



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

City Hall at St. James  
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Jacksonville, FL 32203  
(904) 630-CITY  
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July 17, 2025

The Honorable Kevin Carrico  
The Honorable Joe Carlucci, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, FL 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2025-130/Application No. L-5882-23C**

Dear Honorable Council President Carrico, Honorable Council Member and LUZ Chairman Carlucci 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 2025-130 on March 20, 2025.

P&DD Recommendation                      APPROVE

PC Issues:                                      None

**PC Vote:                                      6-0 APPROVE**

Michael McGowan, Chair	Aye
Lamonte Carter	Aye
Amy Yimin Fu	Aye
Charles Garrison	Aye
Julius Harden	Aye
Moné Holder	Absent
Ali Marar	Absent
Tina Meskel	Aye

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

Sincerely,

A handwritten signature in cursive script that reads "Susan Kelly". The signature is written in dark ink and is positioned to the left of the typed name and title.

**Susan Kelly, AICP**

*Acting Chief of Community Planning*

City of Jacksonville - Planning Department

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Jacksonville, FL 32202

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## **Report of the Jacksonville Planning Department**

### **Small-Scale Future Land Use Map Amendment – March 14, 2025**

<b>Ordinance/Application No.:</b>	<b>2025-130 / L-5882-23C</b>
<b>Property Location:</b>	4370 Old Middleburg Road
<b>Real Estate Number(s):</b>	013139-0020
<b>Property Acreage:</b>	1.68 acres
<b>Planning District:</b>	District 4, Southwest
<b>City Council District:</b>	District 12
<b>Applicant:</b>	Patrick Honore, Axod Group, Inc.
<b>Current Land Use:</b>	Low Density Residential (LDR)
<b>Proposed Land Use:</b>	Medium Density Residential (MDR)
<b>Current Zoning:</b>	Residential Rural-Acre (RR-Acre)
<b>Proposed Zoning:</b>	Residential Medium Density-A (RMD-A)
<b>Development Boundary:</b>	Suburban Development Area
<b>RECOMMENDATION:</b>	<b>APPROVE</b>

### **APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT**

Owner wants to develop his property with new townhomes. Current land use and zoning are prohibitive. Approval of the proposed amendment will facilitate the construction of new townhomes, which will help stimulate economic growth and low housing costs for the on-going population growth the city is experiencing every day.

### **BACKGROUND**

The 1.68-acre subject site is located along the west side of Old Middleburg Road North, between Noroad and Fouraker Road. Old Middleburg Road and Fouraker Road are classified as collector roadways on the City's Functional Highway Classifications Map. The applicant is proposing an amendment to the Future Land Use Map (FLUM) series of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan, from Low Density Residential (LDR) to Medium Density Residential (MDR) to allow for townhomes to be built on the site. The applicant is also proposing a companion rezoning from Residential Rural-Acre (RR-Acre) to

Residential Medium Density-A (RMD-A) which is pending concurrently with this application, pursuant to Ordinance 2025-131.

The subject site is a triangular parcel consisting of one lot that has been cleared and is vacant. A large residential lot designated as LDR land use abuts the site to the southwest. A single-family sub-division is located across Old Middleburg Road to the southeast; this subdivision is designated as MDR, with a Planned Unit Development (PUD) zoning district permitting lot widths of approximately 55-feet. Undeveloped land (wetlands) abuts the subject site to the north and is designated as LDR land use and PUD zoning. This PUD zoning district includes the Fox Wood single-family subdivision, located approximately 700-feet to the north of the subject site and allowing for lot widths of approximately 70-feet.

