

PLANNING AND DEVELOPMENT DEPARTMENT



October 20, 2016

The Honorable Lori Boyer, President
The Honorable Danny Becton, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No. 2016-638**

Application for Land Use Amendment 2016C-026

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairman Becton 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 **deferred** Ordinance 2016-638 on October 20, 2016.

- P&DD Recommendation DENY

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

Respectfully,

A handwritten signature in cursive script that reads "Kristen D. Reed".

Kristen D. Reed, AICP
Chief of Community Planning



PROPOSED SMALL-SCALE
FUTURE LAND USE MAP (FLUM) AMENDMENT

OVERVIEW

ORDINANCE: ORD # 2016-638

APPLICATION: 2016C-026-1-7

APPLICANT: STEVE DIEBENOW

PROPERTY LOCATION: 0 Bridier Street between Martin Luther King Jr. Parkway and Bridier Street

Acreage: 0.90

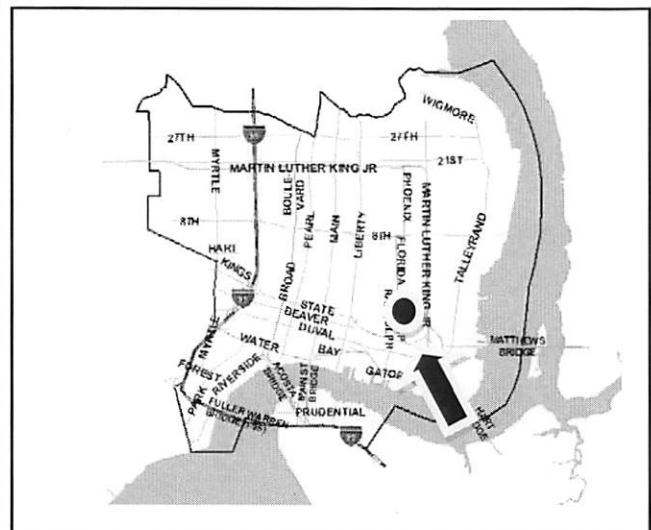
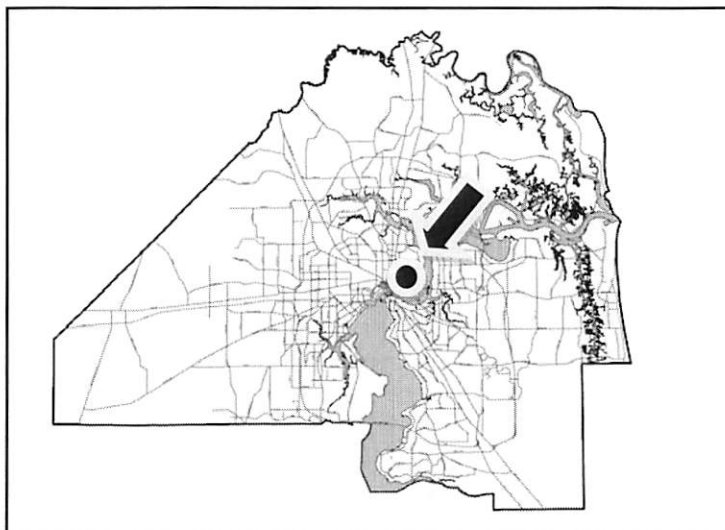
Requested Action:

	Current	Proposed
LAND USE	MDR	LI
ZONING	RMD-A	IL

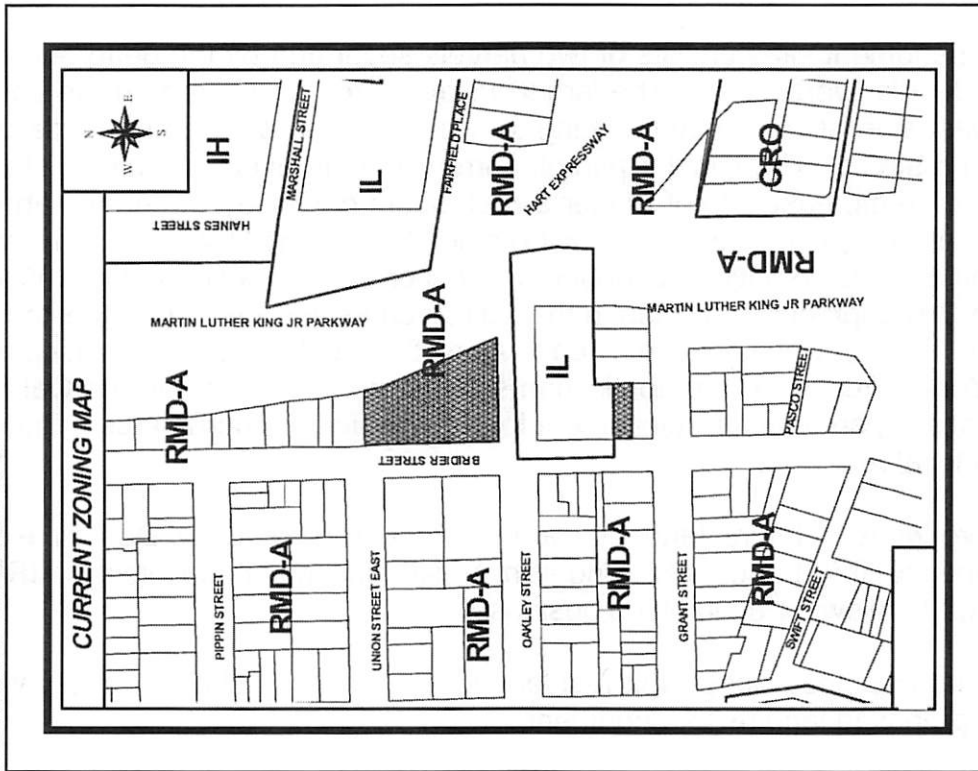
Existing FLUM Category	Proposed FLUM Category	Existing Maximum Density (DU/Acre) 15 MF DUs/Acre	Proposed Maximum Density (DU/Acre)	Existing Maximum Intensity (FAR)	Proposed Maximum Intensity (FAR)	Net Increase or Decrease in Maximum Density	Non-Residential Net Increase or Decrease in Potential Floor Area
MDRI	IL	13 Multi-family DU	N/A	N/A	15,682 Sq. Ft. Industrial (0.40 FAR)	Decrease in 13 Multi-family DUs	Increase in 15,682 Sq. Ft. Industrial

PLANNING AND DEVELOPMENT DEPARTMENT'S RECOMMENDATION: DENY

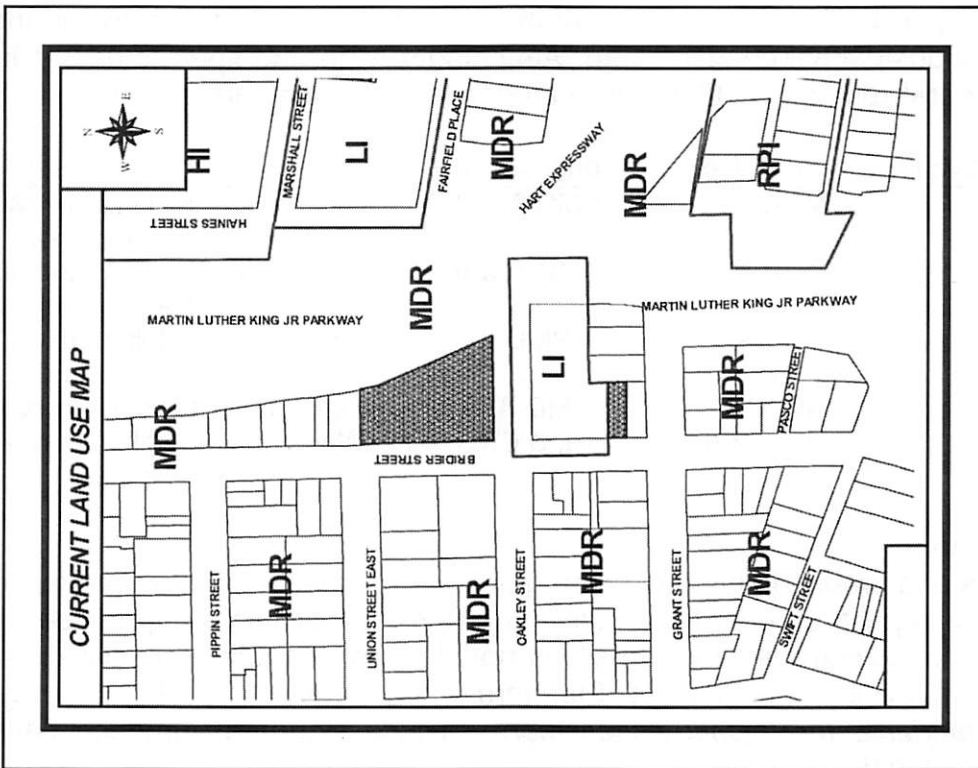
LOCATION MAPS:



SMALL SCALE LAND USE APPLICATION 2016C-026



Current Zoning District(s): Residential Medium Density-A (RMD-A)
Requested Zoning District(s): Industrial Light (IL)



Existing FLUM Land Use Categories: Medium Density Residential (MDR)
Requested FLUM Land Use Category: Light Industrial (LI)

ANALYSIS

Background:

The 0.90 acre amendment site consists of two parcels separated by the dead end of Oakley Street and an industrial warehouse. The larger vacant parcel is located on the east side of Bridier Street, west side of Martin Luther King Jr. Parkway and on the north side of Oakley Street, a dead end street. The smaller parcel, currently being used for outside storage and parking, is located on the east side of Bridier Street, south of Oakley Street and an industrial warehouse. The property is located in Council District 7, Planning District 1, and is within the boundaries of the East Jacksonville Neighborhood Action Plan and Urban Core Vision Plan. According to the Development Area Map in the Future Land Use Element, the site is located within the Urban Priority Development Area. Also, the application site is located in the Empowerment Zone. Access to the application site is from Bridier Street and Oakley Street for the larger northern parcel and Bridier Street for the smaller southern parcel. Bridier Street is classified as a local roadway.

The applicant proposes a future land use amendment from Medium Density Residential (MDR) to Light Industrial (LI) and a rezoning from Residential Medium Density-A (RMD-A) to Industrial Light (IL) to allow for a plumbing business.

The proposed land use does not permit residential and as such school capacity will not be impacted by the proposed land use amendment.

The predominant land use pattern to the north, west and south is single-family residential with Martin Luther King Jr. Parkway to the east of the site. The site located between the subject properties is an industrial warehouse. See "Attachment A" for the specific uses surrounding the site. The generalized adjacent land use categories and zoning are as follows:

Adjacent Property(s)	Land Use	Zoning District	Current Use(s)
North	MDR & LI	RMD-A & IL	Single-family, Multi-family, Warehouse & Vacant land
South	MDR & LI	RMD-A & IL	Single family, Warehouse & Vacant land
East	MDR	RMD-A	Single-family, Multi-family, Churches & Vacant land
West	MDR, LI, HI, & RPI	RMD-A, IL IH, & CRO	Martin Luther King Jr. Parkway, Office, Warehouse, Single-family, & Vacant 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 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.

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition). The applicant provided the JEA service availability letter dated August 22, 2016 with his application. See Policy 1.1.1 of the Sanitary Sewer Sub-Element of the Infrastructure Element below:

Policy 1.1.1 JEA shall provide for regional wastewater facilities associated with development within the Urban Area as defined in the Future Land Use and Capital Improvements Element, excluding improvements within the service area of an investor-owned public utility company of regional status.

Transportation

The Planning and Development Department completed a transportation analysis (see Attachment B) and determined that the proposed amendment has the potential to result in an increase of 16 new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Potential traffic impacts will be addressed 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.

Supplemental Transportation Information

The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The project site is located in Mobility Zone 9, east of Bridier Street between Union Street and Grant Street. The Mobility Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the Maximum Service Volumes (MSV) from the current FDOT Quality/Level of Service Handbook (2012) for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity or if V/C ratio greater than 1.0 then the demand exceeds the capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 9 is passing at 0.86.

