

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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August 19, 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. 2021-425/Application No. L-5569-21C**

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 2021-425 on August 19, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>6-0 APPROVE</b>

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 19, 2021  
Page 2

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

Sincerely,

*Kristen D. Reed*

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**Report of the Jacksonville Planning and Development Department**

**Small-Scale Future Land Use Map Amendment – August 13, 2021**

**Ordinance/Application No.:** 2021-425 / L-5569-21C

**Property Location:** 0 Square Street, between Apex Trail and Cypress Bluff Drive

**Real Estate Number(s):** Portion of 167761 – 3263

**Property Acreage:** 19.46 acres

**Planning District:** District 3 - Southeast

**City Council District:** District 11

**Applicant:** Paul Harden, Esquire

**Development Area:** Suburban Development Area

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

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

**Current Zoning:** Planned Unit Development (PUD)

**Proposed Zoning:** PUD

**RECOMMENDATION:** **Approve**

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

To allow for single family residential development.

**BACKGROUND**

The 19.46 acre subject property is in the Suburban Development Area. It is approximately 2 miles east of the intersection of Interstate 295 (I-295) and Phillips Highway (US-1) on Etown Parkway. The roads surrounding the project area are unclassified roadways, according to the City’s Functional Highways Classification Map.

Presently, the subject site is undeveloped with access to the site from Etown Parkway. The applicant is proposing an amendment from Community/General Commercial (CGC) to Medium Density Residential (MDR) to allow for continued development of housing stock in the area. The zoning is currently Planned Unit Development (PUD), and the

applicant proposes a rezoning to PUD. The property is located within the Suburban Development Area. The companion rezoning is pending concurrently with this application pursuant to Ordinance 2021-426.

Single-family residential is the dominant land use to the north and west of the subject property. The land to the south, across Apex Trail, contains parking and an office. The land is undeveloped east of the subject site.

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

North: Land Use: Low Density Residential (LDR)  
Zoning: Residential Low Density-50 (RLD-50)  
Property Use: Single-family dwellings

South: Land Use: CGC  
Zoning: PUD  
Property Use: Parking lot with an office and undeveloped

East: Land Use: LDR  
Zoning: Residential Rural – Acre (RR-Acre)  
Property Use: Undeveloped

West: Land Use: LDR and CGC  
Zoning: Residential Low Density-40 (RLD-40) and PUD  
Property Use: Single-family residential

## **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.

**Impact Assessment Baseline Review – Application Number L-5569-21C**

<b>Development Analysis – 19.46 Acre / 847,677.6 sq. ft.</b>		
Development Boundary	Suburban Development Area	
Roadway Frontage Classification / State Road	Etown Parkway – Local Road	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Single Family Residential
Land Use / Zoning	Current: CGC / PUD	Proposed: MDR / PUD
Development Standards for Impact Assessment	Current: Scenario 1: 100% @ 0.35 FAR Scenario 2: 20% @ 0.35 FAR and 80% residential @ 15 DU/Acre	Proposed: 15 DU/Acre
Development Potential	Scenario 1: 296,687.2 sq. ft. Scenario 2: 59,337.4 sq. ft. and 233 MF DU	Proposed: 291 MF DU
Net Increase or Decrease in Maximum Density	Scenario 1: increase of 291 MF DU Scenario 2: increase of 58 MF DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: decrease of 296,687.2 sq. ft. Scenario 2: decrease of 59,337.4 sq. ft.	
Population Potential	Current: 547	Proposed: 683
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low, Medium, and High	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge and 0-4 inches	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	No new net daily trips	
Potential Public School Impact	96 Students	

<b>Development Analysis – 19.46 Acre / 847,677.6 sq. ft.</b>	
Water Provider	JEA
Potential Water Impact	Scenario 1: Increase of 53,550.7 gpd Scenario 2: Increase of 10,663.1 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Increase of 40,163.0 gpd Scenario 2: Increase of 7,997.3 gpd
Potential Solid Waste Impact	Scenario 1: Increase of 281.9 tons per year Scenario 2: Increase of 55.86 tons per year
Drainage Basin/Sub-basin	Major Drainage Basin – Julington Creek Drainage Sub Basin – Big Davis Creek
Recreation and Parks	Greenland Park (2+ miles southwest)
Mass Transit Access	No
Natural Features	
Elevations	28 feet to 49 feet
Land Cover	4430: Forest Regeneration 6300: Wetland Forested Mixed 6430: Wet Prairies
Soils	22: Evergreen-Wesconnett complex, depressional 0-2% slopes 24: Hurricane and Ridgewood soils, 0-5% slopes 25: Kershaw fine sand, 2-8% slopes 32: Leon fine sand, 0-2% slopes 35: Lynn Haven fine sand, 0-2% slopes 46: Ortega fine sand, 0-5% slopes
Flood Zones	No
Wetlands	Category III 6300: Wetland forested mixed
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 the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

### Transportation

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10th Edition) to calculate the vehicular trips

based on the maximum development potential for existing and proposed land uses. The subject site consists of Community General Commercial (CGC) land use on approximately 19.46 acres. The proposed land use amendment is to allow for Medium Density Residential (MDR) uses.

