

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

August 5, 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. 2021-369/Application No. L-5554-21C

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 2021-368 on August 5, 2021.

P&DD Recommendation

APPROVE

PC Issues:

None

PC Vote:

6-0 APPROVE

Joshua Garrison, Chair

Aye

Dawn Motes, Vice-Chair

Absent

David Hacker, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Ian Brown

Aye

Alexander Moldovan

Aye

Jason Porter

Absent

Planning Commission Report
August 5, 2021
Page 2

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
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7837
KReed@coj.net

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – July 30, 2021

Ordinance/Application No.: 2021-369 / L-5554-21C

Property Location: 2179 Emerson Street, along the north side of Emerson Street between St. Augustine Road and Phillips Highway

Real Estate Number(s): 126635-0000 (portion of)

Development Area: Urban Development Area

Property Acreage: 8.45 acres

Planning District: District 3, Southeast

City Council District: District 5

Applicant: Fred Atwill

Current Land Use: Light Industrial (LI) (8.04 acres)
Community/General Commercial (CGC) (0.41 of an acre)

Proposed Land Use: Medium Density Residential (MDR) (7.53 acres)
CGC (0.92 of an acre)

Current Zoning: Planned Unit Development (PUD) (11.8 acres)
Residential Medium Density-A (RMD-A) (0.14 of an acre)
Community Commercial/General-2 (CCG-2) (0.14 of an acre)

Proposed Zoning: PUD (12.08 acres)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To provide for affordable senior apartment living facilities needed in these neighborhoods. Additional surrounding 2030 Comp Plan FLUM designations: LDR, CGC.

BACKGROUND

The 8.45 acre subject site is located on the north side of Emerson Street, between St. Augustine Road and Freeman Road. The request is for changes to a portion of the property. The property fronts Emerson Street, which is classified as a minor arterial roadway. St. Augustine Road, to the west, is also a minor arterial roadway. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from LI and CGC to MDR and CGC, with a companion rezoning application from PUD and RMD-A to PUD. The companion rezoning, Ordinance 2021-370, is pending concurrently with this application and requests a change to a larger area for a total of 12.08 acres. The applicant seeks to develop the site with multifamily residential units.

The area in and around the subject site is made up of a mix of uses including a church on the subject property. Abutting the property are to the north and east are single-family homes and commercial development to the west. The portion of the property subject to the land use change to MDR is undeveloped. The portion of the property subject to the land use change from LI to CGC will extend the CGC boundary northward to encompass land already being used by the church on the property and is consistent with CGC land uses to the south and west of the subject site.

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

North: Land Use: MDR
Zoning: PUD, RMD-A
Property Use: Single-family homes

South: Land Use: CGC
Zoning: PUD, Commercial Community General-2 (CCG-2)
Property Use: Single-family homes. Across Emerson Street – Commercial (strip malls)

East: Land Use: LDR, CGC
Zoning: Residential Low Density-60 (RLD-60), CCG-2
Property Use: Single-family homes with businesses fronting Emerson St.

West: Land Use: CGC, MDR
Zoning: CCG-2, Residential Medium Density-A (RMD-A)
Property Use: Commercial

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 - Application Number L-5554-21C

