

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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Jacksonville, FL 32202
(904) 630-CITY
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October 20, 2022

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. 2022-533/Application No. L-5727-22C

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairman Carrico and Honorable Members of the City Council:

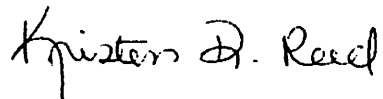
Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-533 on October 20, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	5-0 APPROVE

Alexander Moldovan, Chair	Absent
Ian Brown, Vice-Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Jordan Elsbury	Absent
Joshua Garrison	Aye
David Hacker	Absent
Nicole Padgett, Alternate	Aye

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

Sincerely,

Handwritten signature of Kristen D. Reed in black ink.

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 – October 14, 2022

Ordinance/Application No.: 2022-533 / L-5727-22C

Property Location: 0, 4066, and 4132 Atlantic Boulevard; 1635, 1649, 1657, and 1667 Arletha Road
Located at the intersection of Atlantic Boulevard and Art Museum Drive

Real Estate Number(s): 129474-0000; 129479-0000; 129480-0000; 129481-0000; 129482-0000; 129485-0000; 129562-0010; 129562-0020; 129564-0000

Property Acreage: 7.14 acres

Planning District: District 2, Greater Arlington and Beaches

City Council District: District 5

Applicant: William Michaelis, Esquire (Rogers Towers, P.A.)

Current Land Use: 2.17 acres of Community/General Commercial (CGC) and 4.97 acres of Medium Density Residential (MDR)

Proposed Land Use: Community/General Commercial (CGC) with site specific Future Land Use Element (FLUE) Policy 4.4.36

Current Zoning: Commercial Community/General - 1 (CCG-1) and Residential Medium Density-B (RMD-B)

Proposed Zoning: Planned Unit Development (PUD)

Development Boundary: Urban Area

RECOMMENDATION: **APPROVE**

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow multi-family development of the property with the following site-specific policies: remove (I) the requirement that residential uses shall not be the sole use and shall not exceed 80 percent of a development, and (II) the requirement that residential uses shall

not be permitted on the ground floor abutting roads classified as arterials or higher on the functional highway classification map.

BACKGROUND

The 7.14-acre subject site is located on the south side of Atlantic Boulevard and in between Arletha Road and Art Museum Drive. According to the City's Functional Highway Classification Map, Atlantic Boulevard is a major arterial roadway, Art Museum Drive is a collector roadway, and Arletha Road is a private road. The current subject site is occupied by a mix of uses including single-family residential housing, commercial land, and an existing restaurant. Located in the middle of the amendment site is a JEA facility. The applicant is proposing a Future Land Use Map (FLUM) amendment from Community/General Commercial (CGC) and Medium Density Residential (MDR) to Community/General Commercial (CGC) with site specific FLUE Policy 4.4.36 (detailed below and included as Exhibit 3) to allow for use of the site as a single-use residential development with ground floor residential uses. The applicant is also proposing a companion rezoning from Commercial/Community General-1 (CCG-1) and Residential Medium Density-B (RMD-B) to Planned Unit Development (PUD) which is pending concurrently with this amendment, pursuant to Ordinance 2022-534.

Proposed Site-Specific FLUE Policy 4.4.36

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2022-533 for a small-scale amendment is approved subject to the following:

To implement Policy 1.1.5 of the 2030 Comprehensive Plan Future Land Use Element, the following shall apply to this small-scale land use map amendment:

- Single use residential development shall be permitted on 100% of the site.
- Development shall be exempt from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting the roadways classified as arterials or higher on the Functional Highway Classification Map.

The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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.

