

**PROPOSED COMMUNITY DEVELOPMENT DISTRICT (CDD)
PETITION TO ESTABLISH
NORMANDY CDD
PLANNING AND DEVELOPMENT DEPARTMENT REPORT**



ORDINANCE 2022-117

PETITIONER: HAWK NORMANDY, LLC

Acreage: Three parcels totaling 641.48 Acres

The Planning and Development Department (Department) has completed its review of the Petition to Establish the Normandy Community Development District (Petition) and makes the following report and recommendation in accordance with §92.07(c), City of Jacksonville Ordinance Code.

REPORT SUMMARY

Straley Robin Vericker, P. A., on behalf of Hawk Normandy, LLC. (Petitioner) proposes that the Normandy Community Development District (CDD) be established in the City of Jacksonville. The Petitioner states in the Petition that the CDD should be established because:

- Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the local Comprehensive Plan;
- The CDD will be contained within a planned community of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- The establishment of the CDD will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the CDD and is the best alternative for efficiency in delivering services and facilities; the CDD will promote development of the land within the District by providing for a more efficient use of resources without imposing additional burdens on the City and its residents outside of the CDD by increasing the ad valorem tax base and generating water and wastewater impact fees which will assist the City to meet its obligations to repay certain bond indebtedness, transportation and other impacts fees as well.
- The community development services and facilities will not be incompatible with the capacity and use of existing local and regional facilities and services; and the area to be served by the proposed CDD is amenable to separate special-district government.

The Department finds that the Petition is sufficient and correct to permit fair and informed consideration by City Council. The Petition is reasonably compatible and consistent with

all of the components required for review by Chapter 92.07(c), Ordinance Code, and §190.005(1)(e), Florida Statutes (F.S.). The petitioner claims the proposed CDD is the best alternative for delivering community development services and facilities within its area of service and the Department has not found otherwise.

1. Overview of CDD and Development Information

The CDD is approximately 641.48 acres in total land area. However, the CDD is divided into three parcels that do not share boundaries and are not contiguous. The most western parcel (Parcel West) contains 222.97 acres, the middle parcel (Parcel East 3) contains 90.08 acres, and the most eastern parcel (Parcel East 1) contains 328.43 acres. All three parcels are in the Rural Residential (RR) land use category. All three parcels are part of the Planned Unit Development (PUD) zoning district that was approved with Ordinance 2021-277-E; however, the CDD parcels do not incorporate the entire acreage designated PUD with Ordinance 2021-377-E.

The Department notes that this is the first Petition to Establish a CDD that has been received that is not geographically contiguous.

The proposed CDD is generally located north of the Duval County line, west of Solomon Road, south of Normandy Boulevard. The project location is more fully identified by the Master Vicinity Map included as “Exhibit D” of the Petition. There is no land outside the proposed boundaries of the CDD to be served by the CDD. The existing land use is included in the Petition as “Exhibit I.”

According to the RR land use category, residential units are allowed at a maximum gross density of 2 units/acre when both centralized potable water and wastewater are available to the site. The maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater.

The petition indicates a total of 1,206 residential dwelling units within the CDD: 321 single family dwelling units on the far western parcel (Parcel West); 60 single-family dwelling units on the middle parcel (Parcel East 3); 523 single-family dwelling units and 302 townhome units on the parcel on the east (Parcel East 1). The total number of dwelling units of the proposed CDD is under the allowable maximum of the corresponding Trails Planned Community PUD (Ordinance 2021-277-E). Providing consistency with the current RR land use category, the PUD includes a condition that residential development not connected to JEA water and sewer shall be limited to 1 unit per acre. According to the applicant, the development intends to be connected to central water and sewer services.

According to the Petition, the developer maintains that the CDD is the best alternative for delivering community development services and facilities without imposing an additional burden on the general population of the local general-purpose government. Additionally, the Petition includes the exercise of special powers relating to parks and recreation facilities and security powers.

Petition “Exhibit G”, Opinion of Probable Construction Cost, indicates that the infrastructure improvement costs including conceptual site improvements and pre-engineering estimates are estimated to be \$66,643,900. The exhibit identifies the responsibilities for the total cost of proposed services and facilities. Improvements are anticipated to be made, constructed and installed in three (3) phases between 2022 and 2028, depending on future market conditions and development plans.

