

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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September 3, 2020

The Honorable Tommy Hazouri, President  
The Honorable Michael Boylan, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2020-0467/Application No. L-5458-20A**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 2020-0467 on September 3, 2020.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

Joshua Garrison, Chair	Aye
Dawn Motes, Vice-Chair	Aye
David Hacker, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Ian Brown	Aye
Alexander Moldovan	Aye
Jason Porter	Aye

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

Sincerely,

*Kristen D. Reed*

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

**Large-Scale Future Land Use Map Amendment – August 28, 2020**

**Ordinance/Application No.:** 2020-467 / L-5458-20A

**Property Location:** 3605 and 3563 Philips Highway (US-1) between Belair Road South and Emerson Street

**Real Estate Number(s):** 126071-0120; a portion of 126071-0060

**Property Acreage:** 27.71 Acres

**Planning District:** District 3, Southeast

**City Council District:** District 5

**Applicant:** Steve Diebenow, Esquire

**Current Land Use:** BP

**Proposed Land Use:** CGC

**Current Zoning:** PUD

**Proposed Zoning:** PUD

**Development Area:** Urban Priority

***RECOMMENDATION: APPROVE***

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

To permit redevelopment of the property incorporating multifamily residential with additional mixed use.

**BACKGROUND**

The 27.71 acre subject property is located along the north side of Emerson Street, a minor arterial roadway and along the east side of Philips Highway (US-1), a major arterial roadway. The east side of the subject site abuts Interstate 95 (I-95), a limited access highway.

The subject site presently contains a mix of commercial and office uses. The applicant is proposing a future land use map amendment from Business Park (BP) to Community/General Commercial (CGC) to redevelop the property incorporating multifamily residential and additional mixed uses. The rezoning application is not required

for the transmittal round of legislation and will be processed during the adoption round of this large scale future land use amendment.

The uses surrounding the subject site that front along both Philips Highway and Emerson Street are primarily commercial uses, while properties that are set back from the major roads are primarily residential.

There has been one land use change in close proximity to the subject site. The presently undeveloped property directly abutting the subject site to the north, near I-95, was changed from Low Density Residential (LDR) to CGC (2015-277-E).

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

North: Land Use: CGC, HDR, MDR, LDR  
Zoning: PUD, RHD-B, RMD-D, CCG-2  
Property Use: Undeveloped, single family residential Multi-family residential, I-95

South: Land Use: CGC, LDR (across Emerston Street), BP (across Philips Highway)  
Zoning: CCG-2, RLD-60 ( across I-95), IBP  
Property Use: Resturants, gas stations, bank, offices, single family residential

East: Land Use: CGC, LDR (across I-95)  
Zoning: CCG-2, CCG-1, RLD-60 (across I-95)  
Property Use: Single family residential, undeveloped, gas station, I-95

West: Land Use: CGC  
Zoning: CCG-2, PUD  
Property Use: car dealers, hotel, personal storage, office

## **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

<b>Development Analysis</b>		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	Philips Highway (US-1) – Major Arterial and Emerson Street – Minor Arterial	
Plans and/or Studies	US - 1 Corridor Study and Southeast Vision Plan	
Site Utilization	Current: Offices, Commercial uses	Proposed: Mixed uses
Land Use / Zoning	Current: BP / PUD	Proposed: CGC / PUD
Development Standards for Impact Assessment	Current: <u>Scenario 1:</u> BP - 0.35 FAR <u>Scenario 2:</u> BP – 20% non-residential at 0.35 FAR BP- 80% residential at 30 DU/Acre	Proposed: <u>Scenario 1:</u> CGC - 0.35 FAR <u>Scenario 2:</u> CGC – 20% non-residential at 0.35 FAR CGC- 80% residential at 45 DU/Acre
Development Potential	Current: <u>Scenario 1:</u> 422,466 Sq. Ft. <u>Scenario 2:</u> 84,493 Sq. Ft. and 665 DUs	Proposed: <u>Scenario 1:</u> 422,466 Sq. Ft. <u>Scenario 2:</u> 84,493 Sq. Ft. and 997 DUs
Net Increase/Decrease in Maximum Density	Scenario 1: Not applicable Scenario 2: Increase of 331 DUs	
Net Increase/Decrease in Potential Floor Area	Scenario 1: No change Scenario 2: No change	
Population Potential	Current: Scenario 1: not applicable Scenario 2: 1,562 people	Proposed: Scenario 1: not applicable Scenario 2: 2,342 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	300 foot height and hazard zone for NAS Jax	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	No	

