The proposed land use amendment is located within the Urban Priority Area and Mobility Zone 9. The applicant proposes to change the existing land

use from Community General Commercial (CGC) to Residential Professional Institutional (RPI).

**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).

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 70 or 48 daily trips, depending on the scenario. If the land use is amended to allow for this proposed RPI development, this will result in 33 or 23 daily trips depending on the scenario.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in zero 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**

**Trip Generation Estimation Scenarios**

<b>Current Land Use-Scenario 1</b>	<b>ITE Land Use Code</b>	<b>Potential Number of Units</b>	<b>Estimation Method</b>	<b>Gross Trips</b>	<b>Less Pass-By Trips</b>	<b>Daily Trips</b>
CGC	822	2,134 SF	T = 54.45 (X) / 1000	116	46	70
				<i>Total Trips for Existing Land Use- Scenario 1</i>		<b>70</b>
<b>Current Land Use-Scenario 2</b>	<b>ITE Land Use Code</b>	<b>Potential Number of Units</b>	<b>Estimation Method</b>	<b>Gross Trips</b>	<b>Less Pass-By Trips</b>	<b>Daily Trips</b>
CGC- N	822	427 SF	T = 54.45 (X) / 1000	23	9	14
CGC- R	220	5 MF DUs	T = 6.74 (X)	34	0	34
				<i>Total Trips for Existing Land Use- Scenario 2</i>		<b>48</b>
<b>Proposed Land Use-Scenario 1</b>	<b>ITE Land Use Code</b>	<b>Potential Number of Units</b>	<b>Estimation Method</b>	<b>Gross Trips</b>	<b>Less Pass-By Trips</b>	<b>Daily Trips</b>
RPI	710	3,049 SF	T = 10.84 (X) / 1000	33	0	33
				<i>Total Trips for Proposed Land Use- Scenario 1</i>		<b>33</b>
<b>Proposed Land Use-Scenario 2</b>	<b>ITE Land Use Code</b>	<b>Potential Number of Units</b>	<b>Estimation Method</b>	<b>Gross Trips</b>	<b>Less Pass-By Trips</b>	<b>Daily Trips</b>
RPI- N	710	305 SF	T = 10.84 (X) / 1000	3	0	3
RPI- R	220	3 MF DUs	T = 6.74 (X)	20	0	20
				<i>Total Trips for Proposed Land Use- Scenario 2</i>		<b>23</b>
				<b>Scenario 1 Difference in Daily Trips</b>		<b>0</b>
				<b>Scenario 2 Difference in Daily Trips</b>		<b>0</b>

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.

**Septic Tank Failure Area**

The property is located in an identified septic tank failure area. The City shall continue the effort to phase out septic tanks in defined failure areas in order to comply with Chapter 751, Jacksonville Ordinance Code. See policies of the Infrastructure Element below:

**Infrastructure Element, Sanitary Sewer Sub-Element**

Policy 1.2.4 Existing septic tanks for estimated wastewater flows of 600 or less gallons per day (gpd) shall connect to the collection system of a regional utility company provided that gravity service is available via a facility within a right-of-way or easement, which abuts the property.



Policy 1.2.5 Existing septic tanks for estimated wastewater flows exceeding 600 gallons per day (gpd) shall connect to the collection system of a regional utility company provided that a facility abuts or is within 50 feet of the property.

Policy 1.2.8 The City shall continue the effort to phase out septic tanks in defined failure areas in conformance with Chapter 751, Ordinance Code (Septic Tank Superfund).

### **Brownfield Pilot 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 on July 27, 2022, the correct signs were posted in front of the property. Sixty-five (65) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on August 1, 2022, via a virtual Zoom meeting. One person asked what the land use amendment would allow. The applicant responded that the land use change would give the owner the option to put a residence on the lot, which the current land use would not allow, while keeping the option of maintaining the existing option of some commercial development.

### **CONSISTENCY EVALUATION**

#### **Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies**

#### **Future Land Use Element (FLUE)**

##### *Development Area*

*Urban Priority Area (UPA):* The SA 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 the 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.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation

of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
  - B. Addresses outdated development patterns;
  - C. Provides for sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.
- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.
- Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
- Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim

facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

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

**Objective 3.1** Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

**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.

**Objective 6.3** The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

Property Rights Element (PRE)

**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 Description of the Future Land Use Element (FLUE), the CGC land use category in the Urban Priority Area is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. A combination of compatible mixed uses should be vertically integrated within a multistory building.

The RPI land use category within the Urban Priority Area is intended to provide compact medium to high density development. Development which includes medium to high density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled. A combination of compatible should be organized vertically within a multistory building.

Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

According to the application, the 0.14 of an acre subject amendment site is intended to provide for the development of residential uses in the area. The development of the property with additional housing options would further the goal to provide sufficient land for residential choices in the City. Therefore, the proposed land use amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

The applicant provided a JEA Availability letter dated April 20, 2022. There is an existing 6-inch water main within the Paris Avenue right-of-way. There is an existing 12-inch gravity sewer main also within the Paris Avenue right-of-way. The water special conditions require an infill layout prior to applying for new service. The sewer special conditions provide that if gravity flow cannot be achieved, then the sewer point of contact cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately owned and operated

pump system. The development should comply with FLUE Policy 1.2.9 before moving through the land development site plan review process.

