

City of Jacksonville, Florida

Lenny Curry, Mayor

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May 19, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-309/Application No. L-5692-22C

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-309 on May 19, 2022.

P&DD Recommendation APPROVE
PC Issues: None
PC Vote: **8-0 APPROVE**

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

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – May 13, 2022

Ordinance/Application No.: 2022-309 / L-5692-22C

Property Location: 3434 Atlantic Boulevard (SR 10) and 0 Luce Street between Spring Park Road and Hart Expressway.

Real Estate Number(s): 145888 0010 and 145888 0040

Property Acreage: 3.33 acres

Planning District: District 3, Southeast

City Council District: District 5

Applicant: Paul M. Harden, Esquire

Current Land Use: Residential-Professional-Institutional (RPI) – 2.62 acres and Public Buildings and Facilities (PBF) – 0.71 of an acre

Proposed Land Use: Community/General Commercial (CGC) – 3.33 acres

Development Area: Urban Development Area

Current Zoning: Commercial Residential Office (CRO) – 2.62 acres and Commercial Office (CO) – 0.71 of an acre

Proposed Zoning: Planned Unit Development (PUD) – 3.33 acres

RECOMMENDATION: ***Approve***

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To develop for commercial uses.

BACKGROUND

The 3.33 acre subject site is located at 3434 Atlantic Boulevard (SR 10), 0 Luce Street and east of Linden Avenue, between Spring Park Road and Hart Expressway. According to the City’s Functional Highways Classification Map, Atlantic Boulevard is a major arterial road. Linden Avenue and Luce Street are both local roads.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from RPI and PBF to CGC. The amendment abuts a CGC land use category to the south that has frontage along Beach Boulevard. In addition, a companion rezoning application is pending concurrently with the land use application via Ordinance 2022-310, which seeks a zoning change on the subject site from CRO and CO to PUD.

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

North (across Atlantic Boulevard):

Land Use: PBF and Low Density Residential (LDR)
Zoning: PBF-2, Residential Low Density-60 (RLD-60) and Residential Low Density-90 (RLD-90)
Property Use: Parking lot, church, offices, single family dwellings, vacant land and cemetery

South: Land Use: CGC, Medium Density Residential (MDR) and LDR
Zoning: Commercial Community/General-2 (CCG-2), Commercial Community/General-1 (CCG-1), Residential Medium Density-D (RMD-D), PUD and RLD-60
Property Use: Offices, service garage, shopping centers, parking lot, light manufacturing, single family dwellings, multi family dwellings, wetlands and churches

East: Land Use: RPI and MDR
Zoning: CRO, RMD-D and Residential Medium Density-B (RMD-B)
Property Use: Wetlands, multi-family dwellings, office, church and single family homes

West: Land Use: PBF, RPI and CGC
Zoning: CO, CRO, and CCG-2
Property Use: Store, offices, single family dwellings, ballet arts, single family dwellings, churches, vacant land, car wash and service garage

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.

Land Use Amendment Impact Assessment

Development Analysis		3.33 Acres
Development Boundary	Urban Development Area	
Roadway Frontage Classification / State Road	Atlantic Boulevard (SR 10) - Major Arterial Linden Avenue – Local Roadway Luce Street – Local Roadway	
Plans and/or Studies	Southeast Jacksonville Vision Plan	
Site Utilization	Current: Vacant	Proposed: Commercial Uses
Land Use / Zoning	Current: RPI (2.62 acres) & PBF (0.71 of an acre) / CRO (2.62 acres) & CO (0.71 of an acre)	Proposed: CGC / PUD
Development Standards for Impact Assessment	Current: Scenario 1: RPI - 0.50 FAR (non-residential) & PBF -0.30 FAR Scenario 2: RPI - 0.50 FAR (10%), 23 DUs per Acre (90%) & PBF – 0.30 FAR	Proposed: Scenario 1: 0.35 FAR Scenario 2: 0.35 FAR (20%) & 30 DUs per Acre (80%)
Development Potential	Current: Scenario 1: 57,063 sq. ft. of RPI space & 9,278 sq. ft. of PBF space Scenario 2: 5,706 sq. ft. of RPI space, 9,278 sq. ft. of PBF space & 54 multi-family DUs	Proposed: Scenario 1: 50,769 sq. ft. of commercial space Scenario 2: 10,153 sq. ft. of commercial space and 79 multi-family DUs
Net Increase or Decrease in Maximum Density	Scenario 1: Not applicable Scenario 2: Increase of 25 DUs	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 15,572 sq. ft. Scenario 2: Decrease of 4,831 sq. ft.	
Population Potential	Current: Scenario 1: 0 People Scenario 2: 126 People	Proposed: Scenario 1: 0 People Scenario 2: 185 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	

