

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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Jacksonville, FL 32202
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June 9, 2022

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

RE: Planning Commission Advisory Report / Ordinance No. 2022-348/Application No. L-5686-22C

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-348 on June 9, 2022.

P&DD Recommendation

APPROVE

PC Issues:

Two citizens attended the meeting to speak in opposition to the amendment and their concerns related to the potential for new multi-family development to add to the existing crime problem.

PC Vote:

6-0 APPROVE

David Hacker, Chair

Aye

Alexander Moldovan, Vice-Chair

Aye

Ian Brown, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Joshua Garrison

Absent

Jason Porter

Aye

Jordan Elsbury

Absent

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – June 3, 2022

Ordinance/Application No.: 2022-348 / L-5686-22C

Property Location: 4330 Pearce Street between Pearce Street and Spring Grove Avenue.

Real Estate Number(s): 085589 0000

Property Acreage: 14.66 acres

Planning District: District 1, Urban Core

City Council District: District 8

Applicant: Carol Brenner

Current Land Use: Public Buildings and Facilities (PBF)

Proposed Land Use: Medium Density Residential (MDR)

Development Area: Urban Priority Development Area

Current Zoning: Public Buildings and Facilities–1 (PBF-1)

Proposed Zoning: Residential Medium Density-D (RMD-D)

RECOMMENDATION: Approve

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

The property is blighted and condemned. New affordable housing is needed.

BACKGROUND

The 14.66 acre subject site is developed with a vacant public school and is located at 4330 Pearce Street between Pearce Street and Spring Grove Avenue. Pearce Street is classified as a local road.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from PBF to MDR. The amendment would be consistent with the MDR land use north and northeast of the property. The subject site also abuts Low Density Residential land use to the east, south, and west of the subject site. A companion rezoning application is pending concurrently

with the land use application via Ordinance 2022-349, which seeks a zoning change on the subject site from PBF-1 to RMD-D.

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

North: Land Use: Medium Density Residential (MDR), Residential-Professional-Institutional (RPI), Light Industrial (LI)
 Zoning: Industrial Light (IL), Residential Low Density-60 (RLD-60) Commercial Residential and Office (CRO)
 Property Use: Vacant, Single family homes, Multi-family homes

South: Land Use: Low Density Residential (LDR)
 Zoning: RLD-60
 Property Use: Single family homes

East: Land Use: MDR, LDR
 Zoning: Planned Unit Development (PUD), Residential Medium Density-D (RMD-D), RLD-60
 Property Use: Single family homes, Multi-family homes

West: Land Use: LI and LDR
 Zoning: RLD-60, IL
 Property Use: Single family homes, vacant, offices

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.

Land Use Amendment Impact Assessment

Development Analysis	14.66 Acres	
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	Pearce Street/Local Roadway	
Plans and/or Studies	Urban Core Vision Plan, 29 th & Chase NAP	
Site Utilization	Current: School	Proposed: Medium Density Residential
Land Use / Zoning	Current: PBF/PBF-1	Proposed: MDR/RMD-D

Development Analysis		14.66 Acres
Development Standards for Impact Assessment	Current: 0.3 FAR	Proposed: 15 DU/Acre
Development Potential	Current: Scenario 1: 191,576 sq. ft. institutional	Proposed: 219 MF DU
Net Increase or Decrease in Maximum Density	Increase of 219 MF DU	
Net Increase or Decrease in Potential Floor Area	Decrease of 191,576 sq. ft. Institutional	
Population Potential	Current: N/A	Proposed: 514 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	Zone D	
Airport Environment Zone	A portion of the property is in 500' Height Restriction Zone for Herlong Recreational Airport.	
Industrial Preservation Area	Industrial Situational Compatibility	
Cultural Resources	No	
Archaeological Sensitivity	Low and High Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	Yes	
Groundwater Aquifer Recharge Area	No	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	Yes	
Public Facilities		
Potential Roadway Impact	0 net new daily trips	
Potential Public School Impact	54 new students	
Water Provider	JEA	
Potential Water Impact	Increase of 36,511 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 27,383 gallons per day	
Potential Solid Waste Impact	Increase of 253 tons per year	
Drainage Basin/Sub-basin	Trout River/Moncrief Creek	
Recreation and Parks	Clanzel T. Brown Park	
Mass Transit Access	Within a mile of Route 3	
Natural Features		
Elevations	3 to 24 feet above mean sea level	
Land Cover	1700: Institutional, 6170: Mixed wetland hardwoods	