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

North: Land Use: Community General Commercial (CGC), Residential Professional Institutional (RPI), and Low Density Residential (LDR)

Zoning: Commercial Office (CO), Commercial Community General-1 (CCG-1), Commercial Residential and Office (CRO), and Residential Low Density-60 (RLD-60)

Property Use: Single-family residential uses, and office spaces

South: Land Use: Medium Density Residential (MDR), CGC, and RPI
 Zoning: Residential Medium Density-B (RMD-B), Residential Medium Density-D (RMD-D), CCG-1, CRO, and Planned Unit Development (PUD)
 Property Use: Multi-family and single-family residential uses, vacant commercial land, vacant residential land, and office spaces

East: Land Use: CGC and RPI
 Zoning: CCG-1
 Property Use: Shopping center, convenience store, and office spaces

West: Land Use: CGC, MDR, and RPI
 Zoning: RMD-B, RMD-D, CCG-1, and CRO
 Property Use: Office spaces, multi-family residential uses, and a church

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

Development Analysis		7.14 Acres
Development Boundary	Urban Development Area	
Roadway Frontage Classification / State Road	Atlantic Boulevard (<i>Major Arterial Roadway</i>) and Arletha Road (<i>Private Roadway</i>)	
Plans and/or Studies	Greater Arlington and Beaches Vision Plan	
Site Utilization	Current:	Proposed: Multi-family residential development

Development Analysis		7.14 Acres
	A mix of vacant commercial land, residential uses, and an existing restaurant	
Land Use / Zoning	Current: MDR (4.97 acres) and CGC (2.17 acres) / CCG-1 and RMD-B	Proposed: CGC with Site Specific Policy 4.4.36 / PUD
Development Standards for Impact Assessment	Current: <u>MDR</u> 15 dwelling units per acre <u>CGC</u> Scenario 1 – 100% non-residential at 0.35 FAR Scenario 2 – 30 dwelling units per acre (80% residential) and 0.35 FAR (20% non-residential)	Proposed: <u>CGC with SSP 4.4.36</u> Scenario 1: 100% non-residential at 0.35 FAR Scenario 2 – 100% residential at 30 dwelling units per acre
Development Potential	Current: <u>CGC (2.17 acres)</u> Scenario 1 – 33,083 sq. ft. of commercial space (CGC) and 74 multi-family dwelling units (MDR) Scenario 2 – 6,616 sq. ft. of commercial space (CGC) and 52 multi-family dwelling units (CGC and MDR)	Proposed: <u>CGC with SSP 4.4.36</u> Scenario 1 – 108,856 sq. ft. of commercial space Scenario 2 – 214 multi-family dwelling units
Net Increase or Decrease in Maximum Density	Scenario 1: decrease of 74 multi-family dwelling units Scenario 2: increase of 162 multi-family dwelling units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: increase of 75,773 sq. ft. of commercial space Scenario 2: decrease of 6,616 sq. ft. of commercial space	
Population Potential	Current: Scenario 1: 173 people Scenario 2: 122 people	Proposed: <u>CGC with SSP 4.4.36</u> Scenario 1: N/A Scenario 2: 502 people
Special Designation Areas		
Aquatic Preserve	NO	
Septic Tank Failure Area	NO	
Evacuation Zone	NO	
Airport Environment Zone	500 ft. Height Restriction Zone	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	High and Low	
Historic District	NO	

Development Analysis		7.14 Acres
Coastal High Hazard	NO	
Adaptation Action Area	NO	
Groundwater Aquifer Recharge Area	NO	
Wellhead Protection Zone	NO	
Boat Facility Siting Zone	NO	
Brownfield	NO	
Public Facilities		
Potential Roadway Impact	Scenario 1: 2,830 Net New Daily Trips Scenario 2: 876 Net New Daily Trips	
Potential Public School Impact	51 New Students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: decrease of 19,476 gallons per day Scenario 2: increase of 14,474 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: decrease of 14,607 gallons per day Scenario 2: increase of 10,856 gallons per day	
Potential Solid Waste Impact	Scenario 1: decrease of 136 tons per year Scenario 2: increase of 153 tons per year	
Drainage Basin/Sub-basin	Upstream of the Trout River / Miller Creek	
Recreation and Parks	St. Nicholas Playground	
Mass Transit Access	JTA Stop 927/ReadiRide - University (Art Museum Drive and Woodcock Drive) and Stop 907/Route 18 (Atlantic Boulevard and Valencia Drive)	
Natural Features		
Elevations	14 ft. – 24 ft.	
Land Cover	1100: Residential, low density – less than 2 dwelling units per acre 1400: Commercial and services	
Soils	(75) Urban Land-Hurricane-Albany Complex, 0 to 5 percent slopes (69) Urban Land	
Flood Zones	NO	
Wetlands	NO	
Wildlife (applicable to sites greater than 50 acres)	N/A	

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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).