Development Analysis		3.33 Acres
Airport Environment Zone	500 Ft. Height Restriction Zone – Naval Air Station Jacksonville	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	High, Medium and Low Sensitivity	
Historic District	No	
Coastal High Hazard	Yes; 0.55 of an acre	
Adaptation Action Area	Yes; 1.68 acres	
Groundwater Aquifer Recharge Area	Discharge area	
Evacuation Zone	Zone A	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	Scenario 1: Increase of 1,228 daily trips Scenario 1: Increase of 228 daily trips	
Potential Public-School Impact	18 New Students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 2,117 gpd Scenario 2: Increase of 5,331 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 1,588 gpd Scenario 2: Increase of 3,998 gpd	
Potential Solid Waste Impact	Scenario 1: Decrease of 24.92 tons per year Scenario 2: Increase of 57.27 tons per year	
Drainage Basin/Sub-basin	Basin: St. Johns River Upstream from Trout River Sub-Basin: Miller Creek	
Recreation and Parks	Palmer Terrace Park	
Mass Transit Access	Bus stop #1014 Beach Boulevard and Camden Avenue; Route 8	
Natural Features		
Elevations	1 to 20 feet above mean sea level	
Land Cover	6420 – Saltwater marsh, 6170 – Mixed wetland hardwoods, 1400 Commercial and services, and 1200 -Residential medium density	
Soils	40% (72)-Urban land-Ortega-Kershaw complex, 20% Pelham-Urban land complex, 25% (40) Maurepas muck – Wetland Soil and 15% (68) Tisonia mucky peat – Wetland saltwater marsh soil	
Flood Zones	AE Flood Zone - 1.50 acre and 0.2 PCT Chance - 0.17 of an acre	
Wetlands	Yes; Category I and II	
Wildlife (applicable to sites greater than 50 acres)	Not applicable (under 50 acres)	

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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 established shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

A JEA availability letter, dated March 11, 2022 has been provided for the subject site as part of the companion rezoning application. The letter states that there is a 12-inch water main and a 12-inch sewer force main along Atlantic Boulevard.

Transportation

Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in an increase of 1,228 net new daily external trips under scenario 1 and a decrease of 228 under scenario 2. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

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:

Background Information:

The subject site is 3.33 acres and is accessible from Atlantic Boulevard (SR 10), a major arterial facility; and Linden Avenue and Luce Street, both local facilities. 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 Residential Professional Institutional (RPI) and Public Buildings and Facilities (PBF) to Community General Commercial (CGC).

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 829 or 636 daily trips, depending on the scenario. If the land use is amended to allow for this proposed CGC development, this will result in 2,057 or 864 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 1,228 or 228 net new daily trips when compared to the existing land use. SR 10 is subject to FDOT review and access management requirements. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

Table A
Trip Generation Estimation Scenarios

Current Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
RPI	710	57,063 SF	T = 10.84 (X) / 1000	619	0	619
PBF	730	9,278 SF	T = 22.59 (X) / 1000	210	0	210
				<i>Total Trips for Existing Land Use- Scenario 1</i>		829
Current Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
RPI- N	710	5,706 SF	T = 10.84 (X) / 1000	62	0	62
RPI- R	220	54 MF DUs	T = 6.74 (X)	364	0	364
PBF	730	9,278 SF	T = 22.59 (X) / 1000	210	0	210
				<i>Total Trips for Existing Land Use- Scenario 2</i>		636
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	50,769 SF	T = 67.52 (X) / 1000	3,428	1,371	2,057
				<i>Total Trips for Proposed Land Use- Scenario 1</i>		2,057
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	822	10,153 SF	T = 54.45 (X) / 1000	553	221	332
CGC- R	220	79 MF DUs	T = 6.74 (X)	532	0	532
				<i>Total Trips for Proposed Land Use- Scenario 2</i>		864
				Scenario 1 Difference in Daily Trips		1,228
				Scenario 2 Difference in Daily Trips		228

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

School Capacity

The 3.33 acre proposed land use map amendment has a development potential of 79 dwelling units and 18 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 as shown in "Attachment A".

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

Public School Facilities Element

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

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

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

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

Supplemental School Information:

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 as shown in "Attachment B".