Development Analysis		
Development Boundary	Urban Area	
Roadway Frontage Classification / State Road	Emerson Street - Minor Arterial	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Church	Proposed: Senior apartments
Land Use / Zoning	Current: LI and CGC / RMD-A CCG-2 and PUD	Proposed: MDR and CGC / PUD
Development Standards for Impact Assessment	Current: Scenario 1: LI: 100% Industrial at 0.4 FAR CGC: 100% Commercial at 0.35 FAR Scenario 2: LI: 100% Industrial at 0.4 FAR CGC: 80% residential at 30 MF DU / acre and 20% Commercial at 0.35 FAR	Proposed: Scenario 1: MDR: 15 MF DU / acre CGC: 100% Commercial at 0.35 FAR Scenario 2: MDR: 15 DU / acre CGC: 80% residential at 30 MF DU / acre and 20% Commercial at 0.35 FAR
Development Potential	Current: Scenario 1: 140,089 sq. ft. Industrial and 6,251 sq. ft. Commercial Scenario 2: 140,089 sq.ft. Industrial and 1,250 sq. ft. Commercial and 9 MF DU	Proposed: Scenario 1: 112 DU and 14,026.3 Commercial Scenario 2: 134 MF DU and 2,805 sq. ft. of Commercial
Net Increase or Decrease in Maximum Density	Scenario 1: Increase 112 DU Scenario 2: Increase 125 DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease 140,089 sq. ft. Industrial and increase of 7,775.3 sq. ft. Commercial Scenario 2: Decrease 140,089 sq. ft. Industrial and Increase of 1,555 sq. ft Commercial	
Population Potential	Current: Scenario 1: N/A Scenario 2: 21 people	Proposed: Scenario 1: 263 people Scenario 2: 314 people
Special Designation Areas		
Aquatic Preserve	No	

Development Analysis	
Septic Tank Failure Area	Yes – Approximately 0.5 of an acre
Airport Environment Zone	300' Naval Air Station Jacksonville
Industrial Preservation Area	No
Cultural Resources	No
Archaeological Sensitivity	Medium and High
Historic District	No
Coastal High Hazard/Adaptation Action Area	No
Groundwater Aquifer Recharge Area	Discharge
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	No
Public Facilities	
Potential Roadway Impact	Scenario 1: 642 Net total daily trips Scenario 2: 467 Net total daily trips
Potential Public School Impact	43 Students
Water Provider	JEA
Potential Water Impact	Scenario 1: Increase 21,917.7 gpd Scenario 2: Increase 24,661.7 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Increase 16,438.3 gpd Scenario 2: Increase 18,496.3 gpd
Potential Solid Waste Impact	Scenario 1: Decrease of 130.6 tons per year Scenario 2: Decrease of 106.8 tons per year.
Drainage Basin/Sub-basin	The St. Johns River, Upstream of Trout River/ Unnamed Creek
Recreation and Parks	Henry T. Jones Park
Mass Transit Access	#17 and #33
Natural Features	
Elevations	21' to 24'
Land Cover	1700 Institutional 4110: Pine Flatwoods 6410: Freshwater Marshes
Soils	22: Evergreen-Wesconnett complex, 32: Leon Fine sand, 71: Urban Land-Leon-Boulogne complex, 0% to 2% slopes
Flood Zones	No
Wetlands	4.3 acres
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 established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for 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).

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated March 11, 2021, identifies an existing 12-inch water main along Emerson Street and that existing service may be used if adequate. JEA also identified an existing 8-inch gravity sewer and manhole at the southerly end of Drew Street and provided that the existing service may be used if adequate.

Transportation

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing LI land use category (ITE Code 110) has a development potential of 140,089 SF, which could generate 516 gross daily trips for both existing scenarios. The CGC land use category with 100% non-residential (ITE Code 820) has a development potential of 6,251 SF, which could generate 271 gross daily trips. The existing CGC with 80% residential (ITE Land Use Code 220) and 20% non-residential land use category (ITE Code 820) results in a development potential of 1,250 SF of commercial space, which could generate 54 gross daily trips and 9 multi-family dwelling units (ITE Code 220) which could generate 66 daily trips.

The proposed MDR land use category (ITE Code 220) has a development potential of 112 multi-family dwelling units, which could generate 820 gross daily trips for both proposed scenarios. The proposed CGC land use category with 100% non-residential (ITE Code 710) has a development potential of 14,026 SF, which could generate 609 gross daily trips. The proposed CGC with 80% residential (ITE Land Use Code 220) and 20% non-residential land use category (ITE Code 820) results in a development potential of 2,805 SF of commercial space, which could generate 122 gross daily trips and 22 multi-family dwelling units (ITE Code 220) which could generate 161 daily trips.

As such, the trip generation comparison between the current development potential and the proposed development potential under both scenarios will result in insignificant transportation impacts. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the

landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation 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 8.