Development Analysis	14.66 Acres
Soils	51: Pelham Fine Sand, 69: Urban Land, 74: Pelham-Urban Land Complex
Flood Zones	AE, AE-Floodway, and 0.2 PCT Annual Chance Flood Hazard
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).

Per a JEA Availability Letter dated February 4, 2022, there is an existing 12-inch water main along 33rd St W and another 12-inch water main along Pearce Street. There is a 15-inch gravity sewer main along Pearce Street.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.9 Septic tanks shall be permitted in Rural Areas, provided they meet the requirements of Chapter 64E-6, F.A.C., and that all lots created after shall have a minimum of 1 acre of un-submerged property.

Transportation

The subject site is 14.66 acres and is accessible from Pearce Street and 33rd Street West, both unclassified facilities. The proposed land use amendment is located within the Urban Priority Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Public Buildings and Facilities (PBF) to Medium Density Residential (MDR).

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).

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 1.2.1 of the TE of the 2030 Comprehensive Plan requires the City to 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.

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 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.

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 4,328 daily trips, depending on the scenario. If the land use is amended to allow for this proposed MDR development, this will result in 1,476 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in no 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

Current Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
PBF	730	191,576 SF	T = 22.59 (X) / 1000	4,328	0	4,328
						<i>Existing Total</i>
						4,328
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	219 MF DUs	T = 6.74 (X)	1,476	0	1,476
						<i>Proposed Total</i>
						1,476
						Proposed Net New Daily Total
						0

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

School Capacity

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 14.66 acre proposed land use map amendment has a development potential of 219 multi-family 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.

Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5686-22C Pearce Street Requested By: Ed "Luke" Lukacovic / Marcus Salley Reviewed By: Shalene B. Estes Due: 6/2/2022							
Analysis based on maximum dwelling units: 219							
School Type	CSA ¹	2021-22 Enrollment/CSA	Current Utilization (%)	New Student/ Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 2&7
Elementary	1	10,651	54%	27	59%	8,062	3,373
Middle	1	7,527	88%	11	86%	807	791
High	1	8,087	80%	16	72%	1,116	1,778
Total New Students				54			

NOTES:

¹ Proposed Development's Concurrent Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

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

Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office. The analysis does not reveal a deficiency in school capacity.

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.

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5686-22C Pearce Street Requested By: Ed "Luke" Lukacovic / Marcus Salley Reviewed By: Shalene B. Estes Due: 6/2/2022 Analysis based on maximum dwelling units: <u>219</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Northwestern Legends ES #124	1	27	767	571	74%	69%
Matthew Gilbert MS #146	1	11	787	748	95%	47%
William M. Raines HS #165	1	16	1817	1254	69%	80%
		54				

NOTES:

¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)

² Does not include ESE & room exclusions

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

Evacuation Zone

The subject site is within Evacuation Zone D. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. They stated: "No impacts to countywide evacuation times are anticipated from the amendment proposed in L-5686-22C. Proximity to Edgewood Avenue and New Kings Road indicates sufficient access to evacuation routes (I-295 and I-95). Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain."

Airport Environment Zone

A portion of the site is located within the 500-foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 500 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.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. 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.

Industrial Zones

The northern portion of the subject property is located within the "Industrial Situational Compatibility" Zone. "Situational Compatibility" Zone area is identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

The site is not currently designated for industrial uses, therefore, FLUE policy 3.2.33 does not apply.

Future Land Use Element

Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility”.

Policy 3.2.33 Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the “Area of Situational Compatibility”, as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job creation as defined by Policy 3.2.34

Flood Zones

Approximately 0.61 acres of the subject site is located within the AE-Floodway flood zone, 0.64 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard flood zone, and 0.66 acres of the subject site is located within the AE flood zone.

Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE-Floodway flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. Areas located within AE Floodway zones should be left intact as construction and filling within these areas is severely restricted. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
A. Land acquisition or conservation easement acquisition;
B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
C. Incentives, including tax benefits and transfer of development rights.

Policy 11.3.18 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Brownfields

The property is located within the Brownfield Pilot Project 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.

Brown's Dump/Brownfield pilot Project Area

The subject site is a portion of the Brown's Dump superfund site. As such, the proposed amendment was sent to the Solid Waste Division of the Public Works Department for review and comment, their response is summarized below. According to the most recent Five-Year-Review, issued by the Environmental Protection Agency (EPA) in 2019, remedial activities completed to date have adequately addressed all exposure pathways that could result in unacceptable risks. 98% of cleanup on the superfund site has been completed. Access to remediate the few remaining residential parcels is being pursued to complete the cleanup. EPA placed institutional controls to restrict certain types of digging on properties where the City could not remove all soil contamination.

Summary of Public Works Department Response

The site has already been cleaned up by removing the top 2-feet and replacing the ash impacted soils with certified clean soils as a protective cap. Since tree root mats and impervious surfaces (sidewalks, building pads, driveway, asphalt pavement) are used as part of the protective cap, there are ash materials still on-site. Any development permits will be flagged for further review and may require special development procedures, including but not limited to the development of site-specific materials handling specifications for performing excavation work on the site. The full response is provided as Attachment #1 to this staff report.

Adaptation Action Area

Approximately 1.3 acrs along the north and northwest portion of the site are located within the Adaptstion Action Area.

Adaptation Action Area (AAA)

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2021-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

The property is located within the AAA boundary (Ordinance 2021-732-E). The applicant has been made aware of the AAA boundaries and encouraged to address the new policies through site design, clustering of development and other resiliency efforts.

Conservation/Coastal Management Element

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on May 11, 2022, the required notice of public hearing sign was posted. 148 notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

A Citizen Information Meeting was held on May 16, 2022, via a virtual Zoom meeting. Two members of the public attended to get information on what the applicant has planned for the subject site.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Urban Priority Area (UPA): The UPA 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 existing infrastructure through redevelopment and infill development at 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.

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

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 1.1.2 As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

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 1.1.21 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.

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.

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.

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 in the Future Land Use Element (FLUE), Public Buildings and Facilities (PBF) in all development areas is a broad land use category that is intended to accommodate major public use or community service activities.

Medium Density Residential (MDR) in the Urban Priority Development Area is intended to provide compact medium to high density mixed use 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. Residential uses are permitted at up to 20 dwelling units per acre.

The property is currently a vacant school surrounded by uses in the MDR, LDR, and LI land use categories. Multi-family dwellings (apartments), in the MDR are located east of the application site on 36th Street West and the amendment is a logical extension of the abutting MDR. This site has access to urban services and mass transit. The infill development will continue the residential development trends in an area that has existing infrastructure. The proposed amendment promotes a pattern of compatible land uses with a well-organized combination of residential and industrial uses as recommended in FLUE Goal 1 and 3, Objective 1.1 and 6.3 and Policies 1.1.21 and 1.1.22.

The proposed amendment to MDR would allow for increased housing options within the Urban Priority Development Areas of the Urban Core Planning District, and as such, it is consistent with FLUE Objective 3.1, Policy 1.1.2 and Policy 3.1.6.

The 14.66 acre subject site will provide a negligible impact on the amount of land needed to accommodate multi-family residential uses, and the proposed amendment from PBF to MDR maintains a balance of uses in the area. For these reasons the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

The land use application for the proposed multi-family development will be served by sanitary sewer and water lines. Per a JEA Availability Letter dated February 4, 2022, there is an existing 12-inch water main along 33rd St W and another 12-inch water main along Pearce Street. There is also a 15-inch gravity sewer main along Pearce Street. Therefore, the application is consistent with FLUE Policy 1.2.9.

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.