Airport Environment Zone

The site is located within the 500-foot Height and Hazard Zone for the Naval Air Station Jacksonville. Zoning will limit development to a maximum height of less than 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, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

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

Evacuation Zone

The subject site is within Evacuation Zone A. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD, the proposed properties at 3434 Atlantic Boulevard and 0 Luce Street will be in close proximity to Atlantic Boulevard (0.10 road miles) and I-95 (1.56 road miles), primary evacuation routes.

In consideration of the evacuation zone (Zone A) and nearest evacuation routes, the estimate of 228 and 1,228 additional daily trips, and the development of the proposed properties at 3434 Atlantic Boulevard and 0 Luce Street could create a localized impact to the traffic flow on Atlantic Boulevard during an emergency evacuation scenario. The changes proposed through land use amendment application L-5692-22C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain

Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

Adaptation Action Area (AAA)

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2020-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

Approximately 1.68 acres of the subject site is within the Adaptation Action area and subject to coastal flooding during cataclysmic hurricane storms. The AAA area is within 1 to 5 feet above mean sea level. The City will continue to enforce building standards and requirements to minimize structural damage to property in hazardous coastal areas. Future City expenditures for infrastructure improvements will be limited to meeting the needs of existing residents and resource protection. The companion PUD rezoning application site plan clusters development outside of the AAA.

Conservation/Coastal Management Element

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

Coastal High Hazard Area (CHHA)

Approximately 0.55 of an acre of the subject site is located within a Coastal High Hazard Area (CHHA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The amendment request for the subject site is to change the land use designation from RPI and PBF to CGC. According to the companion PUD site plan, no development is proposed on the portion of the subject site that is located within the CHHA. However, the proposed PUD should be conditioned to not allow development in the CHHA.

Conservation/Coastal Management Element

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact

of natural hazards in the area.

Policies 7.4.1 The City shall require that all land development applications within the Coastal High Hazard Area be planned and obtain approval pursuant to a site plan review process, to ensure that development is compatible with site characteristics.

Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

Flood Zones

Approximately 1.5 acres of the 3.33 acre subject site is located within AE Flood Zone and an additional 0.17 of an acre is with in the 0.2 PCT Annual Chance Flood Hazard (Flood Zone X). Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The 0.2 PCT Annual Chance Flood Hazard are areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards.

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

Conservation /Coastal Management Element (CCME)

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

Policy 11.3.18 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Wetlands

Review of City data indicates the existence of wetlands on the subject site and based upon the city’s geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

The companion PUD rezoning application site plan clusters development outside of wetlands of the proposed land use amendment. In addition, the Waterways Commission will review this amendment on May 11, 2022.

Wetlands Characteristics:

Approximate Size: 1.13 acres

General Location(s): Wetlands are located in the eastern portion of the application site and is considered an estuary. The wetlands on the property are a portion of a larger wetland system that buffers Miller Creek that drains north into the St. Johns River. The wetlands consists of two types; a Category I saltwater marsh (0.28 of an acre) and a Category II flood plain wetland (0.85 of an acre).

Quality/Functional The wetland has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City’s waterways.

In addition a portion of the wetlands is a salt marsh which has an extremely high functional value due to its water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms.

Soil Types/
Characteristics:

(40) Maurepas muck, frequently flooded – The Maurepas series consists of nearly level, very poorly drained, organic soils formed in decomposed organic materials. These soils are located in flood plains and are influenced by tidal action. The soils are rapidly permeable. The high water table generally is at or near the surface, and areas are subject to frequent flooding for brief periods.

(68) Tisonia mucky peat, very frequently flooded – The Tisonia series consists of nearly level, very poorly drained, organic soils formed from non-woody, halophytic plant remains underlain by fine textured sediments. They are located in tidal marshes and the soils are very slowly permeable. The high water table generally is at or near the surface and areas are flooded twice daily by fluctuating tides for very brief periods.

Wetland Category: Category I and II

Consistency of
Permitted Uses:

Uses located within Category I and II wetlands are generally limited to conservation, residential, water-dependant/water related and silviculture, subject to CCME Policies 4.1.3 and 4.1.5

Environmental Resource
Permit (ERP):

No Environmental Resource Permit has be issued at this time of application.

Wetlands Impact:

Not enough information to determine impact. No development plan has been submitted for uses within the wetland.

Associated Impacts:

Wetlands of the site are located in the flood zones and Adaptation Action Area of Miller Creek.