The subject site is accessible via Emerson Street (SR 126). This segment of SR 126 between Phillips highway and St. Augustine Road is a minor arterial facility. SR 126 is subject to FDOT review and access management requirements.

School Capacity

The Planning and Development Department determined that the proposed amendment from LI and CGC to MDR and CGC has a maximum development potential of 134 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.

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

- Elementary School
 - Concurrency Service Area (CSA) 4
 - 2020/2021 enrollment: 5,438
 - Current utilization: 80%
 - New student development from amendment: 22
 - 5-year utilization: 100%
 - Available seats in CSA 4: 550
 - Available seats in adjacent CSA(s): 3 and 5 is 1,367

- Middle School
 - CSA 4
 - 2020/2021 enrollment: 4,005
 - Current utilization: 82%
 - New student development from amendment: 9
 - 5-year utilization: 85%
 - Available seats in CSA 4: 338
 - Available seats in adjacent CSA(s): 3 and 5 is 378

- High School
 - CSA 4
 - 2020/2021 enrollment: 856
 - Current utilization: 67%
 - New student development from amendment: 12
 - 5-year utilization: 86%
 - Available seats in CSA 4: 75
 - Available seats in adjacent CSA(s): 3 and 5 is 138

The analysis of the proposed residential development reveals no deficiency for school capacity within the CSA and adjacent CSAs. Potential school capacity impacts will be addressed through the 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 is provided by the Duval County School Board. This information 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.

- San Jose Elementary School #83
 - CSA 4
 - Amendment student generation: 22
 - School Capacity including permanent spaces and portables: 850
 - Current enrollment 20 day county for 2020/2021: 762
 - Percent Occupied: 90%
 - 4-year projection: 96%

- Alfred duPont Middle School #66
 - CSA 4
 - Amendment student generation: 9
 - School Capacity including permanent spaces and portables: 1,071
 - Current enrollment 20 day county for 2020/2021: 720
 - Percent Occupied: 67%
 - 4-year projection: 72%

- Terry Parker High School #86
 - CSA 3
 - Amendment student generation: 12
 - School Capacity including permanent spaces and portables: 1,866
 - Current enrollment 20 day county for 2020/2021: 1,534
 - Percent Occupied: 82%
 - 4-year projection: 95%

Note: The 4-year projections include current concurrency reservations.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of medium 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.

Septic Tank Failure Area

A portion of the east side of the property is located in an identified septic tank failure area. The City shall continue the effort to phase out septic tanks in defined failure areas in order to comply with Chapter 751, Jacksonville Ordinance Code. As provided in the JEA's letter of availability, there is an existing 8-inch gravity sewer and manhole at the southerly end of Drew Street. JEA provides that the existing service may also be used if adequate. Per the application, the applicant intends to connect to sewer service.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.4 Existing septic tanks for estimated wastewater flows of 600 or less gallons per day (gpd) shall connect to the collection system of a regional utility company provided that gravity service is available via a facility within a right-of-way or easement, which abuts the property.

Policy 1.2.5 Existing septic tanks for estimated wastewater flows exceeding 600 gallons per day (gpd) shall connect to the collection system of a regional utility company provided that a facility abuts or is within 50 feet of the property.

Policy 1.2.8 The City shall continue the effort to phase out septic tanks in defined failure areas in conformance with Chapter 751, Ordinance Code (Septic Tank Superfund).

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300 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.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the applicant that indicates the location and size of all wetlands located within the boundaries of the application site. Based upon the city's geographic information data, the Planning and Development Department has determined the type, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/ Coastal Management Element (CCME) wetlands policies. The wetlands map is attached to the end of this report.

