

City of Jacksonville, Florida

Lenny Curry, Mayor

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Jacksonville, FL 32202
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August 19, 2021

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. 2021-407/Application No. L-5502-20A

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 2021-407 on August 19, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

Joshua Garrison, Chair	Aye
Dawn Motes, Vice-Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
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 13, 2021

Ordinance/Application No.: 2021-407 / L-5502-20A

Property Location: 0 Powers Avenue, between the Florida East Coast Railroad tracks to the east and Wolfson High School to the west and just north of Baker-Skinner Park.

Real Estate Number(s): 152593-0000

Property Acreage: 74.17 Acres

Planning District: District 3, Southeast

City Council District: District 5

Applicant: Wyman R. Duggan, Esquire

Current Land Use: BP (71.67 acres)
LI (2.5 acres)

Proposed Land Use: MDR

Development Area: Urban Priority Area

Current Zoning: IBP

Proposed Zoning: PUD

RECOMMENDATION: APPROVE

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To permit single family and multifamily development.

BACKGROUND

The 74.17 acre subject site is located on the east side of Powers Avenue and west of Philips Highway. Wolfson High School, Kings Trail Elementary School, and apartment complexes are to the west; tracks owned by the Florida East Coast Railroad are to the east; and the City of Jacksonville's Baker-Skinner Park is to the south. The parcel is within Planning District 3, Council District 5 and within the boundary of the Southeast Vision Plan. The applicant is proposing a future land use map amendment from Business Park (BP) and Light Industrial (LI) to Medium Density Residential (MDR) and a companion rezoning from Industrial Business Park (IBP) to Planned Unit Development (PUD). The

companion rezoning is pending concurrently with this land use amendment application pursuant to Ordinance 2021-408.

The subject site is undeveloped and currently contains mostly pine trees. Powers Avenue, a classified collector roadway, is a four lane roadway with a center turn lane and sidewalks on both sides of the road. The area west of the site across Powers Avenue is in the Public Buildings and Facilities (PBF) land use category and serves as Wolfson High School. Also west of the site and across Powers Avenue is land designated Medium Density Residential (MDR) and includes multi-family apartment units.

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

North: Land Use: L I

Zoning: PUD, I B P, I L

Property Use: Warehousing / mini-storage/ convenience store

South: Land Use: Recreation and Open Space (R O S)

Zoning: Public Buildings and Facilities-1 (PBF-1)

Property Use: Baker-Skinner Park

East: Land Use: Heavy Industrial (H I)

Zoning: Industrial Heavy (I H)

Property Use: Florida East Coast Railroad tracks

West: Land Use: PBF and MDR

Zoning: PBF-1 and Residential Medium Density-D (RMD-D)

Property Use: High School and Multi-Family Housing

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Where there is not an associated site specific policy or note on the Annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	Powers Avenue - Collector Roadway	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Vacant / undeveloped	Proposed: Single and Multifamily Development
Land Use / Zoning	Current: LI/IL	Proposed: MDR/PUD
Development Standards for Impact Assessment	Current: Scenario 1: BP (71.67 acres / 3,121,945.2 sq. ft.) at 0.35 FAR and LI (2.5 acres / 108,900 sq. ft.) at 0.40 FAR Scenario 2: BP at 80% residential at 30 units/acre and 20% non-residential at 0.35 FAR. LI at 0.40 FAR	Proposed: 15 dwelling units per acre
Development Potential	Current: Scenario 1: 1,092,680.82 sq. ft. of BP Uses 43,560 sq. ft. of LI uses Scenario 2: BP: 1,720 dwelling units and 218,536.16 sq. ft LI: 43,560 sq.ft	Proposed: 1,112 DU
Net Increase/Decrease in Potential Floor Area	Scenario 1: Decrease of 1,136,240.82 sq. ft. Scenario 2: Decrease of 262,096.16 sq. ft.	
Net Increase/Decrease in Maximum Density	Scenario 1: Increase of 1,112 dwelling units Scenario 2: Decrease of 608 dwelling units	
Population Potential	Current: Scenario 1: None Scenario 2: 4,042 people	Proposed: 2,613 people
Special Designation Areas		
Aquatic Preserve	Not applicable	
Septic Tank Failure Area	Not applicable	
Airport Environment Zone	300' Height Restriction Zone (Naval Air Station Jacksonville)	
Industrial Preservation Area	Not applicable	