Future Land Use Element

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.

The JEA Letter of Availability 2022-1139, dated March 3, 2022, identifies existing connection points for both water and sewer.

An existing 12-inch water main is located along Atlantic Boulevard. An additional 8-inch water main is located along Atlantic Boulevard at the northwest corner of the property.

An existing 12-inch gravity main is located at the ATL-4110 JEA Pump Station.

Transportation

The subject site is 7.14 acres and is accessible from Arletha Rd, a local road, and Atlantic Boulevard (US 90A), a major arterial facility. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 8. The applicant proposes to change the existing land use from Medium Density Residential (MDR) and Community General Commercial (CGC) to Community General Commercial (CGC) subject to a site-specific policy that allows for 100% of residential uses.

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 1,580 or 566 daily trips. If the land use is amended to allow for this proposed CGC development with site specific policy, this will result in 4,410 or 1,442 daily trips depending on the scenario.

Transportation Planning Division **RECOMMENDS** the following:

The difference in daily trips for the proposed land use amendment is an increase of 2,830 or 876 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed as a result of this land use amendment. Atlantic Boulevard (US 90A) is subject to FDOT review and access management requirements.

Table A
Trip Generation Estimation Scenarios

Current Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	74 MF DU	T= 6.74 (X)	499	0	499
CGC	822	33,083 SF	T=54.45 (X) /1000	1,801	720	1,081
Total Trips for Existing Land Use-Scenario 1						1,580
Current Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	6,616 SF	T=54.45 (X) /1000	360	144	216
MDR	822	52 MF DU	T= 6.74 (X)	350	0	350
Total Trips for Existing Land Use-Scenario 2						566
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	108,856 SF	T = 67.52 (X) / 1000	7,350	2,940	4,410
Total Trips for Proposed Land Use- Scenario 1						4,410
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	220	214 MF DUs	T = 6.74 (X)	1,442	0	1,442
Total Trips for Proposed Land Use- Scenario 2						1,442
Scenario 1 Difference in Daily Trips						2,830
Scenario 2 Difference in Daily Trips						876

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

School Capacity

The Planning and Development Department determined the development potential of the proposed amendment from MDR and CGC to CGC with FLUE Site Specific Policy 4.4.36. Given this, the proposed amendment could result in the development of 214 multi-family dwelling units and 51 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:

Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5727-22C Atlantic Blvd Requested By: Abigail Trout Reviewed By: Shalene B. Estes Due: 9/16/2022							
Analysis based on maximum dwelling units: 214							
School Type	CSA ¹	2021-22 Enrollment/CSA	Current Utilization (%)	New Student/ Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 4 & 5
Elementary	3	7,493	72%	26	72%	1,182	1,708
Middle	3	2,086	74%	10	56%	381	799
High	3	4,311	85%	15	85%	302	446
Total New Students				51			

NOTES:

¹ Proposed Development's Concurrent Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

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

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.

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5727-22C Atlantic Blvd Requested By: Abigail Trout Reviewed By: Shalene B. Estes Due: 9/16/2022 Analysis based on maximum dwelling units: 214						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Love Grove ES #82	3	26	606	332	55%	67%
Southside MS #211	3	10	977	851	87%	78%
Englewood HS #90	3	15	1864	1800	97%	99%
		51				

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.

Airport Environment Zone

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

PROCEDURAL COMPLIANCE

The applicant provided documentation and photo proof to the Planning and Development Department on **September 28, 2022** that the Notice of Public Hearing signs **were** posted. Forty eight (48) 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 August 1, 2022. No members of the public attended to speak on the proposed 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.

