

City of Jacksonville

117 W. Duval Street
Jacksonville, FL 32202



Meeting Minutes

Thursday, December 12, 2024

2:00 PM

Council Chamber,
1st Floor, City Hall

Jacksonville Waterways Commission

CM Mike Gay, Chair - Excused Early Departure

CM Ken Amaro, Vice Chair - Excused

CM Jimmy Peluso

CM Tyrona Clark-Murray, Alternate

Jon Michael Barker

Robert Birtalan

Lane Burnett - Excused

Representative Kiyon Michael - Excused

Mark Devereaux

Andrew Fraden

Marc Hardesty

Richard Hartley - Excused

Richard J. Redick

Jill Haskell - General Public Rep - Excused

Jack Meeks, Ex-Officio - Absent

Adam Hoyles, Ex-Officio

Rebecca Bolton, Legislative Assistant

Shannon MacGillis, Office of General Counsel

Dr. Gerard Pinto, Jacksonville University

Colleen Hampsey, Council Research

Jim Suber, Waterways Coordinator

1. **Call To Order**
2. **Pledge of Allegiance**
3. **Roll Call**

Chair Mike Gay called the meeting to order. Members introduced themselves, and the Pledge of Allegiance was recited.

- Present** 10 - Chair Mike Gay, Council Member Jimmy Peluso, Alternate Tyrona Clark-Murray, Commissioner Jon Michael Barker, Commissioner Robert Birtalan, Commissioner Andrew Fraden, Commissioner Marc Hardesty, Commissioner Richard Redick, Commissioner Mark Devereaux, and Ex-Officio Adam Hoyles
- Excused** 5 - Vice Chair Ken Amaro, Commissioner Lane Burnett, Commissioner Rep. Kiyon Michael, Commissioner Richard Hartley, and Commissioner Jill Haskell
- Absent** 1 - Ex-Officio Jack Meeks

4. **Approval of Minutes**

The minutes from the November meeting were unanimously approved by voice vote. Chairman Gay stated that he may have to depart early and turn the gavel over to Council Member Peluso.

5. **Harbour Waterways Special District Presentation**

Commissioner Birtalan provided a history and overview of the Harbour Waterways Special District. He explained that it was originally established to provide dredging solutions for residential canals but has since expanded into dredge spoil disposal by acquiring land from the City and JEA. This site now serves as a spoil disposal location for numerous neighborhood dredging projects throughout the city.

He highlighted that the site has also sold capacity for City and Jaxport projects, generating revenue that has reimbursed a portion of the special assessments paid by property owners who initiated the district. He outlined several successful dredging projects and the ongoing management of spoil sites.

6. **St. Johns River Status Report on Water Quality & Manatees**

Dr. Gerard Pinto, Jacksonville University, gave his presentation on salinity and temperature readings. Dr. Pinto stated that salinity levels at Mayport are slightly below normal, ranging from 24-30 parts per thousand (ppt). He reported that Jacksonville University readings were low at 3-6 ppt, and Downtown Jacksonville readings were very fresh, below 1 ppt. Dr. Pinto also stated that water temperatures were 58-59 degrees in Downtown Jacksonville and 62-63 degrees in Mayport. He further explained that water levels were below normal by 0.6 feet due to a dry spell (lack of rain). He stated that rainfall has been 10 inches above normal for the year. He also mentioned that algae sampling was conducted on December 9th, and while samples are still being analyzed, no toxins were identified in previous samples taken this fall.

Manatee deaths remained unchanged from the previous report, totaling five for the year, with two attributed to watercraft-related deaths.

7. Public Comment

Mr. John Nooney raised concerns about access to waterways and referenced various FEMA-related ordinances and funding issues that he believes should be presented to the Waterways Commission. He highlighted the need for improved infrastructure to support waterway access.

8. New Business

2024-0908 ORD Adopting a Small-Scale Amendmnt to the FLUM Series of the 2045 Comp Plan at 0 Newton Rd & 0 Cargal St, South of Beach Blvd & West of Southside Blvd - (8.95± Acres) - LDR to MDR - Anthony Grissett, Angela J. Darling, & Choice Plus, LLC (R.E. # 136163-0000 & 136257-0000) (Appl # L-5984-24C) (Dist. 4-Carrico) (Anderson) (LUZ) (JWC Apv) (Rezoning 2024-909)
11/26/24 CO Introduced: LUZ, JWC
12/3/24 LUZ Read 2nd & Rerefer
12/10/24 CO Read 2nd & Rerefer
LUZ PH - 1/22/25
Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 1/14/25 & 1/28/25

Motion to recommend approval by Council Member Peluso and seconded by Council Member Clark-Murray.