Development Analysis	
Cultural Resources	Not applicable
Archaeological Sensitivity	Low, Medium, and High
Historic District	Not applicable
Coastal High Hazard/Adaptation Action Area	Not applicable
Groundwater Aquifer Recharge Area	Discharge
Wellhead Protection Zone	3 JEA wellheads are located on site
Boat Facility Siting Zone	Not applicable
Brownfield	Not applicable
Public Facilities	
Potential Roadway Impact	Scenario 1: 0 net new daily trips Scenario 2: 0 net new daily trips
Potential Public School Impact	Increase of 369 students
Water Provider	JE A
Potential Water Impact	Scenario 1: Increase of 183,151 gpd Scenario 2: Decrease of 159,705.6 gpd
Sewer Provider	JE A
Potential Sewer Impact	Scenario 1: Increase of 137,363 gpd Scenario 2: Decrease of 119,779.2 gpd
Potential Solid Waste Impact	Scenario 1: Decrease of 631.1 tons per year Scenario 2: Decrease of 2393 tons per year
Drainage Basin/Sub-basin	St.Johns River/Goodbys Creek
Recreation and Parks	Baker-Skinner Park, Wolfson High School Pool
Mass Transit Access	Route 50 – Powers Avenue
Natural Features	
Elevations	11-34 feet above mean sea level
Land Cover	1400: Commercial and Services; 1860: Community Recreational Facilities; 4410: Pine Plantation; 4430: Forest Regeneration; 8120: Railroads
Soils	38: Mascotte Fine Sand; 66: Surrency Loamy Fine Sand; 69: Urban Land
Flood Zones	Flood Zone A (1% annual flood chance)
Wetlands	Wet Pine Plantation: 0.17 acre; Upland-Cut Ditches: 2.44 acres; Chinese Tallow: 0.22 acre; Wet Field: 0.10 acre; Category III wetlands As provided by applicant
Wildlife (applicable to sites greater than 50 acres)	See wildlife report on file with the Planning and Development Department

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).

According to the application, the site will utilize JEA water and sewer services. A JEA Availability letter will be submitted with the companion rezoning application at the adoption round of this land use amendment.

Future Land Use Element

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

Transportation

The Planning and Development Department completed a transportation analysis (on file) and determined that the proposed amendment in both scenarios will result in no net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site 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

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.

The subject site is accessible via Powers Avenue, a collector facility. Although there is zero net external trips the project is generating significant daily trips and the Transportation Planning Division recommends ongoing coordinating efforts with the Traffic Engineer 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

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 74.14 acre proposed land use map amendment has a development potential of 1,112 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.

The available seats in the CSA and adjacent CSAs include concurrency reservations.

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

- Elementary School
 - Concurrency Service Area (CSA): 4
 - 2020/2021 enrollment: 6,802
 - Current utilization: 80%
 - New student development from amendment: 185
 - 5-year utilization: 100%
 - Available seats in CSA 4: 600
 - Available seats in adjacent CSAs 3 and 5: 1,798
- Middle School
 - CSA 4
 - 2020/2021 enrollment: 4,005
 - Current utilization: 82%
 - New student development from amendment: 81
 - 5-year utilization: 85%
 - Available seats in CSA 4: 360
 - Available seats in adjacent CSAs 3 and 5: 259
- High School
 - CSA 5
 - 2020/2021 enrollment: 7,615
 - Current utilization: 98%
 - New student development from amendment: 103
 - 5-year utilization: 98%
 - Available seats in CSA 4: -761
 - Available seats in adjacent CSAs 3 and 5: -136

The analysis of the proposed residential development shows a deficiency for school capacity within the CSA. Capacity issues will be reviewed and processed through the City's 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

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.