Wetlands Characteristics:

- Approximate Size:** 4.3 Acres
- General Location(s):** Approximately 2/3 of the site in the center and southern section of the property.
- Quality/Functional Value:** The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation, size and/or the lowering of the hydro-period due to nearby site grading or drainage/retention improvements. In addition, the wetland has no clear or significant impact on the City's waterways
- Soil Types/
Characteristics:** Evergreen-Wesconnett complex, depressional (22) – The Evergreen and Wesconnett soil series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high-water table is at or above the surface for very long periods.
- Wetland Category:** Category III
- Consistency of
Permitted Uses:** Residential uses are permitted.
- Environmental Resource
Permit (ERP):** Not provided by the applicant
- Wetlands Impact:** Based on the proposed PUD site plan, the impacts to wetlands on the property should be minimal. Proposed construction is along the north side of the requested amendment area and outside the boundaries of the wetlands described in the survey attached at the end of this report.

Relevant Policies:

Conservation /Coastal Management Element (CCME)

Policy 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) **Encroachment**
Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

- (b) **No net loss**
Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
 - i the habitat of fish, wildlife and threatened or endangered species,
 - ii the abundance and diversity of fish, wildlife and threatened or endangered species,
 - iii the food sources of fish and wildlife including those which are threatened or endangered,
 - iv the water quality of the wetland, and
 - v the flood storage and flood conveyance capabilities of the wetland;

- (c) **Floodplain protection**
Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

- (d) **Stormwater quality**
In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:
 - i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
 - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

- (e) **Septic tanks**
Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are

available, development is required to connect to these facilities; and

- (f) Hydrology
The design of the fill shall include measures to maintain the wetlands hydrology of the site.

4.1.6

The permitted uses within Category III wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs)

- (1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

- (a) Silvicultural uses, provided the following standards are met:
Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

- (b) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

- (2) Any use that can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on July 16, 2021, the required notices of public hearing signs were posted. Pictures of the posted signs were provided on June 8, 2021. 108 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 June 28, 2021. Approximately 10 members of the public were present to speak in support of the amendment.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Urban 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. Similar to the Urban Priority Area (UPA), 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. Also similar to the UPA, 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 plan category.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, and 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 1.1.21 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 1.1.25 The City will encourage the use of such smart growth practices as:
1. Interconnectivity of transportation modes and recreation and open space areas;
 2. A range of densities and types of residential developments;
 3. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
 4. Use of the Development Areas;
 5. Revitalization of older areas and the downtown, and
 6. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

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.

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.

According to the Category Descriptions within the Future Land Use Element (FLUE), the LI land use category provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes.

The CGC land use category 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. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services, and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

MDR in the Urban 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. MDR in the Urban Development Area permits residential development at up to 20 DU/Acre

The property fronts Emerson Street, which is classified as a minor arterial roadway. St. Augustine Road, to the west, is also a minor arterial roadway. The site is served by public water and sewer services, per the JEA availability letter and is consistent with FLUE Policy 1.2.9. The site also has access to an efficient transportation network and is near

stops for two JTA transportation routes. The proposed land use amendment promotes a balanced land development pattern consistent with FLUE Goal 3, Objective 1.1 and Policy 1.1.25 due the mix of uses in the area and because the site is served by a convenient transportation network.

The subject site will have a positive impact on the amount of land to accommodate multi-family residential uses, and the proposed amendment from LI 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. Additionally, the LI land use is situated next to residential and consists of wetlands and thus is not an ideal location for LI land use.

The proposed amendment to MDR would allow for increased housing options within the Urban Area of the Southeast Planning District. The amendment to MDR would be consistent with the MDR land use north of the subject site and would be a logical extension of housing east of the subject site within the LDR land use category. Development of affordable senior apartments on undeveloped land provides consistency with FLUE Objectives 1.1, 3.1 and Policy 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.

Vision Plan

The subject property is located within the boundaries of the Southeast Vision Plan (2010). The Plan offers no specific recommendations for the location of the subject site. However, the Plan does provide that redevelopment and infill are basic components of sustainable land development and can help promote:

- Creation of a range of housing opportunities and choices.
- Creation of walkable neighborhoods and communities.
- Creation of distinctive and attractive communities with a strong sense of place.
- Mixed land uses.
- Variety of transportation choices.
- Protection of open space, farmland, natural beauty, and critical environment areas.