Petition “Exhibit G”

NORMANDY CDD
OPINION OF PROBABLE CONSTRUCTION COSTS
CONCEPTUAL SITE INFRASTRUCTURE IMPROVEMENTS AND PRE-ENGINEERING ESTIMATES

IMPROVEMENT CATEGORY	TOTAL OPINION OF COST	ANNUAL OUTLAY			CONSTRUCTION ENTITY	FINAL OWNER	MAINTENANCE ENTITY
		2022-2024	2025-2026	2027-2028			
Cleaning and Grubbing	\$ 3,090,300	40%	30%	30%	CDD	N/A	N/A
Earthwork	\$ 11,115,700	40%	30%	30%	CDD	N/A	N/A
Roadway Construction	\$ 12,974,600	40%	30%	30%	CDD	CDD	CDD
Stormwater Collection	\$ 5,149,900	40%	30%	30%	CDD	CDD	CDD
Hardscape/Landscape	\$ 3,024,000	40%	30%	30%	CDD	CDD	CDD
Parks, Recreation, Security	\$ 2,600,000	40%	30%	30%	CDD	CDD	CDD
Potable Water	\$ 3,153,000	40%	30%	30%	CDD	JEA	JEA
Re-Use Water	\$ 2,364,800	40%	30%	30%	CDD	JEA	JEA
Sanitary Sewer	\$ 10,599,300	40%	30%	30%	CDD	JEA	JEA
Electrical	\$ 1,875,000	40%	30%	30%	CDD	JEA	JEA
Engineering, Survey, Inspection Services	\$ 3,836,300	40%	30%	30%	CDD	N/A	N/A
Permitting and Other Fees	\$ 3,895,400	40%	30%	30%	CDD	N/A	N/A
Contingency	\$ 2,965,600	40%	30%	30%	CDD	N/A	N/A
Total:	\$ 66,643,900						

Notes:

- This exhibit was prepared by Michael Lawson at Metro Development Group, LLC
- This opinion of probable construction costs contemplates the exercise of special powers pursuant to Section 190.012(2)(a), Florida Statutes.
- The above table reflects the total estimated construction costs for the CDD improvements. It is anticipated the CDD will directly fund the construction of the improvements, but the CDD will not incur any cost for the acquisition of those improvements from the Landowner.
- This Exhibit was prepared based on the current intentions of the CDD and is subject to change based on various factors, including future market conditions and development plans.

2. SUFFICIENCY AND COMPLETENESS OF PLANNING DOCUMENTATION

Pursuant to Chapter 90.07(c)(2), Ordinance Code, the Department concludes that the planning documentation received to date is adequately sufficient and complete to permit fair and informed consideration by City Council.

3. TRUTH AND CORRECTNESS OF PLANNING DOCUMENTATION

The Petitioner has provided an executed and notarized statement, dated February 14, 2022, claiming that the Petition is adequately true and correct to permit a fair and informed consideration by City Council.

4. JEA CERTIFICATION OF UTILITY INFORMATION

The Petitioner provided an availability letter from JEA, dated August 20, 2021 and included as “Exhibit F” of the petition. The letter provides capacity analysis for the development within the proposed CDD. The letter indicates that water and sewer

connections are available to serve the proposed development under special conditions. Reclaimed water will be available in the near future. The letter also identifies special conditions related to the sewer and reclaimed water connections.

Special conditions for water connection relate to fire protection requirements. Private fire protection analysis is required and the master water utility plan approval is required prior to construction plan approval.

Special conditions for sewer include that downstream improvements by JEA may be required for project buildout and the development build-out schedule is required for review. Master sewer utility plan approval required prior to construction plan approval. Master pump station required for development to limit connections to the existing force main. Connection to the JEA-owned sewer system will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main.

The letter also identifies reclaimed water connections will be available in the near future. Special conditions for reclaimed water relate to a master reclaimed water utility plan approval prior to the construction plan approval. Until reclaimed water is available, a temporary connection to the potable water system will be required. This temporary connection point should be coordinated with the JEA Development Group to ensure a simplified transition to reclaimed water when it becomes available.

5. OPINION AND RECOMMENDATION AS TO §190.005(1)(e), F.S.

In determining whether to grant a Local Petition for the establishment of the CDD by adoption of Ordinance 2022-117 the City Council must consider the Local Petition and the entire record of the local public hearing in light of the six (6) factors set forth in §190.005(1)(e), F.S.

Accordingly, pursuant to §92.07, Ordinance Code, the Department is charged with providing an opinion and making recommendation on the relationship of the Petition to factors 2, 3, and 5 of §190.005(1)(e), F.S. The analysis is as follows:

Factor 2 (Section 190.005(1)(e)2, F.S.)