<b>Development Analysis</b>	
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	Study Area (2004-1386-A)
<b>Public Facilities</b>	
Potential Roadway Impact	Scenario 1: 5,374 net new daily trips Scenario 2: 5,634 net new daily trips
Potential Public School Impact	Scenario 1: Not applicable Scenario 2: 330 students
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 8,523 gallons per day Scenario 2: Increase of 76,080 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Decrease of 6,393 gallons per day Scenario 2: Increase of 57,060 gallons per day
Potential Solid Waste Impact	Scenario 1: no change Scenario 2: Increase of 860 tons per year
Drainage Basin/Sub-basin	Upstream of Trout River / Craig Creek
Recreation and Parks	Henry T. Jones Park
Mass Transit Access	Stops for Rt. 27 are located adjacent to the property
<b>Natural Features</b>	
Elevations	21-29 feet
Land Cover	1400 – Commercial and services
Soils	69 – Urban Land
Flood Zones	None
Wetlands	None
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).

While the land use application indicates that JEA will provide water and sewer for the site, the companion rezoning application will be required to include a JEA availability letter to ensure consistency with Policy 1.2.9 of the FLUE.

### **Transportation**

The Planning and Development Department completed a transportation analysis, which is on file with the department, and determined that the proposed amendment has the potential to result in an increase 5,374 net new trips under scenario 1 or 5,634 net new daily vehicular trips under scenario 2 on the roadway network. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

#### **Transportation Element**

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

#### **Capital Improvements Element**

**Policy 1.6.1** Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

#### Supplemental Transportation Information

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series 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** of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

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

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 8.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 8 is **0.60**.

Subject site is accessible via Philips Highway (US 1) and Emerson Street (US 1A), both urbanized arterial facilities which are subject to FDOT review and access management requirements. The Transportation Planning Division recommends ongoing coordinating efforts with the FDOT and COJ Traffic Engineer Division to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment.

### **School Capacity**

The 27.71 acre proposed land use map amendment has a development potential of 997 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:

- Elementary School
  - Concurrency Service Area (CSA) 4
  - 2019/2020 enrollment: 5,979
  - Current utilization: 88%
  - New student development from amendment: 166
  - 5-year utilization: 100%
  - Available seats in CSA 4 : 95



- Available seats in adjacent CSA(s): 3 and 5 is 936
- Middle School
  - CSA 4
  - 2019/2020 enrollment: 4,199
  - Current utilization: 86%
  - New student development from amendment: 72
  - 5-year utilization: 85%
  - Available seats in CSA 4: 224
  - Available seats in adjacent CSA(s): 3 and 5 is 32
- High School
  - CSA 4
  - 2019/2020 enrollment: 766
  - Current utilization: 60%
  - New student development from amendment: 92
  - 5-year utilization: 86%
  - Available seats in CSA 4: 68
  - Available seats in adjacent CSA(s): 3 and 5 is 91

The analysis of the proposed residential development reveals a deficiency for school capacity within the CSA for Elementary and High Schools. However, there is available capacity within adjacent CSAs. Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office.

#### Public School Facilities Element

**Policy 2.3.2** The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

**Policy 2.3.3** The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

**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.

- Pine Forest Elementary School
  - CSA 4
  - Amendment student generation: 166
  - School Capacity including permanent spaces and portables: 491
  - Current enrollment 20 day county for 2019/2020: 444
  - Percent Occupied: 90%
  - 4-year projection: 98%
  
- Southside Middle School
  - CSA 4
  - Amendment student generation: 72
  - School Capacity including permanent spaces and portables: 977
  - Current enrollment 20 day county for 2019/2020: 972
  - Percent Occupied: 99%
  - 4-year projection: 80%
  
- Wolfson, Samuel High School
  - CSA 4
  - Amendment student generation: 92
  - School Capacity including permanent spaces and portables: 1,281
  - Current enrollment 20 day county for 2019/2020: 766
  - Percent Occupied: 60%
  - 4-year projection: 63%

**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 1.2.6 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.

### **Airport Environment Zone**

The site is located within the 300 foot Height and Hazard Zones for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

### Future Land Use Element

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

### **Brownfields Study Area**

This site is located within the Brownfields Study Area established by Resolution 2004-1386-A as defined in F.S. 376.79(4). The property may or may not have contamination.