Therefore, the proposed land use change is consistent with the Southeast Vision 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:

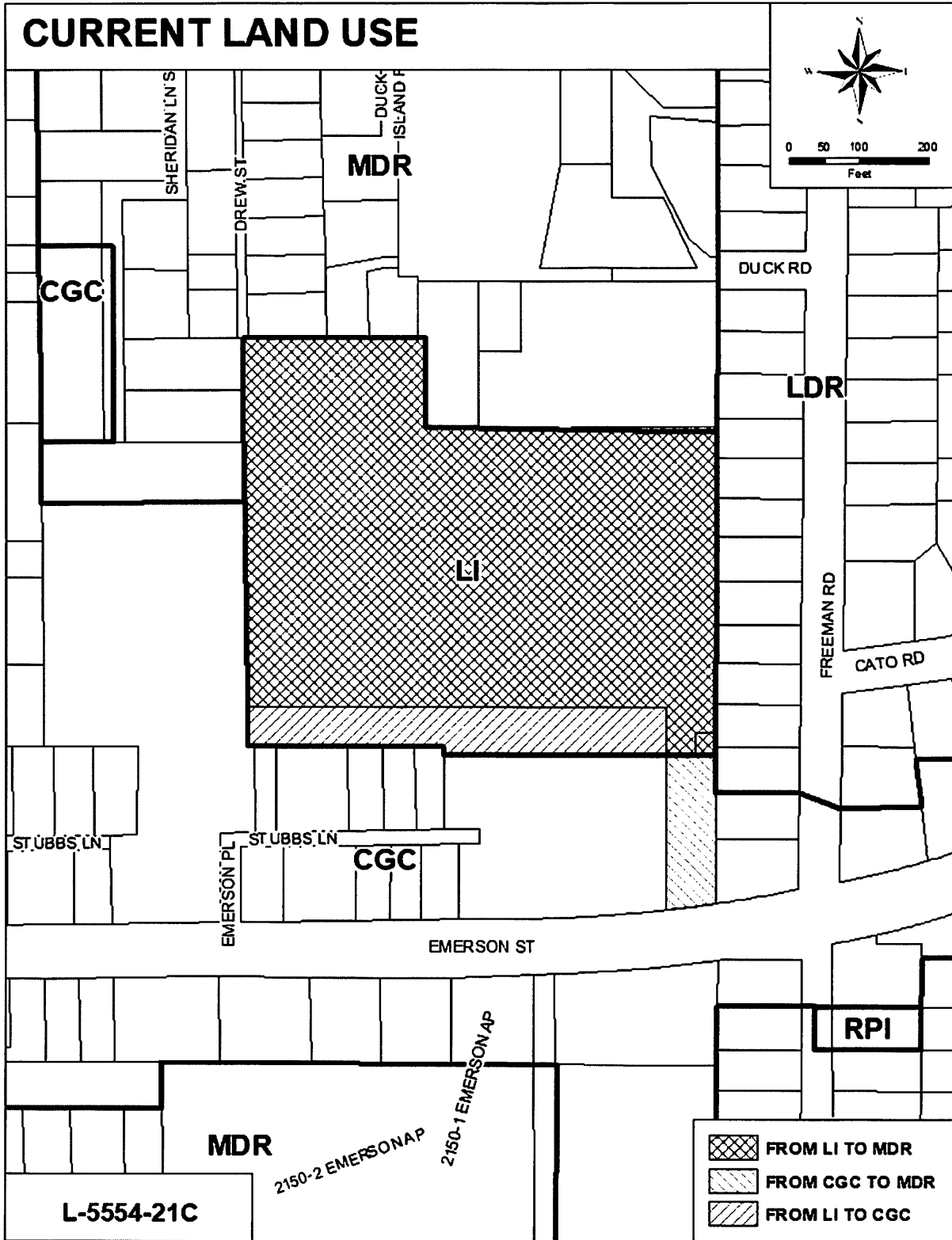
Objective: Housing Options That Provide Choices to All of Our Residents and Promote Demographic and Economic Diversity as One Way to Ensure

that Our Communities are Viable and Interesting Places for the Long Term.