Relevant Policies:

CCME Policies 4.1.3 and 4.1.5 – see below

Conservation/Coastal Management Element

Policy 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

(a) Encroachment

Encroachment in Category I, II, or III wetlands is the least damaging and no

practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i the habitat of fish, wildlife and threatened or endangered species,
- ii the abundance and diversity of fish, wildlife and threatened or endangered species,
- iii the food sources of fish and wildlife including those which are threatened or endangered,
- iv the water quality of the wetland, and
- v the flood storage and flood conveyance capabilities of the wetland; and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
- ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(e) Septic tanks

Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

The design of the fill shall include measures to maintain the wetlands

hydrology of the site.

Policy 4.1.5

The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

(1) Conservation uses, provided the following standards are met:

(a) Dredge and fill

Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the aerial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

i density shall not exceed one (1) dwelling unit per five (5) acres; and

ii buildings shall be clustered together to the maximum extent practicable; and

iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the aerial extent of the vegetation outside the development area may be altered or removed; and

(3) Water-dependent and water-related uses, provided the following standards are met:

(a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its

natural state

For Category II wetlands:

No more than 10% of the aerial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

- (4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on April 29, 2022, the required notice of public hearing sign was posted. Thirty-four (34) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

A Citizen Information Meeting was held on May 2, 2022, via a virtual Zoom meeting. No members of the public attended to discuss the proposed amendment.

The Waterways Commission reviewed and approved the land use amendment on May 11, 2022.

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 the densely developed portions of the City that have been in residential or with

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.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
A. Fosters vibrant, viable communities and economic development opportunities;
B. Addresses outdated development patterns;
C. Provides for 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 1.1.22 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 1.2.9 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.

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

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 on 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 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 shall ensure that private property rights are considered in local decision making.

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

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

According to the Category Description in the Future Land Use Element (FLUE), Public Buildings and Facilities (PBF) in all development areas is a broad land use category that is intended to accommodate major public use or community service activities.

RPI in the Urban Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled. RPI also allows for multi-family residential at densities up to 30 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 90 percent of a development. However, residential density is limited to 20 dwelling units per acre in the Coastal High Hazard Area (CHHA).

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. However, residential density is limited to 20 dwelling units per acre in the Coastal High Hazard Area (CHHA).

The 3.33 acre subject site is currently vacant and undeveloped. The applicant is proposing a change from PBF and RPI to CGC to allow for commercial uses on the site. The proposed CGC is a logical extension to the CGC area located to the south and on a

major arterial state road with commercial areas. The proposed amendment to CGC would be consistent with the development pattern in the area. Further, the proposed amendment would be compatible with the uses along Atlantic Boulevard and adjacent RPI and PBF provide a commercial transition between the residential uses north and west of the subject site. Therefore, the proposed amendment is consistent with FLUE Goal 3 and Policies 3.1.3 and 3.2.7.

In accordance with FLUE Policies 1.1.5 and 1.1.21, the proposed land use amendment on the 3.33 acres would have a negligible impact on the balance of uses in the area. The subject site abuts CGC land use to the south and the proposed land use change encourages corridor development of commercial uses and maintains compact and compatible land use patterns, consistent with FLUE Objective 3.2 and Policies 1.1.22 and 3.2.1.

The proposed amendment to CGC promotes a compatible land development pattern on underutilized property and is a logical extension of the abutting CGC land use in conformance with Objectives 1.1 and 6.3.

According to a JEA availability letter, dated March 11, 2022, there is a 12-inch water main and a 12-inch sewer force main along Atlantic Boulevard. Therefore, the subject site is has access to water and central sewer in accordance with Policy 1.2.9.

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.

Southwest Vision Plan (2003)

The Southwest Vision Plan does not address the specific area of the amendment site. However, the Theme 1 policy of promoting convenient, compatible neighborhood-scale retail and entertainment uses near existing residential uses. The proposed land use amendment would allow for infill on an underutilized property with full urban services available to the subject property.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Policy of the Northeast Florida Regional Council (NEFRC) Strategic Regional Policy Plan (March 2021), Regional Transportation Element Goal, Objective, and portions of Policy 4:

Goal: Create efficient connectivity within the Region, and with state, national, and global economies. Include centers of population and jobs that are well-connected, limit commute times for most residents and provide opportunities for all residents of the region to work if they choose.