The proposed amendment to RPI is for land located within the Urban Priority Development Area a block away from 2 collector roads, Avenue B and 45<sup>th</sup> Street West. Residential uses are the primary uses abutting the site to the east and there is a mix of residential and commercial uses north, south, and west of the site. The proposed land use change to RPI would allow for residential construction in a predominantly residential area and serve as a logical transition between residential uses to the east and CGC uses to the west, which is a combination of commercial and residential uses, along with several churches. Therefore, the proposed amendment results in a compact and compatible land use pattern that promotes opportunities for interconnected land uses to reduce the need for trip generation and supports mobility options as called for in FLUE Goal 3, Objectives 1.1, 3.1, 3.2, as well as Policies 1.1.10 and 1.1.22. The proposed amendment encourages use of an underutilized property, which has access to centralized services and sustains the viability of the surrounding residential area satisfying Objective 1.1, Policy 1.2.9, and Objective 6.3 of the FLUE.

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.

#### **45<sup>th</sup> & Moncrief Neighborhood Action Plan (2004)**

The subject site is along the western edge of the boundary of the 45<sup>th</sup> & Moncrief Neighborhood Action Plan, adopted in 2004. While the plan does not address the subject site specifically, one of the main goals of the plan is to promote homeownership and stable housing conditions. The site is undeveloped next to a well developed residential area and would help expand and stabilize the housing in that area. Additionally, the RPI land use is a lower intensity land use than the CGC land use.

#### **Northwest Jacksonville Vision Plan**

The application site lies within the boundary of the Northwest Vision Plan. The plan does not identify specific recommendations for the subject site, however a focus of the plan is to strengthen existing neighborhoods and creating new neighborhoods. The proposed land use change to RPI provides the opportunity to encourage new housing on undeveloped land that abuts an established neighborhood, and thus is in conformity with the plan.

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

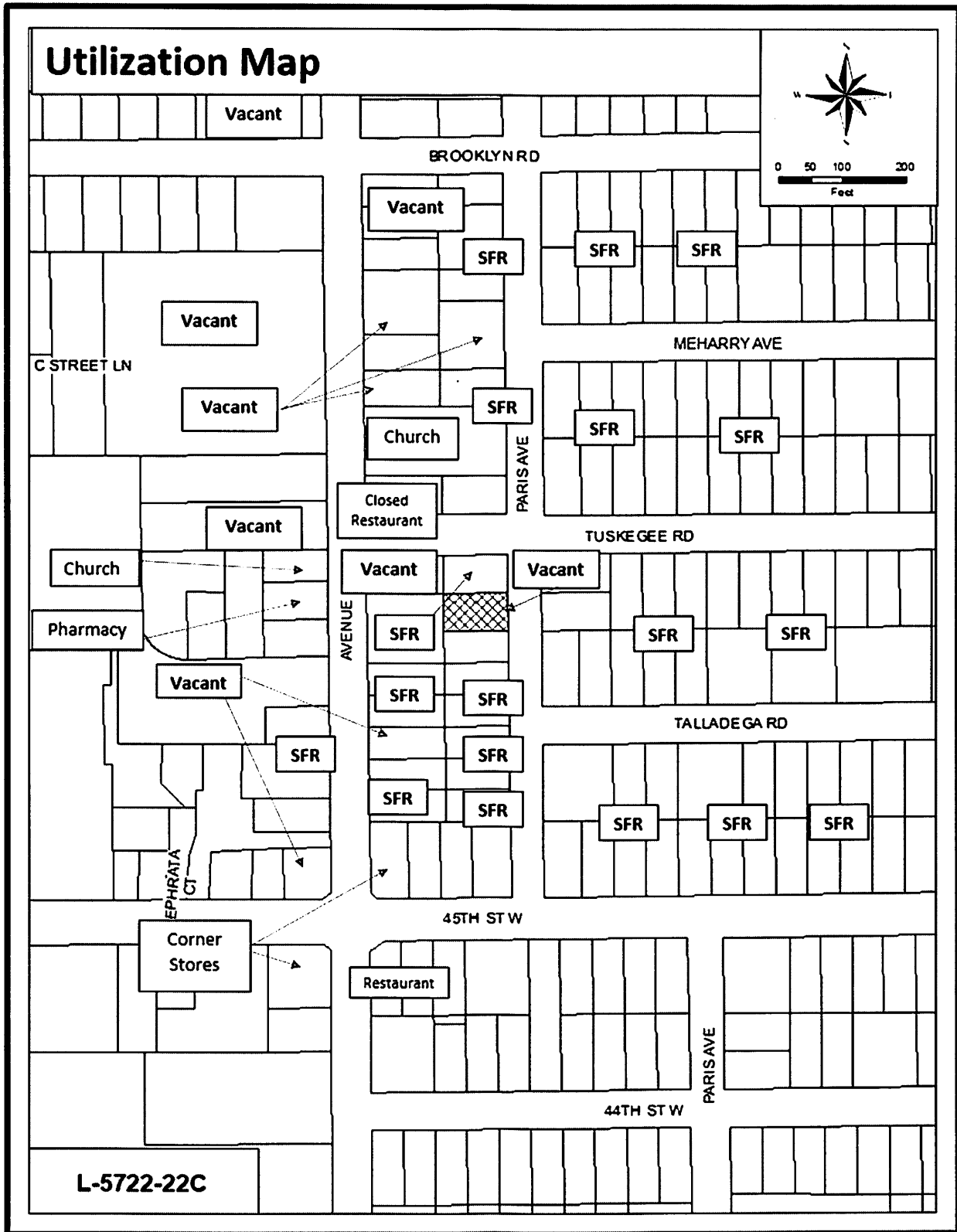
The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan:

Objective: Improve Quality of Life and Provide Quality Places in Northeast Florida

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

The proposed land use amendment would create opportunities for housing choice, while maintaining the corridor development pattern of the area and providing for redevelopment of an infill site. Therefore, the proposed amendment is consistent with Policy 3 of the Strategic Regional Policy Plan, Communities and Affordable Housing Element.

# UTILIZATION MAP



# LAND USE AND LOCATION MAP