Whether the establishment of the CDD is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan?

Relationship: The Normandy CDD is not inconsistent with the applicable elements or portion of the state and local comprehensive plans. See additional information below.

The Department concludes that the establishment of the CDD would be consistent with any applicable element or portion of the State comprehensive plan (Chapter 187, F.S.) and of the City's 2030 Comprehensive Plan. The Petition for the CDD development

indicates the development of 1,206 residential dwelling units. The total number of dwelling units of the proposed CDD is under the allowable maximum of the corresponding Trails Planned Community PUD (Ordinance 2021-277-E). However, residential units would be allowed in the RR land use category at a maximum gross density of 2 units/acre when both centralized potable water and wastewater are available to the site. The maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater. Providing consistency with the current RR land use category, the PUD includes a condition that residential development not connected to JEA water and sewer shall be limited to 1 unit per acre. According to the applicant, the development intends to be connected to central water and sewer services.

State of Florida Comprehensive Plan

Section 187.201 (17), F.S., Public Facilities

- (a) *Goal* - Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.
- (b) *Policies* -
 - 1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.
 - 2. Promote rehabilitation and reuse of existing facilities, structures, and buildings as an alternative to new construction.
 - 3. Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.
 - 4. Create a partnership among state government, local governments, and the private sector which would identify and build needed public facilities and allocate the costs of such facilities among the partners in proportion to the benefits accruing to each of them.
 - 5. Encourage local government financial self-sufficiency in providing public facilities.
 - 6. Identify and implement innovative but fiscally sound and cost-effective techniques for financing public facilities.
 - 7. Encourage the development, use, and coordination of capital improvement plans by all levels of government.
 - 9. Identify and use stable revenue sources which are also responsive to growth for financing public facilities.

Section 187.201(20), F.S., Governmental Efficiency

- (a) *Goal* - Florida governments shall economically and efficiently provide the amount and quality of services required by the public.
- (b) *Policies* -
 - 2. Allow the creation of independent special taxing districts which have uniform general law standards and procedures and do not overburden other governments and their taxpayers while preventing the proliferation of independent special taxing districts which do not meet these standards.

5. Eliminate needless duplication of, and promote cooperation in, governmental activities between, among, and within state, regional, county, city, and other governmental units.
11. Encourage government to seek outside contracting on a competitive-bid basis when cost-effective and appropriate.

2030 Comprehensive Plan

Capital Improvements Element

Policy 1.2.2

The City shall continue to explore the feasibility of alternative financing mechanisms to facilitate the availability of public facilities. This shall include a feasibility review of dedicating a portion of the ad valorem taxes specifically for capital improvements.

Future Land Use Element

Policy 1.2.7

The City shall, through joint participation agreements, among federal, State, and local governments, and the private sector, as appropriate, identify and build needed public facilities, and allocate the costs of such facilities in proportion to the benefits accruing to each.

Intergovernmental Coordination Element

Goal 1

Coordinate the planning and policy making of the City with that of the surrounding municipalities, county, regional, State, federal and special authority governments to ensure consistency in development and in the provision of services and to implement the goals, objectives and policies of the 2030 Comprehensive Plan.

Factor 3 (Section 190.005(1)(e)3, F.S.)

Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community?

Relationship: The area of land within the proposed district appears to be of sufficient size. While the CDD is not geographically contiguous, the petition identifies a series of commonalities between the CDD Parcels allowing the development to act as one functional interrelated community.

This factor considers whether the land area to be served by a CDD can be serviced efficiently and effectively by one entity. Considerations include the geographic location of the land, its topography, underlying natural and political boundaries, etc. and all the foregoing considerations are interrelated. For example, a CDD found to be of insufficient size where located far from the urban services area may be of ideal size for an urban redevelopment or a commercial infill project.

The Department notes that this is the first Petition to Establish a CDD that is not geographically contiguous. As shown on the maps attached as exhibits to the Petition, the land area to be served by the CDD is divided into three parcels that do not share boundaries and are not contiguous. The most western parcel (Parcel West) contains 222.97 acres, the middle parcel (Parcel East 3) contains 90.08 acres, and the most eastern parcel (Parcel East 1) contains 328.43 acres. All three parcels are in the Rural Residential (RR) land use category. All three parcels are part of the Planned Unit Development (PUD) zoning district that was approved with Ordinance 2021-277-E; however, the CDD parcels do not incorporate the entire acreage designated PUD with Ordinance 2021-377-E.