Ed Lukacovic, Planning and Development Department, presented the proposed land use amendment for 0 Newton Rd and 0 Cargal St, from Low Density Residential (LDR) to Medium Density Residential (MDR). Mr. Lukacovic also stated that the representative, Michael Sittner, was present if there were any questions. Mr. Lukacovic explained that the site could accommodate up to 44 single-family units under LDR and, with MDR zoning, could allow up to 134 multi-family units. He also noted the wetlands and unnamed creek bordering the site.

Commissioner Barker questioned what kind of water would be provided and whether it would be city water. Mr. Lukacovic confirmed it would be city water. Commissioner Andrew Fraden asked about the small unnamed creek bordering Killarney Shores. Mr. Lukacovic stated that all he knows is that it passes the Pottsburg Creek and can really only be seen during heavy rainfall. Mr. Fraden stated that he knows the area well and that it is all wetlands behind Killarney Shores. He added that this is the only unnamed creek he knows of in the area. Council Member Clark-Murray asked about the Planning Department report and questioned when it would be completed, wondering if it would be ready after they knew what was expected to be built. Michael Sittner introduced himself and clarified that the application was for MDR zoning. He stated they are currently anticipating 56 townhome units, which is seven units per acre. He explained that the density is low, given the MDR request, because they are clustering the development outside of the creek and wetlands. Council Member Clark-Murray further questioned whether the Planning Department report had been generated. Mr. Sittner stated that it had not and would be issued the Friday before the Planning Commission meeting.

The motion was approved unanimously via voice vote.

2024-0910 ORD Adopting a Small-Scale Amendmnt to the FLUM Series of the 2045 Comp Plan at 0 State Rd A1A, btwn Montreal St & Beach Preserve Way - (7.12± Acres) - MDR to CGC - Carriere Family Limited Partnership (R.E. # 168374-0000) (Appl # L-5981-24C) (Dist. 13-Diamond) (Kelly) (LUZ) (JWC Deny)
(Rezoning 2024-911)
11/26/24 CO Introduced: LUZ, JWC
12/3/24 LUZ Read 2nd & Rerefer
12/10/24 CO Read 2nd & Rerefer
LUZ PH - 1/22/25
Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 1/14/25 & 1/28/25

The motion to approve was made by Council Member Clark-Murray and seconded by Council Member Peluso.

Ed Lukacovic, Planning and Development Department, presented the proposal to change land use for 0 State Rd A1A from Medium Density Residential (MDR) to Community General Commercial (CGC) on a 7.12-acre site, of which 3.02 acres are wetlands. Mr. Lukacovic explained that the current land use allows up to 106 multifamily dwelling units and that the proposed CGC category permits either the same residential density or up to 108,551 square feet of commercial space. He further explained that the site is within flood zones (AE and 500-year flood zones) and is adjacent to Puckett Creek and salt marsh wetlands. Wetlands on-site buffer Puckett Creek, which drains into Sherman Creek and eventually into the St. Johns River. The parcel lies in a Coastal High Hazard Area, with significant flooding potential during hurricanes.

Council Member Clark-Murray raised concerns about the site being entirely within flood-prone zones and its potential impact on surrounding residential neighborhoods. She also questioned how the project would ensure no additional flooding downstream. Mr. Lukacovic explained that neighboring areas are already typical flood zones and that the only mitigation possible during development is to ensure the site maintains its own floodwater, as required by law. Council Member Clark-Murray reiterated her concerns about flooding issues, the surrounding zoning, and the change to CGC. She questioned what would be built on the site. Hayden Phillips, representative for the developer, stated there is a need for commercial uses in that area, adding that this stretch of A1A already has commercial uses. He explained that they intend to develop a high-end luxury storage facility for collector cars, boats, and recreational vehicles. The facility would feature areas for cleaning and light maintenance of vehicles and is designed to have low environmental impact. Ms. Clark-Murray asked the applicant about mitigation plans for flooding and the impact on nearby areas. Mr. Phillips confirmed that 3.02 acres of wetlands would largely remain untouched, with only 0.06 acres impacted for project infrastructure. He further assured compliance with all permitting requirements and the legality of stormwater runoff onto adjacent properties.

Commissioner Barker expressed reluctance, stating that the loss of salt marsh would reduce resiliency and worsen flooding in neighboring areas. He strongly opposed the project. Commissioner Fraden reiterated similar concerns, noting that, in his time on the commission, he had never seen a development proposed for a property that was 100% within a flood zone. Commissioner Redick stated his concerns as well, pointing out that the map does not show a nearby middle school and noting the potential for increased flooding in neighboring areas. Chairman Gay added that the commission had concerns about the project and questioned whether the applicant had considered alternatives. Mr. Lukacovic stated that they are not planning to develop on the salt marsh and reiterated that developers must comply with stormwater retention requirements. He also noted that, under medium-density residential zoning, multifamily residences could also be built on the property. He added that he would rather see a commercial venture than residential development on the site. Chairman Gay clarified that the issue was not the zoning itself but rather the impact on wetlands and water management. Ms. Clark-Murray said she understands that commercial development was preferable to residential but stated that it should meet a standard for being above flooding levels. She added that she believes nothing should be built on the site at all. Commissioner Barker stated that securing insurance for either residential or commercial development on the site would be problematic. Commissioner Birtalan asked whether stormwater retention requirements differ for commercial versus residential development. Mr. Lukacovic explained that stormwater capture rules are the same for any development and are based on the amount of impervious surface area, subject to Water Management District permitting.