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

North: Land Use: LDR

Zoning: Planned Unit Development (PUD)

Property Use: Undeveloped land and single-family residential

South: Land Use: MDR

Zoning: PUD

Property Use: Single-family residential

East: Land Use: MDR

Zoning: PUD

Property Use: Single-family residential

West: Land Use: LDR

Zoning: RR-Acre; Residential Low Density-60 (RLD-60); PUD

Property Use: Single-family residential and undeveloped land

## **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		
Development Analysis      1.68 Acres		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Collector / Old Middleburg Road North	
Plans and/or Studies	Southwest Vision Plan	
Site Utilization	Current: Vacant	Proposed: Townhomes
Land Use / Zoning	Current: LDR/RR-Acre	Proposed: MDR/RMD-A
Development Standards for Impact Assessment	Current: 5 DU / Acre	Proposed: 15 DU / Acre
Development Potential	Current: 8 SF DUs	Proposed: 24 MF DUs
Net Increase or Decrease in Maximum Density	Increase of 16 DUs	
Net Increase or Decrease in Potential Floor Area	No change	
Population Potential	Current: 21 People	Proposed: 56 People
Special Designation Areas		
Aquatic Preserve	No	
Evacuation Zone	No	
Airport Environment Zone	150’ Height Restriction Zone for Herlong Recreational Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	0 to 4 Inch Recharge Area	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	94 net new daily trips	
Potential Public School Impact	Net increase of 5 students	
Water Provider	JEA	
Potential Water Impact	Increase of 3,512 gpd	
Sewer Provider	Private – applicant will be required to connect to JEA	
Potential Sewer Impact	Increase of 2,634 gpd	
Potential Solid Waste Impact	Increase of 41.6 tpy	
Drainage Basin/Sub-basin	Ortega River/Wills Branch	
Recreation and Parks	No	
Mass Transit Access	JTA Bus Route 16, Stop 2632	
Natural Features		
Elevations	82 – 85 feet	
Land Cover	1100: Residential, low density	
Soils	32: Leon Fine Sand, 35: Lynn Haven Fine Sand	
Flood Zones	AE Flood zone	
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 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).

The applicant has provided a JEA Availability Letter, dated March 17, 2023, as part of the companion rezoning application. According to the letter, a 16-inch water main is located within the Old Middleburg Road North right-of-way. No sewer main abuts the property. A sewer main extension will be required from the existing 6-inch force main approximately 1,200 feet south of the subject site within the right-of-way at the intersection of Old Middleburg Road North and Noroad.

The MDR land use category requires connection to centralized water and sewer to develop multi-family dwellings, including townhomes. The applicant has submitted a notarized centralized water and sewer connection binding acknowledgment, attached to this report as Exhibit A, stating that they agree to develop the property in accordance with all applicable centralized water and sewer requirements.

## Future Land Use Element

### Policy 1.2.8

Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of ½ acre unsubmerged property.

- c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections to the JEA Collection Systems available within a five (5) year period.

**Transportation:**

The subject site is 1.68 acres and is located at 4370 Old Middleburg Road North between Steamboat Springs Drive and Victory Crossing Boulevard. This segment of Old Middleburg Road between Wilson Boulevard and 103<sup>rd</sup> Street is a collector road. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 6. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with the 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 <i>Trip Generation Manual</i> , 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 LDR land use would result in 75 trips. If the land use is amended to allow for this proposed MDR development, this will result in 169 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment is 94 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.

**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
LDR	210	8 DUs	T= 9.43 (X)	75	0	75
				<b>Total Trips for Existing Land Use- Scenario 1</b>		<b>75</b>
Proposed Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	25 MFDUs	T = 6.74 (X)	169	0	169
				<b>Total Trips for Proposed Land Use- Scenario 1</b>		<b>169</b>
			<b>Scenario Difference in Daily Trips</b>			<b>94</b>

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

### **School Impacts**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 1.68-acre proposed land use map amendment has a development potential of 24 dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

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



Application Review Request: COJ PDD: School Impact Analysis  
Proposed Name: 2024-0142  
Requested By: Marcus Salley  
Reviewed By: Levonne Griggs  
Due: 4/29/2024