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

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 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for

permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.1.25 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.

Policy 1.3.8 The City shall require through the development review process, the interconnections of land uses in order to reduce the need for trip generation and encourage alternative methods of movement. The development review criteria shall include provisions for convenient on-site traffic flow, considering need for vehicular parking.

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 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the of the areas served, availability of public facilities, and market demands.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Property Rights Element (PRE)

Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Future Land Use Element (FLUE), Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

According to the Future Land Use Element (FLUE), MDR in the Urban Development Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Urban Development Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

The applicant is proposing a change from CGC and MDR to CGC with site specific Future Land Use Element (FLUE) Policy 4.4.36. The site specific policy permits single use residential development on 100 percent of the site and exempts development from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting the roadways classified as arterials or higher on the Functional Highway Classification Map. The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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.

The CGC designation is consistent and compatible with the surrounding commercial and residential uses and therefore is consistent with FLUE Goal 1 and Policies 3.2.1 and 3.2.7. Further, the amendment offers an infill redevelopment opportunity on a site that has existing infrastructure consistent with FLUE Objective 6.3 and the intent of the urban development area.

While CGC is a commercial category, it also allows for residential development. The proposed site specific policy and the companion PUD rezoning application indicate an intent to develop the site for multi-family residential uses. The proposed use of the site for residential development would provide housing options for the surrounding commercial and office uses and is therefore consistent with Goal 3 of the FLUE. Ensuring adequate land is designated for residential uses, while maintaining compatibility with the surrounding area makes this proposed amendment consistent with FLUE Objective 3.1.

Additionally, the proposed companion PUD rezoning allows for an opportunity to offer innovative site design techniques, consistent with FLUE Policy 1.1.12.

Consistent with FLUE Policy 1.2.9, the applicant has provided a JEA letter of service availability dated March 3, 2022, which was submitted with the companion PUD rezoning application identifying that the site has access to both water and sewer connections along Atlantic Boulevard.

The proposed amendment would encourage reuse of the site within the Urban Development Area, where access to full urban services, including public transit, is available, along with a mix of uses. The proposed reuse of the site as residential will broaden the mix of uses in the area. As such, the proposed amendment is consistent with FLUE Policies 1.1.22, 1.1.25, and 1.3.8.

The proposed small scale amendment would have no impact on the amount of CGC designated land throughout the City, as a large portion of the site is already designated as CGC and the companion PUD still permits the development of commercial uses. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

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 proposed Land Use Amendment is within the Greater Arlington and Beaches Vision Plan. Within this plan, promoting greater density and diversity of land uses in appropriate locations is a guiding principle. The proposed land use amendment from Medium Density Residential (MDR) and Community General Commercial (CGC) to CGC with FLUE Site Specific Policy 4.4.36 would add housing options to the surrounding mix of commercial and office uses. The surrounding land use categories are CGC, Residential Professional Institutional (RPI), MDR, and Low Density Residential (LDR), making the proposed use of multi-family residential development consistent with the surrounding land use designations. This supports the underlying premise of the Vision Plan to protect and promote community through land use, revitalization, and development patterns. The proposed amendment would revitalize existing structures and underutilized land to promote new residential development that is compatible with surrounding uses. Therefore, the proposed land use amendment is consistent with the goals of this Vision Plan.

Strategic Regional Policy Plan

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

Goal: A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.