The motion failed 4-5 by a show of hands vote.

[2024-0914](#) ORD Adopting a Small-Scale Amendmnt to the FLUE Series of the 2045 Comp Plan at 901, 937, & 940 Main St N, btwn State St E & Phelps St - (5.16± Acres) - CGC, HDR, ROS, & PBF to RC with FLUE Site Specific Policy 4.4.45 - Ocean Hart, LLC, Dozier Prestige Worldwide, LLC & Ollivanders Downtown, LLC; Adopting a New Site Specific Policy 4.4.45 in the FLUE (R.E. # 074367-0000, 074378-0000, & 074386-0000) (Appl # L-5945-24C) (Dist. 7-Peluso) (Hinton) (LUZ) (JWC Apv) (Rezoning 2024-915)
11/26/24 CO Introduced: LUZ, JWC
12/3/24 LUZ Read 2nd & Rerefer
12/10/24 CO Read 2nd & Rerefer
LUZ PH - 1/22/25
Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 1/14/25 & 1/28/25

A motion to approve was made by Council Member Clark-Murray and seconded by Council Member Peluso.

Mr. Lukacovic described the proposed land use change from several different categories to Regional Commercial, located on North Main Street at State Street adjoining Hogan's Creek. He explained that the site is not within the Springfield Historic District but includes several buildings that are historic landmarks or old enough to potentially contribute to the district. He further noted that approximately half the site is within the AE flood zone, with a smaller portion in the X flood zone, and that 3.85 acres of the site fall within the Adaptation Action Area. Additionally, a portion of the site is designated as a brownfield site.

Chairman Gay passed the gavel to Council Member Peluso at 2:59 PM and departed the meeting.

Acting Vice Chair Peluso stated that this proposal is part of the Gateway Project, which covers multiple blocks downtown. He added that the Emerald Trail would provide significant stormwater mitigation along Hogan's Creek in this area. Council Member Clark-Murray inquired about the brownfield remediation process and asked if the state had contributed financially. Michael Sittner, representing the developer, explained that the site has undergone environmental remediation over several years and has been carefully studied by multiple owners and the City. However, he did not have information on state financial contributions.

The motion was approved unanimously via a voice vote.

2024-0969

ORD Apv the Proposed 2024B Series Text Amendment to the Conservation & Coastal Mgmt Element & Infrastructure Element of the 2045 Comp Plan of the City to Adopt by Reference the State Mandated 10 Yr Water Supply Facilities Work Plan, for Transmittal to the State of FL's Various Agencies for Review; Prov a Disclaimer that the Amendment Granted Herein Shall Not Be Construed as an Exemption from Any Other Applicable Laws (Parola) (Req of Mayor) (JWC Apv)

12/10/24 CO Introduced: LUZ, JWC

LUZ PH - 2/4/25

Public Hearing Pursuant to Sec 163.3187, F.S. & Ch 650, Pt 4, Ord Code - 1/28/25 & 2/11/25

Susan Kelly from the Planning and Development Department described the state requirement to approve updates to two elements of the 2045 Comprehensive Plan to reflect the adoption of the new edition of the 10-Year Water Supply Facilities Work Plan. She briefly reviewed the plan's contents, which included JEA's capital improvement plans and reflected its consumptive use permit.

The motion was made and seconded, and it was approved unanimously by voice vote.

9. Old Business

a. St. Johns River Accord Task Force

Council Member Peluso noted that an update meeting is scheduled for early 2025.

b. Derelict Vessel Task Force

Commissioner Redick reported progress on a draft ordinance, which should be ready for City Council consideration in the near future.

c. Shoaling and Artificial Reef Task Force

Commissioner Hardesty discussed Army Corps dredging operations and ongoing issues with spoil management. Acting Vice Chair Peluso asked if contact had been made with the U.S. Environmental Protection Agency or the Florida Department of Environmental Protection. Commissioner Hardesty confirmed that contact had been made with the FDEP and the Congressional delegation but noted that no progress had been made on these fronts. He remarked that a solution to the problem might require a local effort. Mr. Peluso suggested that the Waterways Commission draft resolution language for City Council consideration, outlining the issue and advocating for a solution. Commissioner Hardesty responded that he believed the commission had already submitted a resolution. Mr. Peluso stated that he would check on that matter.

10. Adjournment

The meeting was adjourned by Acting Chair Peluso.

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Nayeli Jimenez- Council Research Division

njimenez1@coj.net 904-255-5140

Posted 12/16/2024 5:00 PM