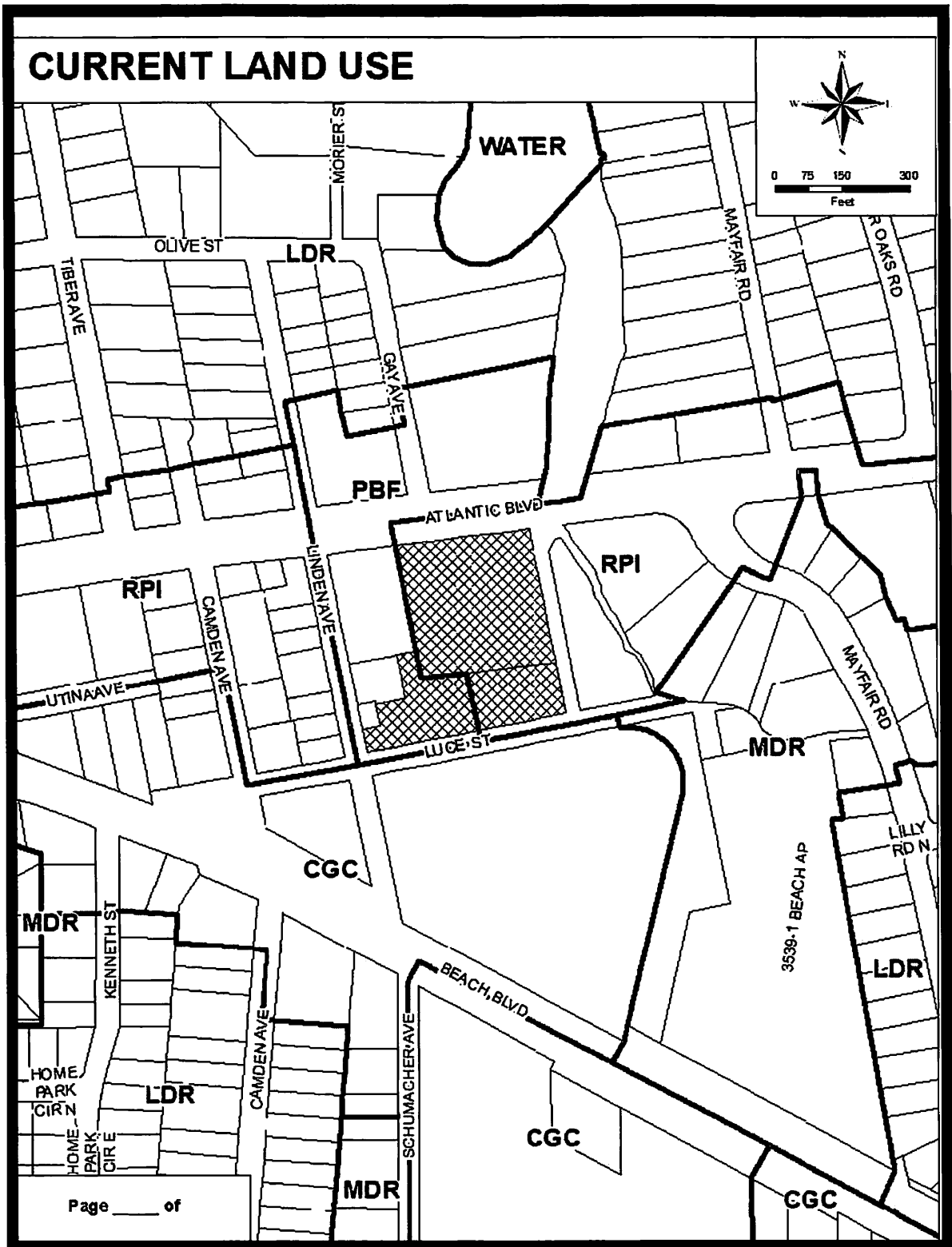
Objective: Integrated Planning: The link between land use, resources and mobility.

Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

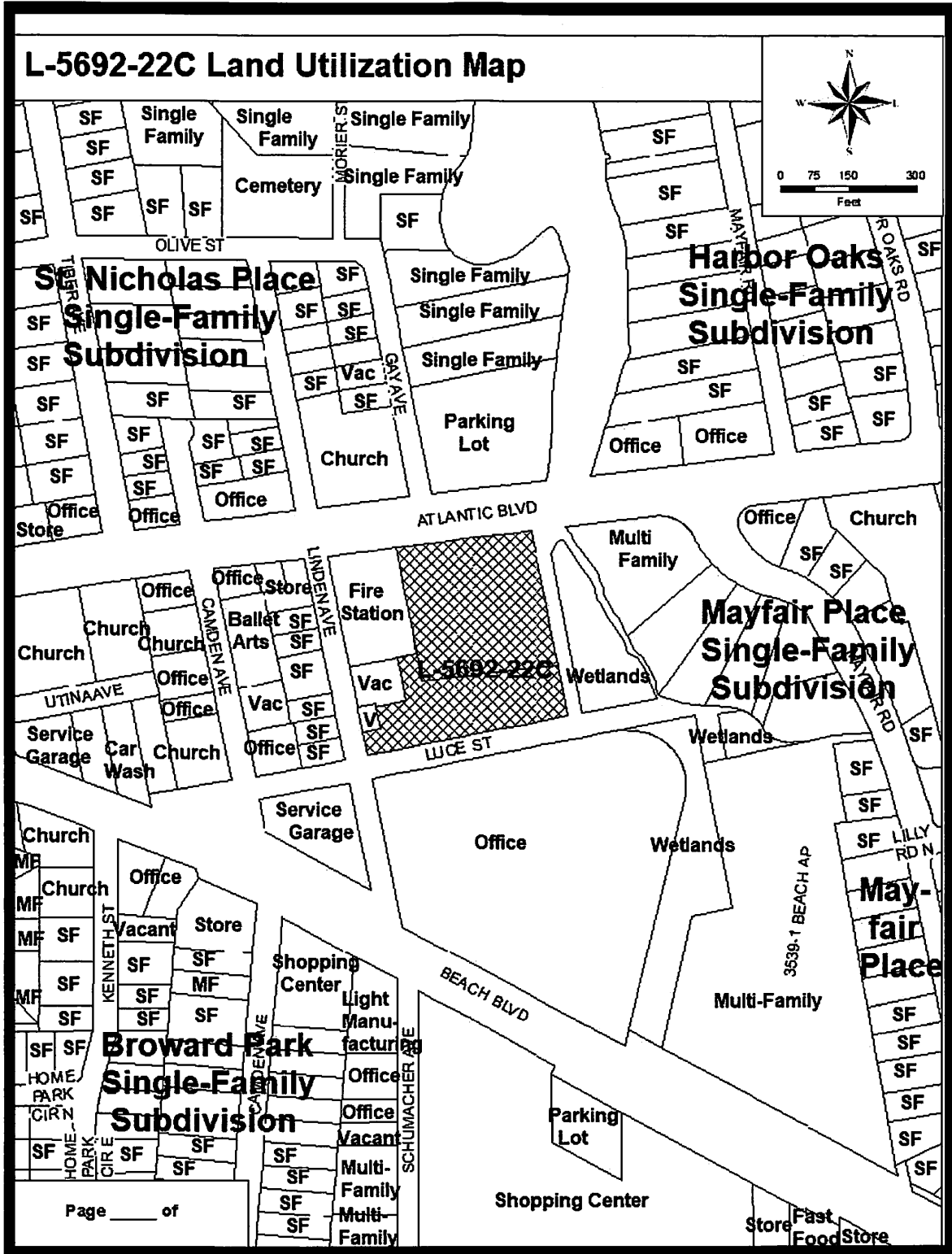
- Local governments as they identify areas appropriate for mixed-use development.
- Incentives for dense and/or mixed use development.
- Maintenance of a diversity of land use in the region.
- Infill and redevelopment.

CGC is a mixed use land use category. The proposed land use amendment to CGC reduces the non-conformity of a commercially used property and provides the opportunity for the potential of mixed use development. Therefore, the proposed amendment is inconsistent with Transportation Element Goal, Objective and Policy 4 of the Strategic Regional Policy Plan.

CURRENT LAND USE AMENDMENT MAP



LAND USE AMENDMENT LAND UTILIZATION MAP



Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5692-22C 3434 Atlantic Blvd Requested By: Ed "Luke" Lukacovic Reviewed By: Shalene B. Estes Due: 4/27/2022							
Analysis based on maximum dwelling units: 79							
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%	9	75%	1,385	1,727
Middle	3	2,086	74%	4	56%	352	746
High	3	4,311	85%	5	85%	290	446
Total New Students				18			

NOTES:

¹ Proposed Development's Concurrently Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

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

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5692-22C 3434 Atlantic Blvd Requested By: Ed "Luke" Lukacovic Reviewed By: Shalene B. Estes Due: 4/27/2022 Analysis based on maximum dwelling units: 79						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Spring Park ES #72	3	9	504	432	86%	93%
Southside MS #211	3	4	977	851	87%	78%
Englewood HS #90	3	5	1864	1800	97%	99%
		18				

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.