Analysis based on maximum dwelling units: 24

School Type	CSA <sup>1</sup>	2023-24 Enrollment/CSA	Current Utilization (%)	New Student/ Development <sup>3</sup>	5-Year Utilization (%)	Available Seats - CSA <sup>2</sup>	Available Seats - Adjacent CSA 1&2
Elementary	8	5,659	78%	3	85%	2,414	10,649
Middle	7	1,109	67%	1	68%	729	938
High	8	2,633	87%	1	64%	406	2,210
Total New Students				5			

NOTES:

<sup>1</sup> Proposed Development's Concurrency Service Area (CSA)

<sup>2</sup> Available CSA seats include current reservations

<sup>3</sup> 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 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 available seats in the CSA and adjacent CSAs include concurrency reservations.

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 3.1** 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: 2024-0142 Requested By: Marcus Salley Reviewed By: Levonne Griggs Due: 4/29/2024 Analysis based on maximum dwelling units: 24						
SCHOOL <sup>1</sup>	CSA	STUDENTS GENERATED (Rounded) <sup>3</sup>	SCHOOL CAPACITY <sup>2</sup> (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2023/24)	% OCCUPIED	4 YEAR PROJECTION
Enterprise LA #255	8	3	896	718	80%	85%
Charger Academy MS #216 (Chaffee Trail MS #140 24-25)	7	1	1464	938	64%	75%
Westside HS #241	8	1	1792	1596	89%	91%
		5				

**NOTES:**

<sup>1</sup> Attendance school may not be in proposed development's Concurrency Service Area (CSA)

<sup>2</sup> Does not include ESE & room exclusions

<sup>3</sup> 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 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.

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. 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 1.2.2 The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.

- Policy 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

### **Airport Environment Zone**

The application site is located within the 150-foot Height and Hazard Zone for Herlong Recreational Airport. Zoning will limit development to a maximum height of 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 2.6 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 in accordance with the requirements of Section 163.3177, F.S.

- Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

### **Aquifer Recharge**

The site is located within an area identified as being in the 0 - 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 protection. 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.

Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR)

- Policy 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridan Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.
- Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan 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 Floridan Aquifer Recharge GIS grid coverage.

**Flood Zone**

Approximately 0.1 of an acre of the subject site is located within the AE flood zone. 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.

Conservation /Coastal Management Element (CCME)

- Policy 2.6.1 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 2.6.3 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 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of flood hazard

areas. The ordinance shall include development and redevelopment regulations that:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of construction practices that will prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

## **PROCEDURAL COMPLIANCE**

The applicant provided a photograph and a notarized sign-posting affidavit on March 6, 2025, as evidence that the required notice of public hearing sign was posted. Forty-four (44) 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 March 3, 2025. Aside from the applicant, no members of the public were in attendance.

## **CONSISTENCY EVALUATION**

### **Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies**

#### Future Land Use Element (FLUE)

##### *Development Area*

Suburban Development 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 defined in the Comprehensive Plan.

- 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.
- 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 1.1.21 Rezoning and 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 and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:
- A. Foster vibrant, viable communities and economic development opportunities;
  - B. Address outdated development patterns; and/or
  - C. Provide 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.
- 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 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of 1/2 acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections to the JEA Collection Systems available within a five (5) year period.

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.

Policy 3.1.5 The City shall provide opportunities 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.

#### 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), Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be designed in such a way as to reduce the number of Vehicles Miles Traveled, and cul-de-sacs should be avoided.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. MDR in the Suburban Development Area permits residential densities at a minimum of seven (7) units per acre and up to 20 units per acre when abutting land in the LDR or Rural Residential (RR) land use category (as in the case of the subject site).

In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in MDR shall be the same as allowed in LDR without such services:

- The maximum gross density shall be two (2) units per acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.
- The maximum gross density shall be four (4) units per acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

The applicant has provided a JEA Availability Letter, dated March 17, 2023, as part of the companion rezoning application. According to the letter, a 16-inch water main is located within the Old Middleburg Road North right-of-way. No sewer main abuts the property. A sewer main extension will be required from the existing 6-inch force main approximately 1,200 feet south of the subject site within the right-of-way at the intersection of Old Middleburg Road North and Noroad. The MDR land use category requires connection to centralized water and sewer to develop multi-family dwellings, including townhomes. The applicant has submitted a notarized centralized water and sewer connection binding acknowledgment, attached to this report as Exhibit A, stating that they agree to develop the property in accordance with all applicable centralized water and sewer requirements, which includes consistency with FLUE Policy 1.2.8.



