

City of Jacksonville, Florida

Lenny Curry, Mayor

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October 21, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2021-647/Application No. L-5598-21C

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-647 on October 21, 2021.

P&DD Recommendation DENY

PC Issues: The Commission noted that office uses are appropriate and consistent with the development pattern of the area.

PC Vote: 7-0 APPROVE

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

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

Sincerely,

Kristen D. Reed

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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – October 1, 2021

Ordinance/Application No.: 2021-647 / L-5598-21C

Property Location: 8152 La Marne Drive at the southeast corner of La Marne Drive and Lindsey Road

Real Estate Number(s): 009345 0000

Property Acreage: 0.25 of an acre

Planning District: District 4, Southwest

City Council District: District 12

Applicant: Brian Leonard

Current Land Use: Low Density Residential (LDR)

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

Development Area: Suburban Development Area

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

Proposed Zoning: Commercial Residential Office (CRO)

RECOMMENDATION: Deny

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

We will be an asset to the neighborhood, the office will have surveillance cameras, security alarm system and beautiful landscape. Main office across the street from this address has assisted in catching 2 criminals for murder by them reviewing the cameras. Also man across from 8152 had his motorcycle stolen and our cameras assisted in catching this person. The office will be an accounting office with low traffic, no heavy equipment, no parking problems, plenty across street at main office.

BACKGROUND

The 0.25 of an acre subject site is located on the south side of La Marne Drive at the southeast intersection with Lindsey Road, both local roadways. The site is approximately 670 feet south from the intersection of Lindsey Street and Normandy Boulevard, a major

arterial roadway. According to the applicant, the site will be used as an accounting office for the main business located across Lindsey Street, All Weathers Contractors, Inc.

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 RPI in the Suburban Development Area in order to use the site as an office. Currently, the site includes a single-family home fronting La Marne Drive. The area along La Marne Drive and east of the subject site includes a single-family residential neighborhood. The Lindsey Road corridor includes a mix of uses with commercial uses directly across Lindsey Road from the subject site and in the area leading to Normandy Boulevard, and other uses including baseball fields, parks and single-family residential homes along the southern portions of the corridor.

A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-648, which seeks to change the zoning district from RLD-60 to CRO.

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

North: Land Use: LDR, Community/ General Commercial (CGC)
Zoning: RLD-60, Commercial Community General-1 (CCG-1), Commercial Community General-2 (CCG-2)
Property Use: Single-family residential, fronting Normandy Boulevard are self-storage, office and funeral home uses

South: Land Use: LDR, RPI, Recreation and Open Space (ROS)
Zoning: RLD-60, Planned Unit Development (PUD), Public Buildings and Facilities-1 (PBF-1)
Property Use: Single-family residential, baseball fields, park

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

West: Land Use: CGC, ROS, LDR
Zoning: CCG-1, PBF-1
Property Use: All Weather Contractors business, baseball fields, single-family residential

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

Development Analysis 0.25 of an acre (10,890 square feet)		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	La Marne Drive – unclassified roadway and Lindsey Road – unclassified roadway	
Plans and/or Studies	CPAC-PD4-Southwest Vision Plan	
Site Utilization	Current: single family residential	Proposed: office
Land Use / Zoning	Current: LDR / RLD-60	Proposed: RPI / CRO
Development Standards for Impact Assessment	Current: 5 units per acre	Proposed: Scenario 1: 0.5 FAR (non-residential) Scenario 2: 90% residential at 15 units per acre and 10% non-residential at 0.5 FAR
Development Potential	Current: 1 unit	Proposed: Scenario 1: 5,445 square feet Scenario 2: 544 square feet of RPI uses and 3 units
Net Increase or Decrease in Maximum Density	Scenario 1: decrease of 1 DU Scenario 2: increase of 2 DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: increase of 5,445 Sq. ft. Scenario 2: increase of 544 Sq. ft.	
Population Potential	Current: 2 people	Proposed: 7 people
Special Designation Areas		
Aquatic Preserve	NO	
Septic Tank Failure Area	NO	
Airport Environment Zone	Height Restriction Zone 50 ft. for Herlong Recreational Airport	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	Low	
Historic District	NO	

