

# 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. 2021-690/Application No. L-5602-21C**

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 2021-690 on October 21, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

David Hacker, Chair	Aye
Alexander Moldovan, Vice-Chair	Absent
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
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 15, 2021**

**Ordinance/Application No.:** 2021-690 / L-5602-21C

**Property Location:** On the north side of Soutel drive between New Kings Road and the CSX rail line

**Real Estate Number(s):** 041648 0000 (portion of)

**Property Acreage:** 4.60 acres

**Planning District:** District 5, Northwest

**City Council District:** District 10

**Applicant:** William Michaelis, Esquire

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

**Proposed Land Use:** Medium Density Residential (MDR)

**Development Area:** Urban Development Area

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

**Proposed Zoning:** Residential Medium Density - A (RMD-A)

***RECOMMENDATION: Approve***

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

To allow residential development of the property.

**BACKGROUND**

The 4.60 acre subject site is located at 0 Soutel Drive, approximately 350 feet west of the intersection of Soutel Drive and New Kings Road (SR 15). Soutel Drive is a local road and New Kings Road is a major arterial roadway.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from Community/General Commercial (CGC) to Medium Density Residential (MDR) to use the property for residential development. The amendment site is a portion of a 14.5 acres site, most of which is already in the MDR Land Use Category. The area west and north of the property is undeveloped. South of the site, across Soutel Drive, are single family

residences. The property east of the subject site is used for open storage. There is also a commercial establishment east of the property.

A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-691, which seeks a zoning change from Commercial Office (CO) to Residential Medium Density - A (RMD-A).

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

North: Land Use: Residential-Professional-Institutional (RPI) and Low Density Residential (LDR)  
Zoning: Commercial, Residential and Office (CRO)  
Property Use: Undeveloped

South: Land Use: Community / General Commercial (CGC) and Medium Density Residential (MDR)  
Zoning: Commercial Office (CO) and Residential Medium Density – B (RMD-B)  
Property Use: Single-family residential

East: Land Use: CGC  
Zoning: CO and Commercial / Community General – 2 (CCG-2)  
Property Use: Commercial and Open Storage

West: Land Use: MDR  
Zoning: RMD – A  
Property Use: Undeveloped

## **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>4.60 Acres / 70,131.6 sq. ft.</b>	
Development Boundary	Urban Development Area		
Roadway Frontage Classification / State Road	Soutel Drive – Local road		
Plans and/or Studies	Northwest Jacksonville Vision Plan Kings-Soutel CRA Lincoln/Sherwood Neighborhood Action Plan		
Site Utilization	Current: Vacant	Proposed: Residential development	
Land Use / Zoning	Current: Community/General Commercial (CGC)	Proposed: Medium Density Residential (MDR)	
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR commercial Scenario 2: 20% at 0.35 FAR commercial, 80% at 30 Multi-Family Units / Acre	Proposed: 15 Multi-Family Units / Acre	
Development Potential	Current: Scenario 1: 70,131 sq. ft. commercial Scenario 2: 14,026 sq. ft. commercial and 110 Multi-Family Units	Proposed: 69 Multi-Family Units	
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 69 Units Scenario 2: Decrease of 41 Units		
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 70,131 sq. ft. Scenario 2: Decrease of 14,026 sq. ft.		
Population Potential	Current: Scenario 1: 0 people Scenario 2: 258 people	Proposed: 162 people	
<b>Special Designation Areas</b>			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Airport Environment Zone	No		
Industrial Preservation Area	No		
Cultural Resources	No		
Archaeological Sensitivity	Low		
Historic District	No		

<b>Development Analysis      4.60 Acres / 70,131.6 sq. ft.</b>	
Coastal High Hazard/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	Zero Net New Daily Trips
Potential Public School Impact	22 Students
Water Provider	JEA
Potential Water Impact	Scenario 1: Increase of 12,708 gpd Scenario 2: Decrease of 10,336 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Increase of 9,531 gpd Scenario 2: Decrease of 7,752 gpd
Potential Solid Waste Impact	Scenario 1: Increase of 67 tons per year Scenario 2: Decrease of 129 tons per year
Drainage Basin/Sub-basin	Basin: Trout River Sub-Basin: Ribault River
Recreation and Parks	J. Gardner "Nip" Sams Memorial Park Lonnie C. Miller Park
Mass Transit Access	JTA Bus Route 4 – Stops 3616 and 5307
<b>Natural Features</b>	
Elevations	21 - 27 ft.
Land Cover	6460: Mixed scrub-shrub wetland 6300: Wetland forested mixed 1400: Commercial and services
Soils	51 – Pelham fine sand – 0 to 2 percent slopes 63 – Sapelo fine sand – 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 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 established shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated July 7, 2021, identifies a 16-inch water main adjacent to the property. There is a 12-inch force main along New Kings Road at the

Soutel Drive intersection. The letter provides that connection to the sewer system will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main.

## **School Impact**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 4.60 acre proposed land use map amendment has a development potential of 69 dwelling units. 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.