The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing in the northeast Florida region and creating a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

**LAND USE AMENDMENT
FIELD MAP**

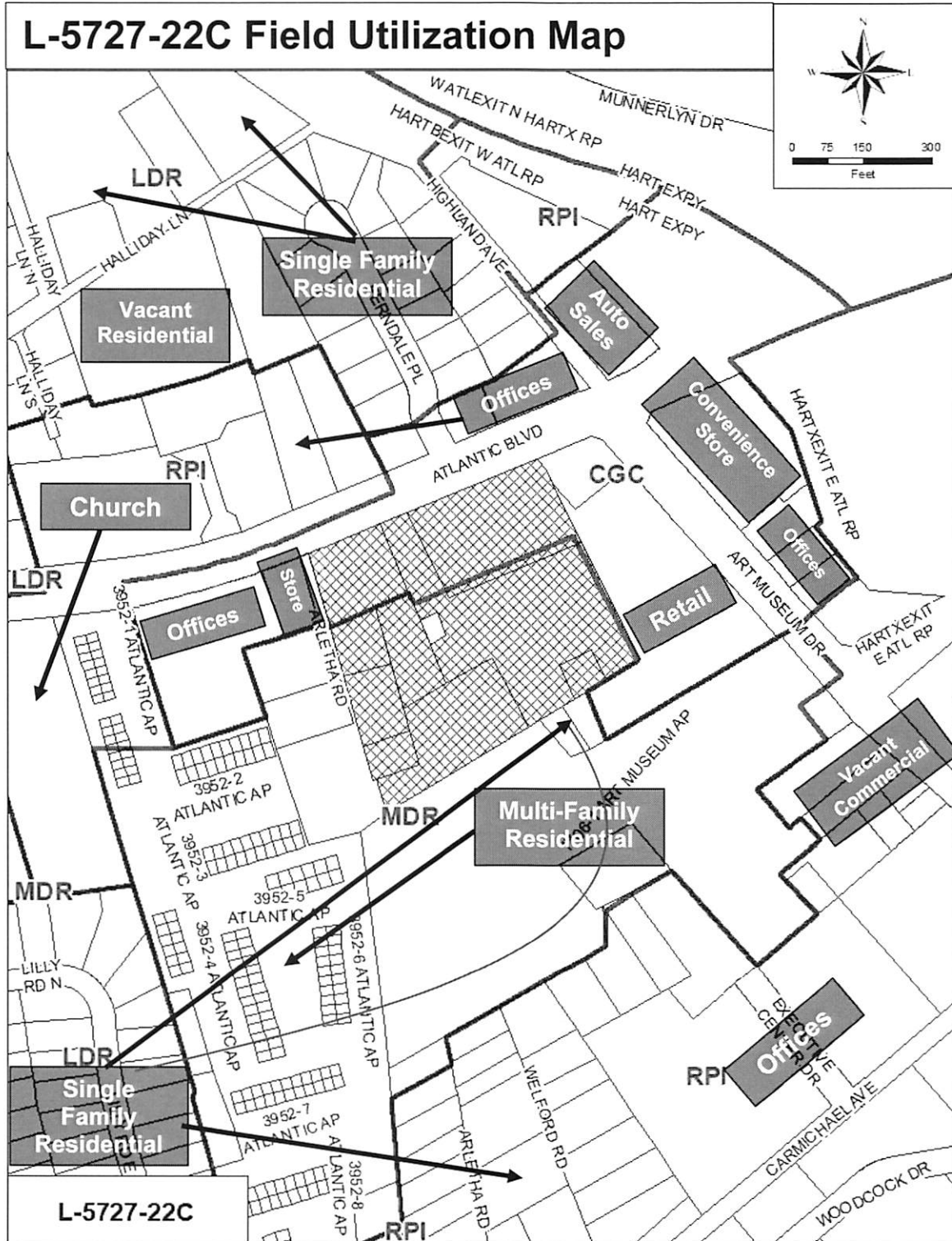


EXHIBIT 3

Site Specific Policy with L-5727-22C

FUTURE LAND USE ELEMENT

4.4.36

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2022-533 for a small-scale amendment is approved subject to the following:

To implement Policy 1.1.5 of the 2030 Comprehensive Plan Future Land Use Element, the following shall apply to this small-scale land use map amendment:

- Single use residential development shall be permitted on 100% of the site.
- Development shall be exempt from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting the roadways classified as arterials or higher on the Functional Highway Classification Map.

The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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.