

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

January 19, 2023

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-890/Application No. L-5736-22C

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairman Carrico 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 2022-890 on January 19, 2023.

P&DD Recommendation

APPROVE

PC Issues:

One citizen spoke in opposition to the amendment regarding concerns with increased traffic from the amendment and from a new subdivision approved at the western end of Hemlock Street. They also expressed concerns about stormwater run-off and incompatibility with the rural area.

The Commission discussed compatibility issues, the need for affordable housing options and the fact that the area was platted in 1913 for small lots.

PC Vote:

5-0 APPROVE

Alexander Moldovan, Chair

Aye

Ian Brown, Vice-Chair

Absent

Jason Porter, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Jordan Elsbury

Abstain

Joshua Garrison

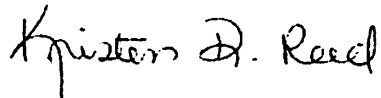
Absent

David Hacker

Aye

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

Sincerely,



Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
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Jacksonville, FL 32202
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – January 13, 2023

Ordinance/Application No.: 2022-890 / L-5736-22C

Property Location: 12804 Lem Turner Road between Western Avenue and Lem Turner Road

Real Estate Number(s): 019495-9100, 019507-0000, 019516-0000, 019517-0000 and 019531-0000

Development Area: Suburban Development Area

Property Acreage: 17.85 acres

Planning District: District 6, North

City Council District: District 8

Applicant: Brian Small

Current Land Use: Rural Residential (RR)

Proposed Land Use: Medium Density Residential (MDR)

Current Zoning: Residential Rural-Acre (RR-Acre)

Proposed Zoning: Planned Unit Development (PUD)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow for residential development compatible with the area.

BACKGROUND

The 17.85-acre subject property is located on the west side of Lem Turner Road and on the north side of Hemlock Street. According to the City’s Functional Highways Classification Map, Lem Turner Road is a minor arterial road and Hemlock Street is a local road. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from Rural Residential (RR) to Medium Density Residential (MDR), with a companion rezoning application from Residential Rural-Acre (RR-Acre) to Planned Unit Development (PUD) to develop townhomes. The companion rezoning, Ordinance 2022-891 is pending concurrently with this application.

The property is currently is 2 single-family dwelling units and vacant undeveloped land surrounded by single-family homes, mobile homes, vacant undeveloped land, and wetlands. More specific uses along with the zoning and land use categories are listed below.

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

North: Land Use: RR
 Zoning: RR-Acre
 Property Use: Wetlands

South: Land Use: RR, Neighborhood Commercial (NC), MDR, Business Park (BP), and Recreation Open Space (ROS)
 Zoning: RR-Acre, RMD-A, Planned Unit Development (PUD) Recreation Open Space (ROS) and Industrial Business Park (IBP)
 Property Use: Single-family homes, mobile homes, vacant undeveloped land and RV recreational campground

East: Land Use: Low Density Residential (LDR), Community/General Commercial (CGC), NC, and MDR
 Zoning: PUD and Agriculture (AGR)
 Property Use: Vacant undeveloped land (timber), single-family home, mobile home and wetlands

West: Land Use: RR
 Zoning: RR-Acre
 Property Use: Single-family homes and mobile homes

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 - Application Number L-5736-22C

Development Analysis	17.85 acres
Development Boundary	Suburban Development Area
Roadway Frontage Classification / State Road	Lem Turner Road – Minor Arterial Roadway Hemlock Street – Local Roadway
Plans and/or Studies	North Jacksonville Shared Vision and Master Plan

Development Analysis		17.85 acres
Site Utilization	Current: 2 Single-family dwellings	Proposed: Residential Development
Land Use / Zoning	Current: RR / RR-Acre	Proposed: MDR / PUD
Development Standards for Impact Assessment	Current: 2 Single family dwelling units per acre	Proposed: 15 Multi-family dwelling units per acre
Development Potential	Current: 35 Single-family dwelling units	Proposed: 267 Multi-family dwelling units
Net Increase or Decrease in Maximum Density	Increase of 232 DUs	
Net Increase or Decrease in Potential Floor Area	Not applicable	
Population Potential	Current: 93 People	Proposed: 627 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	150 feet Height Restriction Zone for Jacksonville International Airport; 60 dbh Noise Contour and Civilian Notice Zone on northern portion	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low and High Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge area	
Evacuation Zone	Zone D	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	Increase of 1,470 net new daily trips	
Potential Public-School Impact	Increase of 65 new students	
Water Provider	JEA	
Potential Water Impact	Increase of 52,965 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 39,724 gpd	
Potential Solid Waste Impact	Increase of 598 tons per year	
Drainage Basin/Sub-basin	Drainage Basin – Broward River Sub-drainage Basin – Broward River	
Recreation and Parks	Kings Road Historic Preserve	
Mass Transit Access	No bus service at this location	