The available seats in the CSA and adjacent CSAs include concurrency reservations.

In evaluating the proposed residential development for school concurrency, the following results were documented:

- Elementary School
  - Concurrency Service Area (CSA): 1
  - 2020/2021 enrollment: 11,133
  - Current utilization: 60%
  - New student development from amendment: 11
  - 5-year utilization: 67%
  - Available seats in CSA 1: 6,189
  - Available seats in adjacent CSAs 2 & 8: 4,786
  
- Middle School
  - CSA 1
  - 2020/2021 enrollment: 7,607
  - Current utilization: 89%
  - New student development from amendment: 5
  - 5-year utilization: 98%
  - Available seats in CSA 1: 624
  - Available seats in adjacent CSAs 2 & 8: 611
  
- High School
  - CSA 1
  - 2020/2021 enrollment: 8,520

- Current utilization: 84%
- New student development from amendment: 6
- 5-year utilization: 76%
- Available seats in CSA 1: 962
- Available seats in adjacent CSAs 2 & 8: 821

Capacity issues will be reviewed and processed through the City's Concurrency and Mobility Management System Office.

**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

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.

- SA Hull Elementary School (ES #169)
  - CSA 1
  - Amendment student generation: 11
  - School capacity including permanent spaces and portables: 433
  - Current enrollment 20-day count for 2020/2021: 174
  - Percent occupied: 40%
  - 4-year projection: 70%
  
- Jean Ribault Middle School (MS #212)
  - CSA 1
  - Amendment student generation: 5
  - School capacity including permanent spaces and portables: 1,041
  - Current enrollment 20-day count for 2020/2021: 747
  - Percent occupied: 72%
  - 4-year projection: 69%
  
- Jean Ribault High School (HS #96)
  - CSA 1
  - Amendment student generation: 6
  - School capacity including permanent spaces and portables: 1,683



- Current enrollment 20-day count for 2020/2021: 1,415
- Percent occupied: 84%
- 4-year projection: 85%

### **Transportation**

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10th Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. The subject site consists of Community General Commercial (CGC) land use on approximately 4.6 acres. The proposed land use amendment is to allow for Medium Density Residential (MDR) uses.

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing CGC land use category with 100% non-residential has a development potential of 70,131 SF (ITE Land Use Code 820), which could generate 3,043 daily trips. The existing CGC land use category with 80% residential and 20% non-residential results in a development potential of 14,026 SF of commercial space (ITE Code 820), which could generate 609 daily trips and 110 multi-family dwelling units (ITE Code 220), which could generate 805 daily trips. The proposed MDR land use category (ITE Code 220) has a development potential of 69 multi-family dwelling units, which could generate 505 daily trips.

The trip generation comparison between the current and proposed land uses demonstrates that if the land use is amended to allow for MDR development, this will result in zero net new daily vehicular trips on the roadway network.

### **Additional 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.

Mobility needs vary throughout the city and 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 in Mobility Zone 9.

The subject site is accessible via Soutel Drive, an unclassified facility. The proposed MDR development will generate approximately 505 daily trips and should not have any significant impacts on the external roadway network.

### **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.

## **BROWNFIELDS**

### **Brownfield Study Area**

According to the City's GIS mapping system, this site is located within a Brownfields Study Area. Since the property is located within a Brownfields Study Area, the owner may request that the property be designated as a Brownfield Site. Not all properties located within the Brownfield Study Area are contaminated. 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. Tax credits may be available for properties designated as a Brownfield Site.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on October 1, 2021, the required notices of public hearing signs were posted. Eight 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 October 4, 2021 via a virtual Zoom meeting. One member of the public attended to discuss the proposed amendment. The person expressed support for the land use amendment.

## **CONSISTENCY EVALUATION**

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

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

*Development Area:*

*Urban Development Area (UA)*

The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. The intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. The UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as further described in each land use land use 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.

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.

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.

Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Pending Property Rights Element (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 shall ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:  
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

The Future Land Use Element (FLUE) of the 2030 Comprehensive Plan provides that CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses.

According to the Category Description within the Future Land Use Element (FLUE), Medium Density Residential (MDR) in the Urban Development Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR 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. The maximum gross density in the Urban Area shall be 20 units/acre.

The proposed amendment to Medium Density Residential is compatible with the uses south of the property and buffers the residences from commercial establishments to the east of the subject site and results in a gradation of uses, consistent with Objective 1.1 and Policies 1.1.5, 1.1.10, and 3.1.3.

The land use amendment to MDR on the subject site maintains the residential character of the neighborhood south of the subject site, where there are single-family dwelling units. The proposed change to MDR is consistent with the residential character of the area, satisfying FLUE Objective 3.1, and Policy 1.1.22. The proposed change to residential from commercial does not impact the amount of commercial land available for future use. Changing the subject property to MDR provides a logical and compatible extension of abutting MDR land use to bring the entire site under one land use category. The change follows the development pattern in the area and allows flexibility for the current real estate market. Therefore, the proposed amendment is consistent with FLUE Policies 1.1.5, 1.1.21, and 3.1.6.