Bridier Street is a local roadway which provides direct access to the project site, and Haines Street/MLK Parkway (SR 115) is the first functionally classified roadway to the project site. The traffic demand for this segment is expected to operate at a V/C ratio of 0.5 with the inclusion of the additional traffic from this land use amendment.

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.

Archaeological Sensitivity

According to the Duval County Preliminary Site Sensitivity Map, the subject property is located within an area of mostly low with a little and high probability 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. See Policy 1.2.6 of the Historic Preservation Element below:

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.

Brownfield Zone

The subject site is located in a designated brownfields area for rehabilitation and economic development. Resolution 2007-13-A designated the present boundary to mirror the "Enterprise Empowerment Zone" area of the Urban Core planning district. Although the proposed site is located in the Brownfield zone, it does not mean the area of the site is contaminated with hazardous substances. However, if sources of hazardous materials are found, the Brownfields Redevelopment Act of 1997 empowers the City to work with property owners and developers on a volunteer basis to clean up contaminated sites for development thereby providing tax incentives.

Policy 2.2.13 Prioritize brownfield sites for redevelopment based on the extent of contamination and ease of remediation, potential for available funding, and potential for mixed use redevelopment. The City's Brownfield Coordinator should identify these sites and rank them according to the following criteria:

1. Ease of remediation and suitability of the site for residential or recreational uses

2. Location on major road corridors and accessibility to transit
3. Large sites with the greatest potential to be redeveloped as a compact and walkable project which adds needed density, parks and open space to the community

DEVELOPMENT ANALYSIS		
	<u>CURRENT</u>	<u>PROPOSED</u>
Site Utilization	Storage and Parking	Light Industrial Uses
Land Use /Zoning	MDR/RMD-A	LI/IL
Development Standards For Impact Assessment	15 Multi-family DU/Acre	0.40 FAR
Development Potential	13 Multi-family DUs	15,682 sq. ft. Industrial
Population Potential	30 People	0 People
SPECIAL DESIGNATIONS AREAS		
	<u>YES</u>	<u>NO</u>
Aquatic Preserve		X
Airport Environ Zone		X
Industrial Preservation Area		X
Cultural Resources		X
Archaeological Sensitivity	Mostly low with a little and high probability	
Historic District		X
Coastal High Hazard Area		X
Ground Water Aquifer Recharge Area		X – Discharge Area
Well Head Protection Zone		X
PUBLIC FACILITIES		
Potential Roadway Impact	Increase of 16 net new external daily trips	
Water Provider	JEA	
Potential Water Impact	Decrease of 2,487 gallons/day	
Sewer Provider	JEA	
Potential Sewer Impact	Decrease of 1,865 gallons/day	
Potential Solid Waste Impact	Increase in 14.81 tons/year	
Drainage Basin / Sub-Basin	St. Johns River Basin and Sub-basin	
Recreation and Parks	Buster Ford Checkerboard Park	
Mass Transit	Area served by bus lines 1 and 6	
NATURAL FEATURES		
Elevations	13 Feet above mean sea level	
Soils	71 – Urban land-Leon-Boulogne complex	
Land Cover	1300 – Residential high density	
Flood Zone	N/A	
Wet Lands	N/A	
Wild Life	N/A	

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on September 28, 2016, the required notices of public hearing signs were posted. Seventy-four (74) notices were mailed out to adjoining property owners and the Urban Core Citizens Planning Advisory Committee informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Planning and Development Department hosted the Citizen Information Meeting (CIM) on Monday, October 3, 2016. The applicant was the only attendee at the meeting.

CONSISTENCY EVALUATION

2030 Comprehensive Plan

Proposed amendment analysis in relation to the Goals, Objectives and Policies of the 2030 Comprehensive Plan, Future Land Use Element:

- 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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
- 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 1.1.22 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 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The 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. Plan and have an

adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

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.

Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

According to the category description of the Future Land Use Element (FLUE), the MDR land use category is intended to provide compact medium to high density mixed use development. Multi-family housing such as apartments, condominiums, townhomes and row houses should be the predominant development in this category. MDR is generally intended to provide transitional uses between commercial and single family residential uses.

The LI Future Land Use Category is intended to provide for location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The proposed land use amendment property is located in the Urban Priority Development Area (UPA) of the Urban Core Planning District, in an area with access to full urban services with bus stops and sidewalks. Redevelopment of the vacant property promotes the intent of the UPA to promote infill development that takes advantage of existing infrastructure and services and that results in a compact development pattern. Therefore, the proposed amendment is in part consistent with the intent of the UPA and FLUE Objectives 1.1 and 6.3 and Policy 1.1.22.

The expansion of LI into an established MDR area fails to result in a compatible land use pattern that provides for a gradation of uses and transition between densities and intensities of land uses. A more appropriate transition could be achieved if the amendment requested was to the Business Park (BP) land use category. Furthermore, the lack of transition resulting from the proposed amendment is inconsistent with the recommendations of the Urban Core Vision Plan and the East Jacksonville Neighborhood Action Plan as detailed on page 9 of this report. Therefore, as proposed the amendment is inconsistent with FLUE Objective 1.1 and Policies 1.1.10, 1.1.22, 3.1.3, 3.2.7 and 4.1.8B.

East Jacksonville Neighborhood Action Plan

The land use amendment site is located within the East Jacksonville Neighborhood Action Plan area (Ordinance 2001-1162-E). The location of the site was not targeted for any specific action. However, the plan outlines issues regarding isolated industrial districts surrounded by residential areas. The issues listed are as follows:

- Incompatible adjacent zoning districts and related land uses;
- A lack of transitional zoning districts between incompatible land uses;
- "Spot zoning," in which one parcel is zoned a district while all surrounding parcels are zoned another district; and
- Areas with non-conforming uses.

The larger vacant parcel of the application is vacant property and therefore, conforming at the present time due to non-use. The smaller parcel is nonconforming since it is used in an industrial capacity for parking and outside storage. According to the plan, spot zoning incidents should be remedied by providing transitional zoning districts between industrial and residential areas. Therefore, the proposed land use amendment to LI is inconsistent with the East Jacksonville Neighborhood Action Plan.

Urban Core Vision Plan

The subject site is located within the boundaries of the Urban Core Vision Plan (2010-614-E). The subject site was not specifically targeted for proposals. However, the plan did state that there were negative impacts of industrial encroachment into residential neighborhoods. Therefore, it was recommended that there should be transitional uses between residential neighborhoods and industrial uses. The plan also recommends the creation of landscape buffers between existing industrial uses and residential areas to reduce noise and visual impacts from industry. Therefore, the proposed amendment to change the land use category from MDR to LI would be inconsistent with the recommendation of the Urban Core Vision Plan.

Strategic Regional Policy Plan

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

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 is consistent with Policy 3 of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it would provide an additional location for the creation of business opportunities in the northeast Florida region.