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing CGC land use category with 100% non-residential has a development potential of 296,687.2 SF (ITE Land Use Code 820), which could generate 14,943 daily vehicular trips. The existing CGC land use category with 80% residential and 20% non-residential results in a development potential of 59,337 SF of commercial space (ITE Code 820), which could generate 2,575 gross daily trips and 233 multi-family dwelling units (ITE Code 220), which could generate 1,706 gross daily trips.

The proposed MDR land use category (ITE Code 220) has a development potential of 291 multi-family dwelling units, which could generate 2,130 gross daily trips.

If the land use is amended to allow for MDR development, this will result in zero total net new trips on the roadway network. However, the trip generation comparison between the current and proposed comprehensive plan land uses demonstrates that the proposed amendment will result in significant transportation impacts.

#### 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.

#### Additional Information:

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

**Policy 2.4.2** of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long-Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is in Mobility Zone 1.

The subject site is accessible via E-Town Parkway and Apex Trail, both unclassified facilities. The property is south of RG Skinner Parkway, which was built to accommodate the master development of E-Town Parkway (LUA 2013-I Series).

### **School Capacity**

The 19.46 acre proposed land use map amendment has a development potential of 291 dwelling units and 96 new students. 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) 5
  - 2020/2021 enrollment: 8,312
  - Current utilization: 85%
  - New student development from amendment: 48
  - 5-year utilization: 94%
  - Available seats in CSA 5: 661



- Available seats in adjacent CSA(s): 3 and 4 is 1,672
- Middle School
  - CSA 5
  - 2020/2021 enrollment: 2,343
  - Current utilization: 83%
  - New student development from amendment: 21
  - 5-year utilization: 88%
  - Available seats in CSA 5: 56
  - Available seats in adjacent CSA(s): 3 and 4 is 523
- High School
  - CSA 5
  - 2020/2021 enrollment: 7,615
  - Current utilization: 98%
  - New student development from amendment: 27
  - 5-year utilization: 98%
  - Available seats in CSA 5: 17
  - Available seats in adjacent CSA(s): 3 and 4 is 92

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

#### 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.

**Objective 3.2** **Adopted Level of Service (LOS) Standards**  
 Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity

improvements, school capacity is maximized to the greatest extent feasible.

- Policy 3.1.1 The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

**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.

- Mandarin Oaks ES #258
  - CSA 5
  - Amendment student generation: 48
  - School Capacity including permanent spaces and portables: 1,072
  - Current enrollment 20 day county for 2020/2021: 980
  - Percent Occupied: 91%
  - 4-year projection: 97%
  
- Twin Lakes Academy MS #253
  - CSA 5
  - Amendment student generation: 21
  - School Capacity including permanent spaces and portables: 1,462
  - Current enrollment 20 day county for 2020/2021: 1,128
  - Percent Occupied: 77%
  - 4-year projection: 72%
  
- Atlantic Coast High School
  - CSA 5
  - Amendment student generation: 5
  - School Capacity including permanent spaces and portables: 2,443
  - Current enrollment 20 day county for 2020/2021: 2,311
  - Percent Occupied: 95%
  - 4-year projection: 97%

**Archaeological Sensitivity**

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

#### **Aquifer Recharge**

A portion of the site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

#### **IE-AR Policy 1.2.8**

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 1, 2021, the required notice of public hearing signs were posted. Fifty (50) 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 for the proposed amendment was held on August 2, 2021. There were no speakers from the public present to ask questions or comment on the application.

### **CONSISTENCY EVALUATION**

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

##### *Development Area*

*Suburban Area (SA):* The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities

with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as further described in each land use plan category.

**Future Land Use Element:**

**Objective 1.1**      Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages 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 sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

**Policy 1.1.10**      Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

**Policy 1.1.21**      Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

**Policy 1.2.9**      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.

**Objective 3.1** Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

**Policy 3.1.3** Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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

**Recreation and Open Space Element (ROSE)**

**Policy 2.2.2** The City shall require all new single-family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

**Policy 2.2.5** All multi-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development Department.

**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 Description of the Community/General Commercial (CGC) land use category in the Future Land Use Element (FLUE), CGC land use category in the Suburban Area is intended to provide development in a nodal development pattern.

The MDR land use category in the Suburban Development Area is a category intended to provide compact low to medium density residential development which are supplied with full urban services and in locations which serve as a transition between commercial and residential uses. Principal uses in the MDR land use category in the Suburban Area include multi-family dwellings and single-family dwellings when the predominant surrounding development typology within the MDR category is single-family. MDR allows residential development at up to 20 dwelling units per acre.

The subject site has access to centralized water and sewer facilities, consistent with Policy 1.2.9. The proposed amendment to MDR would allow for further residential development of the area. The amendment site will expand the amount of available housing. Therefore, the amendment is consistent with FLUE Objectives 1.1 and 3.1, and Policies 1.1.5, 1.1.21 and 3.1.6.