Vision Plan

The subject property is located within the boundaries of the Urban Core Vision Plan. Sub-Principle 2.2 of the Vision Plan, "Create a Range of Housing Opportunities and Choices" promotes the development of a variety of residential housing types. This plan highlights that over the years this district struggles to attract new residents. In order to attract more people high quality housing and a variety of housing types is necessary to attract people. As such, the proposed amendment is consistent with the Urban Core Vision Plan.

Neighborhood Action Plan

The subject site is located within the boundaries of the 29th and Chase Neighborhood Action Plan in the Moncrief Park area of the Plan. While the Plan does not make any specific recommendations for the subject site, it does talk about housing recommendations. As shown on Table 8 in the action plan, two of the main housing goals is to promote homeownership and stable housing conditions. As such, the proposed amendment is consistent with the 29th and Chase Neighborhood Action Plan.

Strategic Regional Policy Plan

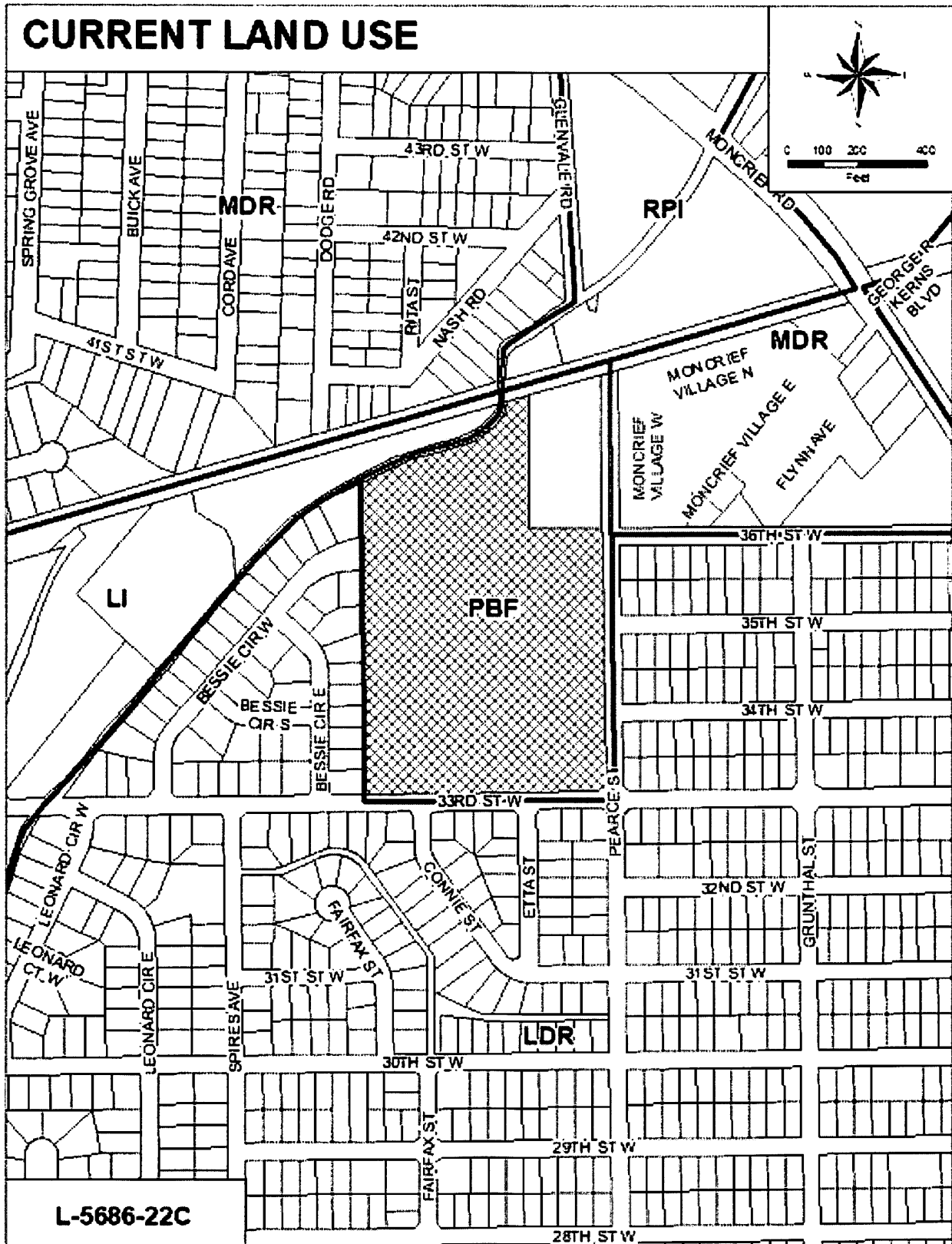
The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