- Kings Trail Elementary School (ES #203)
 - CSA 4
 - Amendment student generation: 185
 - School capacity including permanent spaces and portables: 571
 - Current enrollment 20 day count for 2020/2021: 313
 - Percent occupied: 55%
 - 4-year projection: 71%
- Alfred I. DuPont Middle School (MS #66)
 - CSA 4
 - Amendment student generation: 81
 - School capacity including permanent spaces and portables: 1071
 - Current enrollment 20 day count for 2020/2021: 720
 - Percent occupied: 67%
 - 4-year projection: 72%
- Samuel W. Wolfson High School (HS #224)
 - CSA 4
 - Amendment student generation: 103
 - School capacity including permanent spaces and portables: 1281
 - Current enrollment 20 day count for 2020/2021: 856
 - Percent occupied: 67%
 - 4-year projection: 63%

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.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Naval Air Station Jacksonville. 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.

Well Head Zone

Three JEA wellheads are located in proximity to the site. Additional information has been provided by JEA concerning, among other things, access, standard distancing requirements, and a request for the developer to contact the JEA Real Estate Group and the JEA Development Group about JEA's requirements for the project based on proximity to the wells. The full comments provided by JEA are included at the back of this report.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.3 The City shall implement the Wellhead Protection Ordinance to protect its potable water supply source. Improperly constructed or maintained Hawthorne Group and Floridan Aquifer private wells in proximity to a Public Potable Water well within Duval County are potentially harmful to the drinking water supply of the City of Jacksonville. A Pathway Focused Approach to prevent migration of contamination from the shallow aquifer into the Floridan aquifer is reasonable and prudent to protect public water supplies. The intent of this policy is to protect and safeguard the health, safety and welfare of the residents of Duval County by establishing a Pathway Focused Approach to wellhead protection that safeguards the Floridan Aquifer from intrusion of any contaminants that may jeopardize present and future public water supply wells.

Within Wellhead Protection Areas, the following shall apply:

1. Within a 500-foot radius around an existing Public Potable Water well, those actions and uses established by the Florida Department of Environmental Protection in Rule 62-521.400, Fla. Admin. Code shall be prohibited.
2. Pursuant to Chapter 366 City of Jacksonville Municipal Code, no existing private wells shall be deepened and no new wells shall be constructed within designated Wellhead Protection Areas that penetrate a portion of the Hawthorne Group or the Floridan Aquifer without first obtaining a well construction permit from the City of Jacksonville Environmental Quality Division (EQD) as provided in Environmental Protection Board Rule 8 and including a review of areas of known contamination at or near the proposed or existing well location. All new wells within such areas must be fully grouted.
3. Pursuant to Chapter 366 City of Jacksonville Municipal Code, abandonment of existing wells shall be in accordance with applicable SJRWMD requirements and a copy of the plugging and abandonment report shall be submitted to the EQD.

Policy 1.3.1 The city has adopted and implemented a wellhead protection program in accordance with Subsection 1428(a) of the Safe Drinking Water Act and in conjunction with the FDEP, SJRWMD, USGS and related agencies.

Flood Zones

Approximately 14.8 acres of the subject site is located within the A flood zone along the eastern and southern boundaries of the site. 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 on average 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 A flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

Policy 1.4.4 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.

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.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the applicant that indicates the 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.

Wetlands Characteristics:

Approximate Size: 2.93 Acres

General Location(s): Category III wetlands are small isolated pockets located within the interior of the site.

Quality/Functional Value: The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation, size and/or the lowering of the hydro-period due to nearby site grading or drainage/retention improvements. In addition the wetland has no clear or significant impact on the City's waterways.

Soil Types/
Characteristics: Surrency loamy fine sand, depressional (66) – This soil series consists of nearly level, very poorly drained soils and are formed in thick sandy and loamy marine sediments. The soils occur in depressions and are subject to frequent flooding for brief periods. The soils are moderately permeable and moderately slowly permeable. The water table is usually at or above the soil surface for very long periods. Slopes are concave and range from 0 to 2 percent.

Wetland Category: Category III

Consistency of Permitted Uses: All permitted uses. Must meet CCME Policies 4.1.3 and 4.1.6

Environmental Resource Permit (ERP): Not provided by the applicant

Wetlands Impact: The companion PUD and site plan will be evaluated for compliance with wetlands policies at the adoption round of this land use amendment.

Associated Impacts: A flood zone is found along the eastern and southern boundaries of the property. However, this flood zone does not appear to be associated with the Category III wetlands on site.