After a series of discussions with the Department, the applicant provided supplemental information as “Exhibit K” of the Amended Petition in order to explain that while the parcels within the CDD are not geographically contiguous, the development will operate as one functional interrelated community. The additional information includes that all areas of the CDD will include similarly designed entry features, roadway systems, landscaping and irrigation plans, hardscape features and access to common amenities, including parks and pedestrian trails. All of the public infrastructure for the CDD will be completed and maintained as a system of public improvements. The development will have a common community theme with significant hardscape features master planned and utilized throughout the development. Additionally, the area will have a common maintenance provider for all common areas and amenities. Residents from all sections of the community will have full access to common areas and amenities located within the CDD.

According to the Petition, the CDD will allow the community to be developed and operated as a unified, functionally interrelated community through the provision of public infrastructure and services described in the Petition for the social and economic benefit of its residents.

While the land area to be serviced by the CDD is not clearly compact and contiguous, the Department notes that the analysis provided by the applicant in “Exhibit K” of the Petition, provides consideration with additional information and factors to establish that the CDD will be developed as one functional interrelated community.

As to the sufficiency of its size, the Department notes there is no statutory minimum or maximum size for a CDD. Sizes of previously established CDD range from large, multi-use villages to small, single-use infill projects.

The area of land within the proposed district appears to be of sufficient size. While the CDD is not geographically contiguous, a series of commonalities between the CDD Parcels have been identified allowing the development to act as one functional interrelated community.

Factor 5 (Section 190.005(1)(e)5, F.S.)

Whether the community development services and facilities of the CDD will be incompatible with the capacity and uses of existing local and regional community development services and facilities?

Relationship: The community development services and facilities of the Normandy CDD will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.

The limited services and facilities proposed to be facilitated by the CDD as set forth in the Petition are those which are standard and/or required for the types of residential development proposed (i.e., amenities, water, sewer, etc.). Accordingly, the Department deems that the infrastructure improvements are not incompatible with the capacity and uses of existing local and regional community development services and facilities.

7. SUPPLEMENTAL INFORMATION

Chapter 90.07(c)(6), Ordinance Code directs the report of the Department to include any other information deemed helpful.

The remaining factors, pursuant to Section 190.005(1)(e), F.S., are not required to be considered in the Department's report. However, the Council must consider all factors when determining whether to grant the Local Petition to establish the CDD. A brief explanation and the Department's review of each remaining factor is included below:

Factor 1 (Section 190.005(1)(e)1, F.S.)

Whether all statements contained within the Local Petition have been found to be true and correct?

Relationship: The statements within the local petition to establish the Normandy CDD appear to be true and correct.

The Petitioner has provided an executed and notarized statement claiming that the Petition is true and correct. Notwithstanding, the Council is not bound by these findings and may find the statements, attachments and documentation are incomplete and/or insufficient to permit fair debate, or are not adequately truthful and correct so as to permit informed consideration.

Factor 4 (Section 190.005(1)(e)4, F.S.)

Whether the CDD is the best alternative for delivering the community development services and facilities to the area that will be served by the CDD?

Relationship: The Normandy CDD would be the best alternative for delivering the community development services and facilities to the area.

This factor provides the Council with discretion concerning whether to grant the Petition and establish the CDD. Proper consideration of this factor requires that the Council consider the prospect of the CDD providing certain proposed systems and facilities to service the underlying development against other available alternatives including those both public (e.g. City's creation of a dependent special district or Municipal Service Benefit Unit, etc.) and private (e.g. homeowners association, developer funding, etc.) The Department considered these alternatives in relation to the benefits to the City and to the intended residents; the benefit to the Petitioner is presumed.

The Department has determined the CDD is the best alternative to the City and intended residents for servicing the development.

Factor 6 (Section 190.005(1)(e)2, F.S.)

Whether the area that will be served by the CDD is amenable to separate special-district government?

Relationship: The area that will be served by the Normandy CDD appears to be amendable to provide a separate special-district government.

This factor considers the land area viewed in relation as to whether it will be governed efficiently by a separate special district, the CDD. While development is contained on three separate noncontiguous parcels separated by some distance, a series of commonalities between the CDD Parcels have been identified allowing the development to act as one functional interrelated community. Therefore, the development area is amenable to a separate special district government.

8. CONSENT TO SPECIAL POWERS

The petition requests consent to the CDD's exercise of special powers as authorized in §190.012, F.S. The request for additional powers are specified for parks and recreation powers and for security powers. These powers are authorized and described by Sections 190.012(2)(a) and 190.012(2)(d), Florida Statutes.