The applicant seeks a land use change from LDR to MDR to provide for increased residential densities to construct townhomes. The parcel fronts Old Middleburg Road, which is classified as a collector road. Additionally, the subject site is located approximately ¼ mile southwest of the intersection of Old Middleburg Road with Fouraker Road, which is also classified as a collector road. Residential uses are the primary uses in the immediate area of the subject site; these uses are contained on a wide variety of lot sizes, in accordance with their designated land use category. Land designated as LDR is located along the west side of Old Middleburg Road, and land designated as MDR is located across Old Middleburg Road from the subject site, as well as south of Noroad, approximately ¼ mile south of the subject site. The proposed land use amendment to MDR would allow for the development of a different housing typology, along a collector road, that is compatible with and complements the existing residential uses in the area. Therefore, the amendment is consistent with the FLUE Goals 1 and 3, Objective 1.1, and Policies 1.1.21, 1.1.22, and 3.1.5.

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 application site lies within the Southwest Vision Plan (2003). The subject site is located within the Jacksonville Heights/Herlong Field Character Area of the Suburban Area, as identified in the Plan. The proposed land use amendment from LDR to MDR is consistent with Theme 1 of the Vision Plan, "Strengthen existing neighborhoods and create new neighborhoods" as the proposed amendment would allow for the development of a multi-family residential development.