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 would create a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan, Regional Health Element.

Small Scale Land Use Application L-5686-22C



Salley, Marcus

From: Foster, Jeffrey
Sent: Wednesday, May 25, 2022 3:39 PM
To: Fogarty, Krista; Salley, Marcus
Subject: RE: Proposed Land Use Amendment at 4330 Pearce Street

10-4.

From: Fogarty, Krista <KFogarty@coj.net>
Sent: Wednesday, May 25, 2022 3:08 PM
To: Foster, Jeffrey <JSFoster@coj.net>; Salley, Marcus <MSalley@coj.net>
Subject: RE: Proposed Land Use Amendment at 4330 Pearce Street

Thank you for all the information Jeff.

I just wanted to clarify that the owner has not asked for a brownfield designation, but we review that layer as part of our land use amendment application process, which is how we recognized it as the superfund site.

From: Foster, Jeffrey <JSFoster@coj.net>
Sent: Wednesday, May 25, 2022 2:57 PM
To: Salley, Marcus <MSalley@coj.net>
Cc: Fogarty, Krista <KFogarty@coj.net>
Subject: RE: Proposed Land Use Amendment at 4330 Pearce Street

The site has already been cleaned up by removing the top 2-feet and replacing the ash impacted soils with certified clean soils as a protective cap. Since we use tree root mats and impervious surfaces (sidewalks, building pads, driveway, asphalt pavement) as part of the protective cap, there is ash materials still on-site. Any development permits the owner or developer applies for will get flagged by Development Services and I review the development plans for the potential to generate ash materials and develop the site-specific materials handling specs the developer/owner must use when performing any excavation work. The City pays for the transport and disposal of the materials but does not pay for the excavation since they would need to do that as part of their development work regardless of the presence or absence of ash materials. As part of the permit process I am required to send the applicant two documents, one is the remedial action completion report and the other is the ash management plan. The applicant must complete and sign/notarize several pages of the ash management plan and return to me before I can approve their permit to Development Services. Their signature is the receipt that they got the two documents that I am required to send them by the US EPA Consent Decree and it is also their agreement they will adhere to the processes and procedures of the ash management plan if ash materials are generated.

As far as the Brownfield issue is concerned, while we may show it as a Brownfield site in our layer, to get the allowable credits, that is really a state FDEP question since sites like these are typically not eligible for designation as a Brownfield if it is also a Superfund site. But I have seen exceptions to that so again, they would need to get that determination from the FDEP. Also, I was not aware that the owner had applied for a Brownfield designation with the City since it is outside of the original Brownfield boundary.

From: Salley, Marcus <MSalley@coj.net>
Sent: Wednesday, May 25, 2022 2:36 PM
To: Foster, Jeffrey <JSFoster@coj.net>

Cc: Fogarty, Krista <KFogarty@coj.net>

Subject: Proposed Land Use Amendment at 4330 Pearce Street

Good afternoon Jeff,

I work with Krista with brownfields. We received an application for a land use amendment that would allow residential development at 4330 Pearce Street. This site is the former Mary McLeod Bethune Elementary School. It shows up on our brownfield layer as The Browns Dump Superfund Site. We did some research and saw that as of 2019 the EPA said the site as a whole was 98% cleaned up. Do you have an update on the cleanup status of this site? Is there anything specific we should be aware of for the area located on the attached map? Are there any limitations/concerns for residential use of the site once it is cleaned up?

We would greatly appreciate your response by Tuesday, May 31.

Marcus Salley

City Planner I

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