The amendment to MDR results in a compatible land use pattern with abutting residential land use to the north and west of the subject site and commercial development to the south. Access to the site is via E-Town Parkway. The amendment to MDR is a logical extension of LDR land use to the north and west of the site. Therefore, the proposed land use amendment to MDR is consistent to FLUE Policies 1.1.10 and 3.1.3.

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.

Single-family and multi-family development on the site will be required to be consistent with ROSE Policies 2.2.2 and 2.2.5, as applicable, concerning the provision of recreation and open space.

**Vision Plan**

The subject property is located within the boundaries of the Southeast Jacksonville Vision Plan (2010). The Plan provides no specific guidelines for the location of the subject site. However, the plan does, under Guiding Principle Two, encourage mixed-use/mixed income redevelopment and infill. The site itself is being developed to provide additional housing options and development of vacant property.

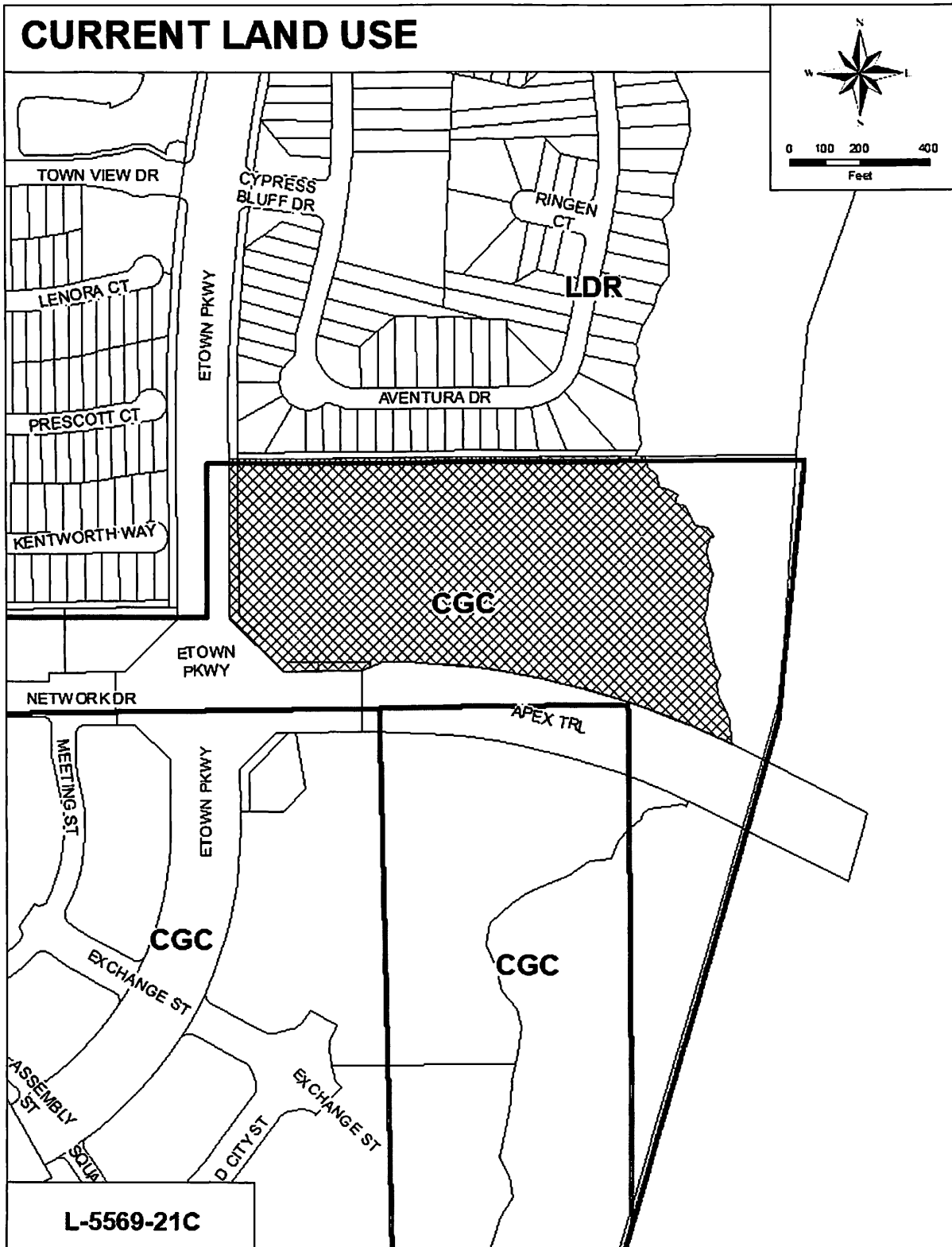
**Strategic Regional Policy Plan**

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

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 in the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan, Regional Health Element.

# SITE LOCATION AND CURRENT LAND USE MAP





**FIELD / CURRENT USES MAP**