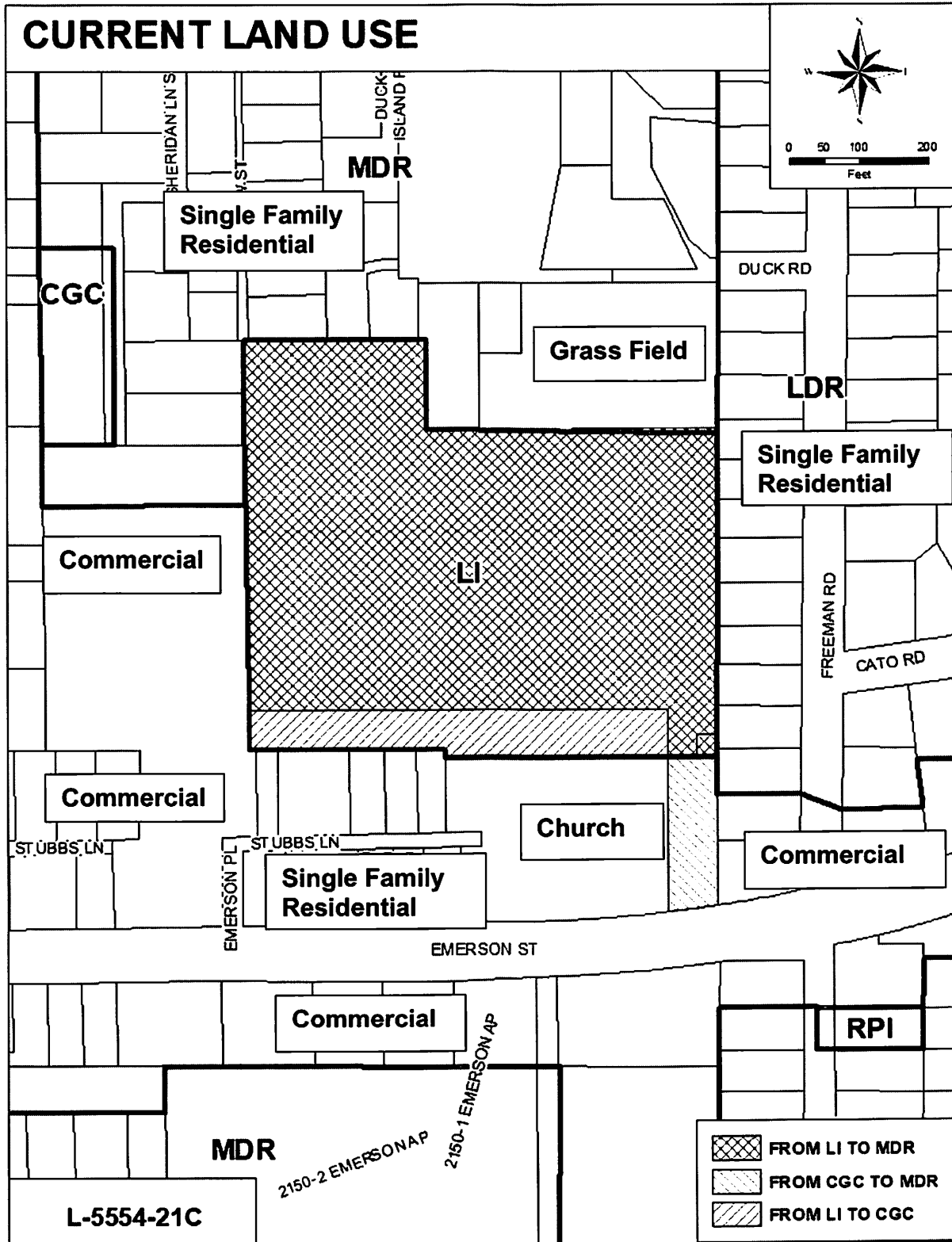
Policy 21: The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

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

LAND USE AMENDMENT LOCATION AND CURRENT LAND USE MAP



LAND USE AMENDMENT SITE LAND UTILIZATION MAP



Wetlands Survey Map