Development Analysis	17.85 acres
Natural Features	
Elevations	14 to 26 feet above mean sea level
Land Cover	4110 – Pine flatwoods and 4410 – Pine Plantation
Soils	50% (38) Mascotte fine sand and 50% (51) Pelham fine sand
Flood Zones	Yes: AE Flood Zone – 1.89 acres along northern boundary at 15-foot elevation
Wetlands	Yes, Category III
Wildlife (applicable to sites greater than 50 acres)	Not applicable – less than 50 acres

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 May 20, 2022, identifies that a proposed 20-inch water main stub and a proposed 20-inch sanitary sewer main stub is to be brought in along Lem Turner Road at Percy Street (LOA-2021-0517). In addition, sewer special conditions require force main extensions along Lem Turner will be to be 16-inches in diameter connected to the JEA-owned systems for the project will require the design and construction of an onsite, privately owned and maintained pump station, and a 4-inch diameter JEA dedicated force main. The applicant along with the property owners signed a "Water and Sewer Binding Acknowledgement" to develop the property with the requirement of centralized sewer and water.

Transportation

The subject site is 17.85 acres and is accessible from Lem Turner Road (SR 115), an urbanized highway facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from Rural Residential (RR) 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).

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.

Objective 2.4 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 2.4.2 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.

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 330 daily trips. If the land use is amended to allow for this proposed MDR development, this will result in 1,800 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in 1,470 net new daily trips when compared to the existing land use. Lem Turner Road (SR 115) is subject to FDOT review and access management requirements. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and 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
RR	210	35 SF DUs	T = 9.43 (X)	330	0	330
<i>Existing Scenario Total</i>						330
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	267 MF DUs	T = 6.74 (X)	1,786	0	1,800
<i>Proposed Scenario Total</i>						1,800
Proposed Net New Daily Total						1,470

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

School Capacity

The 17.85 acre proposed land use map amendment has a development potential of 267 dwelling units and 65 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.

Evaluation of the proposed residential development for school concurrency as shown in "Attachment A".

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:

Attachment "B" shows 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.

Airport Environment Zone

The site is located within the 150-foot Height and Hazard Zone for Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150 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.

The site is also located in a Civilian Notice Zone requiring execution of an Airport Notice Zone Acknowledgement, as required in Section 656.1010, Ordinance Code. The Airport Notice zones are areas for which the limits are represented by the 60 DNL to 64.99 DNL noise contour range.

Policy 2.5.6 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

The amendment site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such this area is within the Civilian Influence Zone for Jacksonville International Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

The Jacksonville Aviation Authority reviewed and commented on the proposed land use amendment. It was stated that the FAA does not consider this area to be significantly impacted, aircraft noise is present and may be an annoyance to noise sensitive land uses.

In addition, it was stated The FAA requires all airports to protect approach, departure, and circling airspace up to five miles from the air operations area including mitigating potential wildlife attractants. Guidance is provided in Advisory Circular 150/5200-33C *Hazardous*

Wildlife Attractants on or near Airports. Stormwater and/or aesthetic ponds are known to attract birds. It is recommended in the Advisory Circular that stormwater detention be designed with a maximum 48-hour detention period. Other best practices to reduce wildlife attractants are listed below:

- Keep all trash contained in a proper place
- Eliminate the use of any fruit or berry producing vegetation in landscaping
- Eliminate the use of water features (fountains, ponds, etc.) for aesthetic value
- Do not feed the wildlife (e.g. bird seed, cat food, etc.)
- Report significant wildlife observations to JAA

All of the parcels fall within the Airport's FAR Part 77 Surfaces. Development heights should remain below these Surfaces to prevent creating an airspace obstruction for the existing airfield configuration and the future south runway. Airport staff are available to discuss Part 77 limitations in further detail. A 7460-1 Notice of Proposed Construction should be submitted through the FAA's website at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> prior to construction. The FAA will conduct an airspace analysis to determine if the final structures or construction activities, such as the use of a crane, will interfere with flight operations. A Notice to Airmen may be required during construction.

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.

Policy 2.5.5C Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007, or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.5.6 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

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. 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.