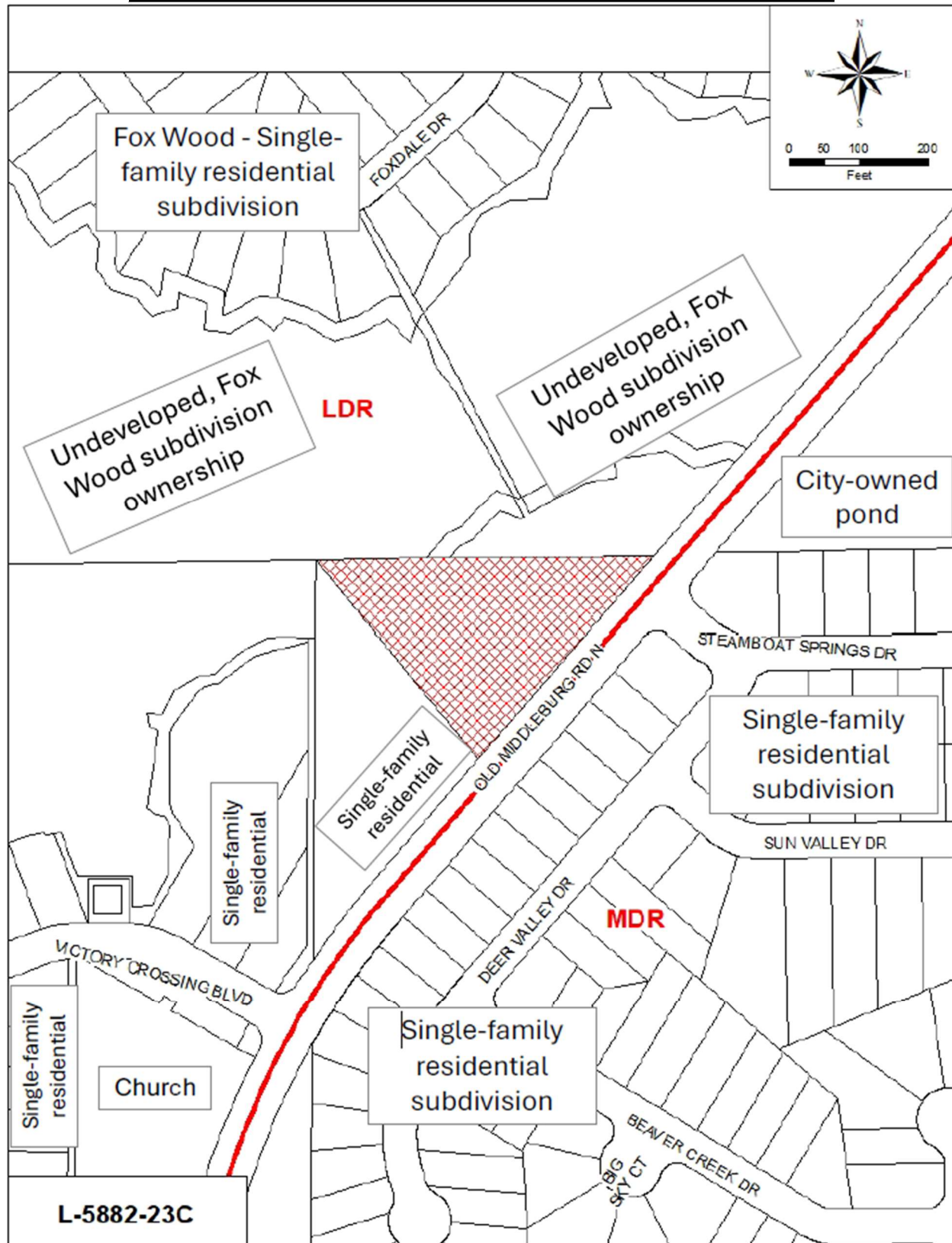
### **Strategic Regional Policy Plan**

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 types in the northeast Florida region. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

## CURRENT LAND USE AND LAND UTILIZATION MAP



**EXHIBIT A**  
**WATER AND SEWER CONNECTION BINDING ACKNOWLEDGEMENT**

**EXHIBIT 3**

**CENTRALIZED WATER AND SEWER CONNECTION**  
**BINDING ACKNOWLEDGEMENT**

When completed return to:

City of Jacksonville  
Planning and Development Department  
214 N. Hogan Street, Suite 300  
Jacksonville, FL 32202

4370 Old Middleburg Rd Jax, FL 32210  
Address(es) for Subject Property

013139-0020  
Parcel Number(s) for Subject Property

Honore Packrick  
Appointed Agent(s)

Water & Sewer Transfer  
Type of Request(s)/Application(s)/Application Number(s)

**PLEASE READ CAREFULLY AND ACKNOWLEDGE YOUR UNDERSTANDING AND AGREEMENT TO THIS BINDING ACKNOWLEDGEMENT BY SIGNING ON PAGE 2.**

You are hereby advised that the undersigned owner of the above referenced property (the "Subject Property"), which property is the subject of the above noted request(s)/application(s)/application number(s), which are by reference made a part hereof, hereby acknowledges and agrees to bind him/her/themself/itself and his/her/their/its successor(s) in title to develop the Subject Property in accordance with: (i) the centralized water and sewer connection requirements established in the applicable Future Land Use Category of the 2045 *Comprehensive Plan*, and (ii) all applicable public water and sanitary sewer system requirements of Code of Subdivision Regulations, Section 654.132, City of Jacksonville Municipal Code.

**ACKNOWLEDGED BY:**

Eliette E Alcide  
Signature of Owner

Eliette E Alcide  
Print/Type Name

**NOTARIAL CERTIFICATE**

STATE OF Florida

COUNTY OF Duval

Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization, this  
7, day of February, 2025, by Allyday Alexandre, who is  
☐ personally known to me or ☐ has produced identification and who took an oath.

Type of identification produced Driver License

Allyday Alexandre  
Notary Public Signature

[NOTARY SEAL]



Allyday Alexandre  
Printed/Typed Name - Notary Public

My commission expires: Feb 8, 2028