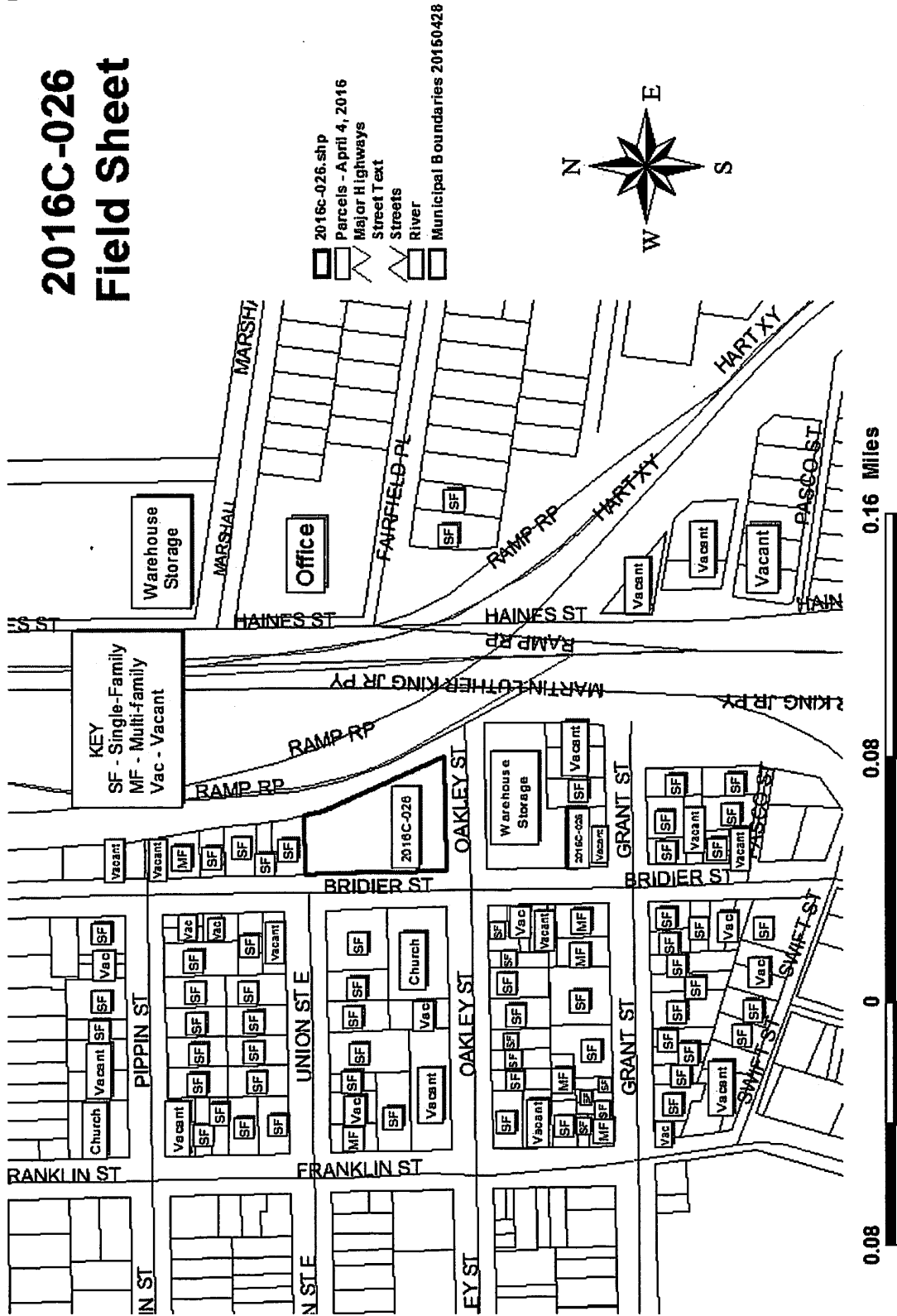
RECOMMENDATION

The Planning and Development Department recommends DENIAL of this application based on its inconsistency with the overall intent of the 2030 Comprehensive.

ATTACHMENT A

Existing Land Utilization:

2016C-026 Field Sheet



ATTACHMENT B

Traffic Analysis:

P L A N N I N G A N D D E V E L O P M E N T D E P A R T M E N T



MEMORANDUM

DATE: October 4, 2016

TO: Edward Lukacovic
Community Planning Division

FROM: Lurise Bannister
Transportation Division

SUBJECT: Transportation Review: Land Use Amendment 2016C-026

A trip generation analysis was conducted for Land Use Amendment 2016C-026, located along Bridier Street between Union Street and Grant Street in the Urban Priority Area of Jacksonville Florida. The subject site is currently undeveloped and has an existing Medium Density Residential (MDR) land use category. The proposed land use amendment is to allow for Light Industrial (LI) on approximately 0.9 +/- acres.