Evacuation Zone

The subject site is located within the Evacuation Zone D. The proposed properties in land use amendment L-5736-22C will be in close proximity to Lem Turner Road, indicating sufficient access to I-295 (0.93 road miles) and I-95 (4.64 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zone (Zone D), nearest evacuation routes, and the estimate of 1,456 additional daily trips, the development of the proposed property could create a localized impact to the traffic flow on I-295 and I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5736-22C would have a minimal impact on countywide evacuation clearance time within Duval County. 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.

Flood Zones

Approximately 1.89 acres of the 17.85-acre subject site is located within the AE Flood Zone located at the northern edge of the property and at the 15-foot elevation. 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 flood zone is defined as an area 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.

The companion PUD rezoning application site plan clusters development outside of the flood zones.

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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on December 29, 2022, the required notices of public hearing signs were posted. Thirty (30) 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 January 3, 2023. One member of the public opposing the application had concerns regarding the increase of traffic on Hemlock Road. In addition, it was stated that the proposed development would decrease the value of adjacent properties and lower the quality of life of adjacent neighbors. The proposed increase of density of dwelling units will change the rural nature of the existing neighborhood.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

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.

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 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

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.

Policies 3.1.1 The City shall develop through the Planning and Development Department an incentive program to promote infilling of residential

development on vacant land designated for residential use on the Future Land Use Map series. These incentives will be reflected in the Zoning Code of the City's 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.

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.

Recreation and Open Space Element (ROSE)

Policy 2.2.2 The City shall require that 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.

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 within the Future Land Use Element (FLUE), Rural Residential (RR) in the Suburban Development Area is intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominate land uses in this category. The maximum gross density is two (2) units/acre when both centralized potable water and wastewater are available to the site; the maximum gross density is one (1) unit per acre when served with on-site potable water and wastewater. There is no minimum density.

Medium Density Residential (MDR) in the Suburban Development Area is a category 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. Residential uses are permitted at up to 20 dwelling units per acre and the minimum gross density shall generally be greater than seven (7) units per acre.

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated May 20, 2022, identifies that a proposed 20-inch water main stub and a proposed 20-inch sanitary sewer main stub is to be brought in along Lem Turner Road at Percy Street (LOA-2021-0517). In addition, sewer special conditions require force main extensions along Lem Turner will be to be 16-inches in diameter connected to the JEA-owned systems for the project will require the design and construction of an onsite, privately owned and maintained pump station, and a 4-inch diameter JEA dedicated force main. The applicant along with the property owners signed a "Water and Sewer Binding Acknowledgement" to develop the property with the requirement of centralized sewer and water. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.9.

The proposed amendment to MDR would allow for development of additional housing options in the North Planning District to accommodate future growth and development through the planning timeframe of the 2030 Comprehensive Plan. The property is underutilized land in the Urban Development Area which has access to centralized water and sewer. Development of this site is considered infill development. Therefore, the amendment is consistent with FLUE Objectives 1.1 and 3.1, and Policies 1.1.5, 1.1.21, 1.1.24, 3.1.1 and 3.1.6.

The proposed amendment to MDR would provide multi-family residential resulting in a compatible development pattern with the nearby MDR land use category on the south side of Hemlock Street and would provide an appropriate transition from the Neighborhood Commercial land use category east of the site and Lem Turner Road and the Rural residential (RR) category west of the subject site. The application site is currently two single-family dwellings and vacant undeveloped land. Therefore, the

proposed land use amendment to MDR is consistent with FLUE Objective 6.3 and Policies 1.1.10 and 3.1.3.

The proposed amendment is required to comply with ROSE Policy 2.2.2 regarding the provision of open space and will be evaluated for consistency during site plan review.

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.

North Vision Plan

The application site lies within the North Jacksonville Shared Vision and Master Plan area. The plan identifies the I-295/SR-9A and Lem Turner Road Interchange as a regional power center. Development in this location including large scale, automobile-oriented retail such as discount retailers, big box retailers and home stores are encouraged. The increase of residential development at this proposed amendment site will support the customer support for the commercialized interchange fulfills the goals of this Vision Plan.