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

**Northwest Jacksonville Vision Plan**

The subject property is located within the boundaries of the Northwest Jacksonville Vision Plan (2003). The Plan offers no specific recommendations for the location of the subject site. However, the first theme of the vision plan calls for strengthening existing neighborhoods and creating new neighborhoods. The proposed land use amendment would expand the existing neighborhood, increasing housing options in the area.

**Strategic Regional Policy Plan**

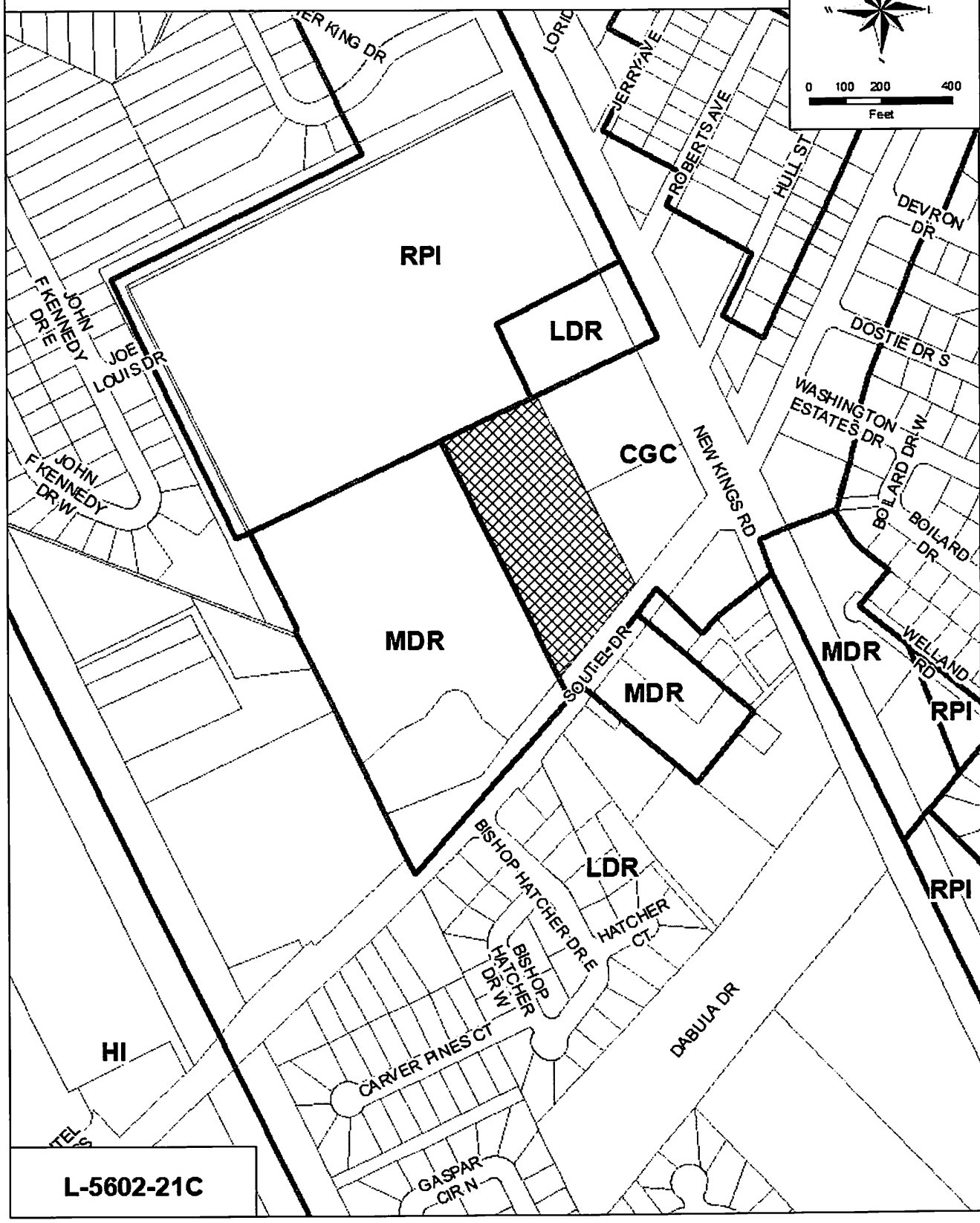
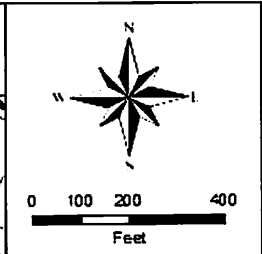
The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

Objective:           Housing Options That Provide Choices to All of Our Residents and Promote Demographic and Economic Diversity as One Way to Ensure that Our Communities are Viable and Interesting Places for the Long Term.

Policy 21:           The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment is consistent with Policy 21 of the Regional Health Subject Area as it encourages providing more housing options in the North Planning District

# CURRENT LAND USE



L-5602-21C

# SITE UTILIZATION MAP