Since the property is located within a Brownfields Area, the owner may request the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. The property owner may qualify for tax credits.

### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 18, 2020, the required notices of public hearing signs were posted. Sixty-eight (68) 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 17, 2020. No members of the public attended.

# **CONSISTENCY EVALUATION**

## **Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies Future Land Use Element (FLUE)**

*Urban Priority Area (UPA):* The UPA is the first tier Development Area and generally includes the historic core of the City and major connecting corridors. The intent of the UPA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities which are highly supportive of transit and result in the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is expected to employ urban development characteristics as further described in each land use plan category. The UPA does not include the Central Business District Land Use Category boundaries.

**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 1.1.5** The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic
- B. development opportunities;
- C. Addresses outdated development patterns;
- D. 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 1.1.21** Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land

use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

**Policy 1.2.9** Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

**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 3.2** Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

**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 3.2.2** The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

**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.

According to the Future Land Use Element (FLUE), the Business Park (BP) land use category in the Urban Priority Area is intended to provide compact medium to high density office development. Development which includes medium to high density residential is preferred for sites located outside of areas identified as an industrial sanctuary.

The Community/General Commercial (CGC) land use category in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and

which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

Consistent with the locational criteria for the CGC land use category, the subject site is located along Philips Highway (US-1) and Emerson street, both arterial roads, and located within an existing commercial corridor, consistent with Goal 1 and Objective 1.1 of the FLUE. Additionally, the site has access to full urban services and as such, the proposed redevelopment of the site is consistent with FLUE Policy 3.2.2 and Objective 6.3.

The applicant is proposing a change from BP to CGC to facilitate redevelopment of the property by incorporating multifamily residential and additional mixed uses on the site which is located within the Urban Priority Development Area. Developments including residential uses are encouraged in the CGC land use category, providing that they are not the sole use of the development and do not exceed 80% of the development. The proposed change will allow for a wider mix of uses along Philips Highway (US-1), while maintaining a well-balanced and organized combination of uses consistent with FLUE Goal 3 and Objective 3.2. Additionally, the proposed amendment would allow for a logical extension of the abutting commercial land use uses, strengthening the commercial corridor, consistent with FLUE Policy 3.2.1.

While the land use application indicates that JEA will provide water and sewer for the site, the companion rezoning application will be required to include a JEA availability letter to ensure consistency with Policy 1.2.9 of the FLUE.

The amendment to CGC would increase the availability of commercially designated land in an existing commercial area and would facilitate a mixed-use redevelopment project that includes placing residential in proximity to employment opportunities. The site is located in the Urban Priority Area where infill and redevelopment is strongly encouraged and where full urban services, including transit, are in place to serve the development. Analysis of the surrounding area demonstrates that the land is more suitable for commercial use. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

### **Corridor Study**

The subject site is located within the boundaries of the US-1 Corridor Study and within the northern segment, as identified by the study. The plan identifies the northern segment as an area that is preferred for infill development and the proposed amendment would promote infill redevelopment within this northern segment. Therefore, the proposed amendment is consistent with the US-1 Corridor Study.

### **Vision Plan**

The subject property is located within the boundaries of the Southeast Jacksonville Vision Plan. Guiding Principle Two of the vision plan focuses on the promotion of mixed use developments, redevelopments, and infill. The proposed amendment would allow for mixed use infill redevelopment. The applicant has indicated an intent to include residential

use as part of the proposed redevelopment. Therefore, the proposed amendment is consistent with the Southeast Vision Plan.

**Strategic Regional Policy Plan**

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

Goal 2.3                    An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.

The proposed land use amendment would create a location for the development of new businesses, thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element.

**LAND USE AMENDMENT SITE FIELD / CURRENT LAND USE /  
LOCATION MAP**