Strategic Regional Policy Plan

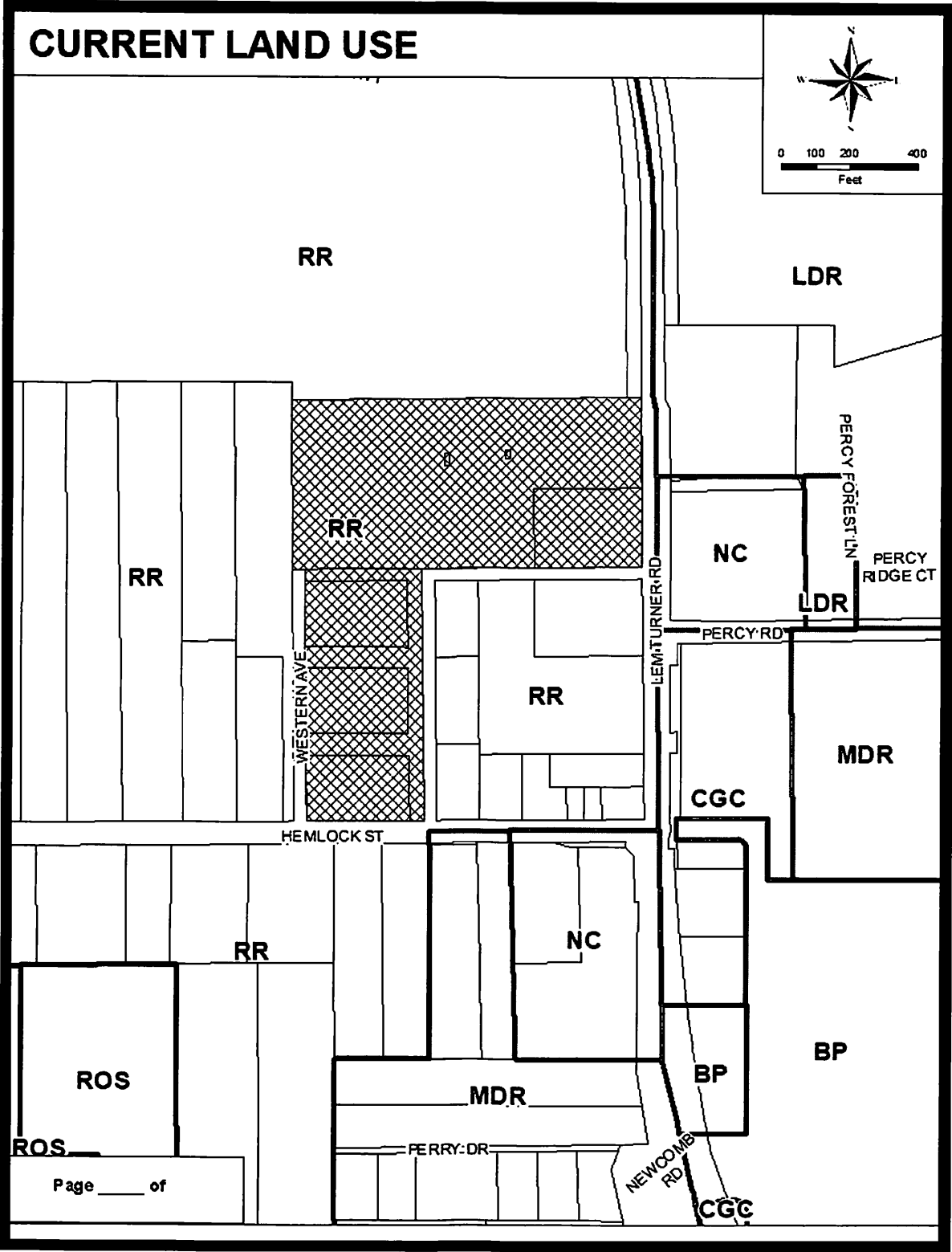
The proposed amendment is consistent with the following Objective of the Northeast Florida Regional Council (NEFRC) Strategic Regional Policy Plan (March 2021), Housing and Health:

STRATEGIC ISSUE: HOUSING AND HEALTH

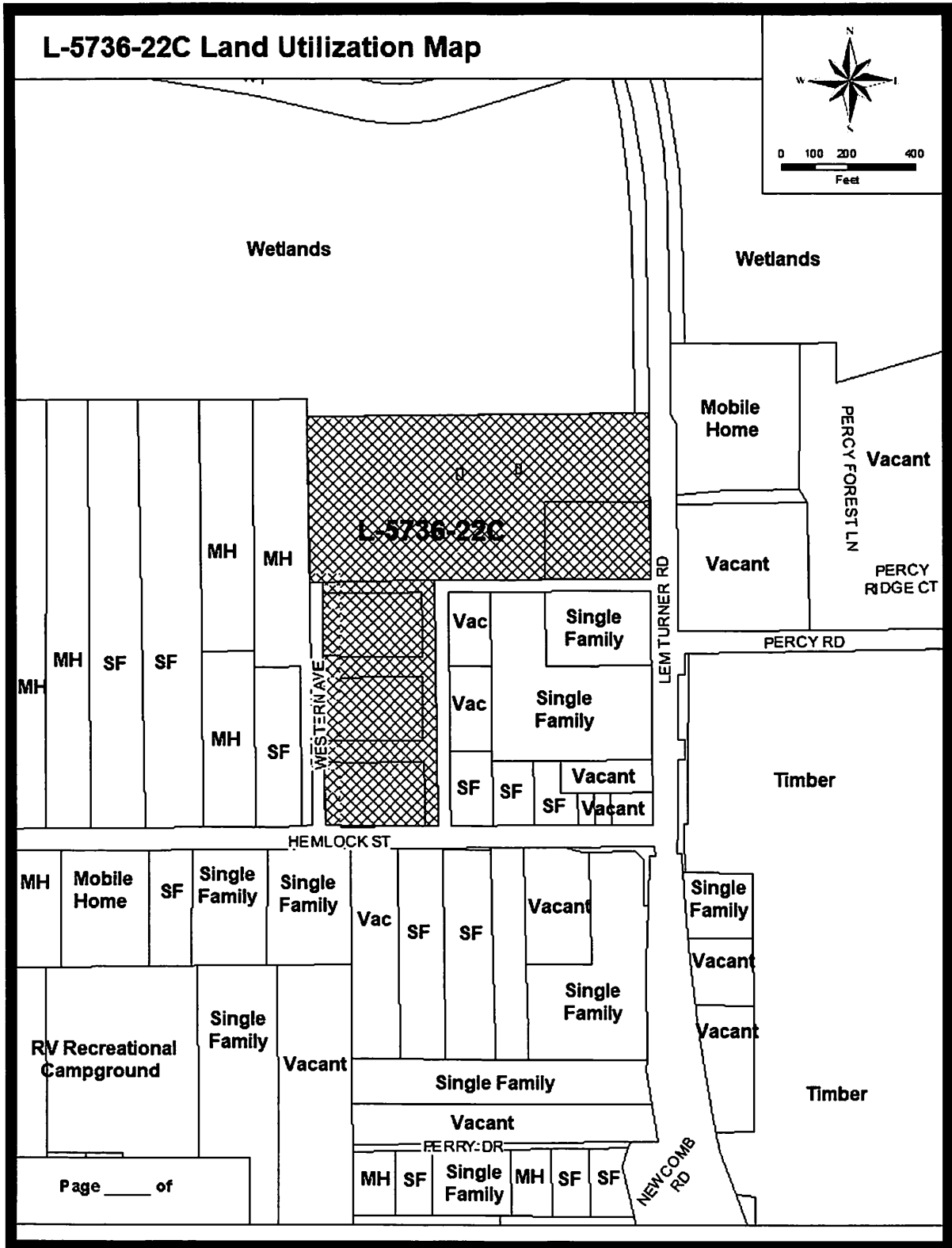
OBJECTIVE: Housing stock that is safe and free from environmental hazards that can be detrimental to health.

The proposed land use amendment results in additional housing in the area resulting in consistency with this objective of the Housing and Health Strategic Issue.

CURRENT LAND USE MAP



LAND UTILIZATION MAP



Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5736-22C Lem Turner Road - REVISED Requested By: Ed "Luke" Lukacovic / Halle Salley Reviewed By: Shalene B. Estes Due: 11/14/2022							
Analysis based on maximum dwelling units: 267							
School Type	CSA ¹	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 2&7
Elementary	1	11,216	56%	33	57%	7,001	3,129
Middle	1	6,876	80%	13	86%	1,564	356
High	1	7,054	72%	19	62%	1,294	1,526
Total New Students				65			

NOTES:
¹ Proposed Development's Concurrently 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.

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5736-22C Lem Turner Road - REVISED Requested By: Ed "Luke" Lukacovic / Halle Mitchell Reviewed By: Shalene B. Estes Due: 11/14/2022 Analysis based on maximum dwelling units: <u>267</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Biscayne ES #269	1	33	667	793	119%	100%
Highlands MS #244	1	13	1071	685	64%	62%
Jean Ribault HS #96	1	19	1683	1365	81%	77%
		65				

Attachment B

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.