Trip generation was calculated for the existing and proposed land uses based on *Trip Generation*, 9th Edition by the Institute of Transportation Engineers (ITE). Trip generation was conducted for maximum development potential based on the estimated average daily trips. In accordance with the development impact assessment standards established in the 2030 Comprehensive Plan, the MDR land use category allows for 15 dwelling units per acre resulting in a development potential of 14 multi-family residential units (ITE Land Use Code 220), generating 93 daily trips. The proposed LI land use category development impact assessment standards allows for 0.4 FAR per acre, resulting in a development potential of 15,682 SF of industrial space (ITE Land Use Code 110) which could generate 109 daily trips. This will result in 16 net new vehicular trips if the land use is amended from MDR to LI, as shown in Table A.

Table A
Trip Generation Estimation

Current Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips	Less Pass-By Trips	Net New Daily Trip Ends
MDR	220	14 DU	T = 6.65 (X)	93	0.00%	93
Total Section 1						93
Proposed Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips PM/Daily	Less Pass-By Trips	Net New Daily Trip Ends
LI	110	1000 SF	T = 6.97 (X) /1000	109	0.00%	109
Total Section 2						109
Net New Daily Trips						16

Source: *Trip Generation Manual, 9th Edition, Institute of Engineers*



Additional Information:

The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The project site is located in Mobility Zone 9, east of Bridier Street between Union Street and Grant Street. The Mobility Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity or if V/C ratio greater than 1.0 then the demand exceeds the capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 9 is passing at **0.86**.

Bridier Street is a local roadway which provides direct access to the project site, and Haines Street/MLK Parkway (SR 115) is the first functionally classified roadway to the project site. The traffic demand for this segment is expected to operate at a V/C ratio of **0.5** with the inclusion of the additional traffic from this land use amendment.

ATTACHMENT C

Aerial Photo



ATTACHMENT D

Land Use Amendment Application:



APPLICATION FOR SMALL-SCALE LAND USE AMENDMENT TO THE FUTURE LAND USE MAP SERIES - 2030 COMPREHENSIVE PLAN

Date Submitted:	7/27/2016	Date Staff Report is Available to Public:	10-14-2016
Land Use Adoption Ordinance #:	2016-638	Planning Commission's LPA Public Hearing:	10-20-2016
Rezoning Ordinance #:	2016-639	1st City Council Public Hearing:	10-25-2016
JPDD Application #:	2016C-026	LUZ Committee's Public Hearing:	11-01-2016
Assigned Planner:	Ed Lukacovic	2nd City Council Public Hearing:	11-09-2016

GENERAL INFORMATION ON APPLICANT & OWNER

Applicant Information:

STEVE DIEBENOW
ONE INDEPENDENT DRIVE, STE. 1200
JACKSONVILLE, FL 32202
Ph: (904) 301-1269
Fax: (904) 301-1279
Email: SDIEBENOW@DMPHLAW.COM

Owner Information:

MICHAEL PORTER
SUNSHINE STATE PLUMBING
1340 TRAILWOOD DRIVE
NEPTUNE BEACH, FL 32266
and:
SHARON PORTER
1340 TRAILWOOD DRIVE
NEPTUNE BEACH, FL 32266

DESCRIPTION OF PROPERTY

Acreage: 0.90
Real Estate #(s): 122669 0000
122678 0000

General Location:

MARTIN LUTHER KING JR PARKWAY AND OAKLEY STREET

Planning District: 1
Council District: 7
Development Area: URBAN PRIORITY AREA
Between Streets/Major Features:

Address:

0 BRIDIER ST

MARTIN LUTHER KING JR PARKWAY and BRIDIER STREET

LAND USE AMENDMENT REQUEST INFORMATION

Current Utilization of Property: STORAGE AND PARKING
Current Land Use Category/Categories and Acreage:
MDR 0.90

Surrounding Land Use Categories: LI, MDR

Requested Land Use Category: LI
Justification for Land Use Amendment:

TO PERMIT REDEVELOPMENT OF THE PROPERTY.

UTILITIES

Potable Water: JEA

Sanitary Sewer JEA

COMPANION REZONING REQUEST INFORMATION

Current Zoning District(s) and Acreage:
RMD-A 0.90

Requested Zoning District: IL

Additional information is available at 904-255-7888 or on the web at <http://maps.coj.net/luzap/>