Development Analysis 0.25 of an acre (10,890 square feet)	
Coastal High Hazard/Adaptation Action Area	NO
Groundwater Aquifer Recharge Area	0-4 inches
Wellhead Protection Zone	NO
Boat Facility Siting Zone	NO
Brownfield	NO
Public Facilities	
Potential Roadway Impact	Scenario 1: 44 net new trips Scenario 2: 18 net new trips
Potential Public School Impact	De minimis
Water Provider	Normandy Village Utilities
Potential Water Impact	Scenario 1: increase of 116.11 gallons per day Scenario 2: increase of 570.18 gallons per day
Sewer Provider	Normandy Village Utilities
Potential Sewer Impact	Scenario 1: increase of 87.079 gallons per day Scenario 2: increase of 427.63 gallons per day
Potential Solid Waste Impact	Scenario 1: increase of 6.11 tons per year Scenario 2: increase of 6.07 tons per year
Drainage Basin/Sub-basin	Basin: Ortega River Sub-Basin: Normandy Village Run
Recreation and Parks	Normandy Park (Approximately 58 feet southwest of the site.)
Mass Transit Access	JTA Bus Route 15 (Stop 2660)
Natural Features	
Elevations	74 - 75 ft.
Land Cover	1200: Residential, medium density – 2 to 5 dwelling units per acre
Soils	71 Urban land-Leon-Boulogne complex, 0 to 2 percent slopes
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).

According to the City's GIS Infrastructure layers, both water and sewer lines run in front of the property on La Marne Drive. It is the intent of the applicant to continue water and sewer service at the site.

Transportation

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department, and determined that the trip generation comparison between the current development potential and the proposed development potential will result in 44 net new trips for scenario 1 and 18 net new trips for scenario 2. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. 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 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 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 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 period. 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.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 6.

The subject site is accessible via La Marne Drive and Lindsey Road, both 2-lane unclassified facilities. Either scenario of the RPI development will not have any significant impacts on the external roadway network.

School Capacity

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

Airport Environment Zone

The site is located within the 50 foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 50 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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

IE-AR Policy 1.2.8

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water

Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on September 1, 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 September 20, 2021 via a virtual Zoom meeting. No members of the public attended the meeting.

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.

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.
- Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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.

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.

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

Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Description within the Future Land Use Element (FLUE), LDR in the Urban Area is intended to provide for low density residential development.

RPI in the Suburban Area is intended to provide low to medium density development. Development which includes medium density residential and professional office uses is preferred. The maximum gross density in the Suburban Area is 20 units/acre. 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 applicant, the 0.25 of an acre subject amendment site is intended to be used as an accounting office for the All Weathers Contractors, Inc. business located directly across Lindsey Road from the subject site. Currently, the site includes a residential structure and is located at the entrance point to the neighborhood fronting La Marne Drive. The land use change to the 0.25 of an acre site will have negligible impact on accommodating business growth in the area, consistent with the intent of FLUE Policy 1.1.21. However, the change in use from residential to office at the entrance point of a larger residential neighborhood introduces the intrusion of an incompatible use to the neighborhood providing some inconsistency with FLUE Policy 1.1.5.

The proposed amendment is located within the Southwest Planning District and Suburban Development Area with full access to urban services and centralized services consistent with FLUE Policy 1.2.9.

While the abutting land use to the south is RPI, the residential structures at this location front Lindsey Road avoiding encroaching into the residential neighborhoods of the area. The subject site fronts La Marne Drive and serves as the first residential property when entering the single-family neighborhood. While the proposed change would introduce an office use on site to serve the business directly across the street on Lindsey Road, the current development of the site with an orientation toward La Marne Drive acts as the entrance of the residential neighborhood; the proposed RPI use is not consistent with the residential neighborhood's LDR land use and could negatively affect the neighborhood. The proposed change to RPI is inconsistent with the land use pattern of the neighborhood and the residential character of the immediate neighborhood. Therefore the proposal provides some inconsistency with FLUE Goal 3, Objective 1.1, 3.2 and Policies 1.1.22, 3.1.3, 3.2.4 and 3.2.7.

Both the existing and proposed land use designation maintain the private property rights of the owner of record; have 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, private property rights, as identified in PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2, are not impacted under either land use category.

Southwest Jacksonville Vision Plan

The subject property is located within the boundaries of the Suburban Area of the *Southwest Jacksonville Vision Plan*. While the vision plan does not make any specific recommendations for the subject site, Theme 1 encourages the strengthening of existing neighborhoods. The cohesiveness of a community is based on the neighborhood area that could be weakened with growth that fits poorly with its surroundings. The proposed amendment would change the use of the entry property to a residential neighborhood from a residential use to an office use changing the cohesiveness and character of the

residential community, and is therefore inconsistent with the Southwest Jacksonville Vision Plan.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Goal of the Strategic Regional Policy Plan, Economic Development Element:

Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.

The proposed land use amendment promotes an environment that is conducive to the creation of new business; thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element.

LOCATION, CURRENT LAND USE AND FIELD MAP