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

CCME 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.

CCME Policy 4.1.6

The permitted uses within Category III 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) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

- (a) Silvicultural uses, 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.

(b) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

(2) Any use that 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.

Wildlife

The applicant submitted an Environmental Narrative Report identifying habitat types and wildlife survey results of the site.

According to the report, the wood stork and other listed wading birds are known to forage in certain wetland habitats throughout this part of Duval County. However, the wetlands do not contain standing water for long enough duration to support the prey species preferred by wood storks and other listed wading birds, such as tadpoles, minnows and crayfish. No wood storks or other listed wading birds have ever been observed on the subject property. Additional information and details are included in the Environmental Narrative on file with the Planning and Development Department.

Conservation Coastal Management Element

Policy 3.5.5 The City shall maintain a land development review process for the assessment and protection of listed species and their habitat, which shall apply to issuance of development permits and land clearing, excluding bona fide silvicultural and agricultural activities. Projects which contain areas identified for protection shall be required to incorporate creative project designs through utilization of such measures as clustering, mixed land use designations and transfer of development rights programs. For purposes of Policy 3.5.5, the term listed species shall be limited to listed animal species as defined in the Definitions Section of this Element.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on January 8, 2021 the seventeen (17) required notices of public hearing signs were posted. Sixteen (16) 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 January 19, 2021. Two members of the public were in attendance and spoke regarding impacts to the nearby schools and the added traffic congestion on Powers Avenue.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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.

- 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 the 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 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 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.
- Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.
- Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
- Policy 1.2.9 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 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

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.

Pending Property Rights Element (Ordinance 2021-334)

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

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

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

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

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

According to the Category Description of the Future Land Use Element (FLUE), the BP Future Land Use category is intended to accommodate commercial office and light industrial uses. Commercial offices should comprise the majority of the category land area, while service, major institutional and light industrial uses constitute the remaining land area. Residential uses are also permitted in appropriate locations as identified under the Development Area uses.

The L I Future Land Use Category is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial on residential areas such

as noise, odor, toxic chemicals and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The Medium Density Residential (MDR) land use category in the Urban Priority Area is intended to provide compact medium to high density mixed use development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The proposed MDR land use category is consistent with the adjacent and nearby residential uses in the surrounding neighborhood and creates a logical and compatible land use pattern that provides a transition between the abutting HI and LI uses and the surrounding neighborhood. The subject site is located in the Southeast Planning District and in an area with access to full urban services. The land development pattern of the larger area around the site is one of multi-family residential, warehousing/mini-storage, a public high school, a park and neighborhood scale commercial. Access to the site is from Powers Avenue; the proposed change to MDR is more appropriate and compatible with the character of the adjacent and abutting uses fronting the Powers Avenue corridor including the adjacent school and multi-family uses, and the abutting park and single-family uses south of the site. Given the balanced combination and compatibility of uses in the area and the infrastructure, utilities and public facilities that serve the site, the proposed amendment is consistent with the MDR Future Land Use Category preference for new designations and with FLUE Goal 3 and Objectives 1.1 and 6.3 and Policies 1.1.10, 1.1.22 and 1.2.9.

The proposed land use amendment to the MDR category would allow for the development of residential units which would accommodate new residents to the area and supply additional housing prospects, consistent with FLUE Objective 3.1 and Policies 1.1.5, 1.1.21 and 3.1.6. The companion PUD rezoning, Ordinance 2021-408, fulfills FLUE Policy 1.1.12, and in doing so, provides for an opportunity for innovative site planning and development strategies that integrate the proposed residential development into this area.

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.

Southeast Vision Plan

The application site lies within the Southeast Vision Plan area. Guiding Sub-Principle 2.1 states "Provide For and Promote Compatible Mixed-Use Development, Infill and Redevelopment in Stable and Declining Areas and Create a Range Of Housing

Opportunities and Choices, Where Appropriate.” The proposed land use change to Medium Density Residential (MDR) provides the opportunity to encourage infill development while offering new housing opportunities to the area, thereby illustrating the proposed land use amendment’s consistency with the Southeast Jacksonville Vision Plan and FLUE Policy 4.1.8B.

Future Land Use Element

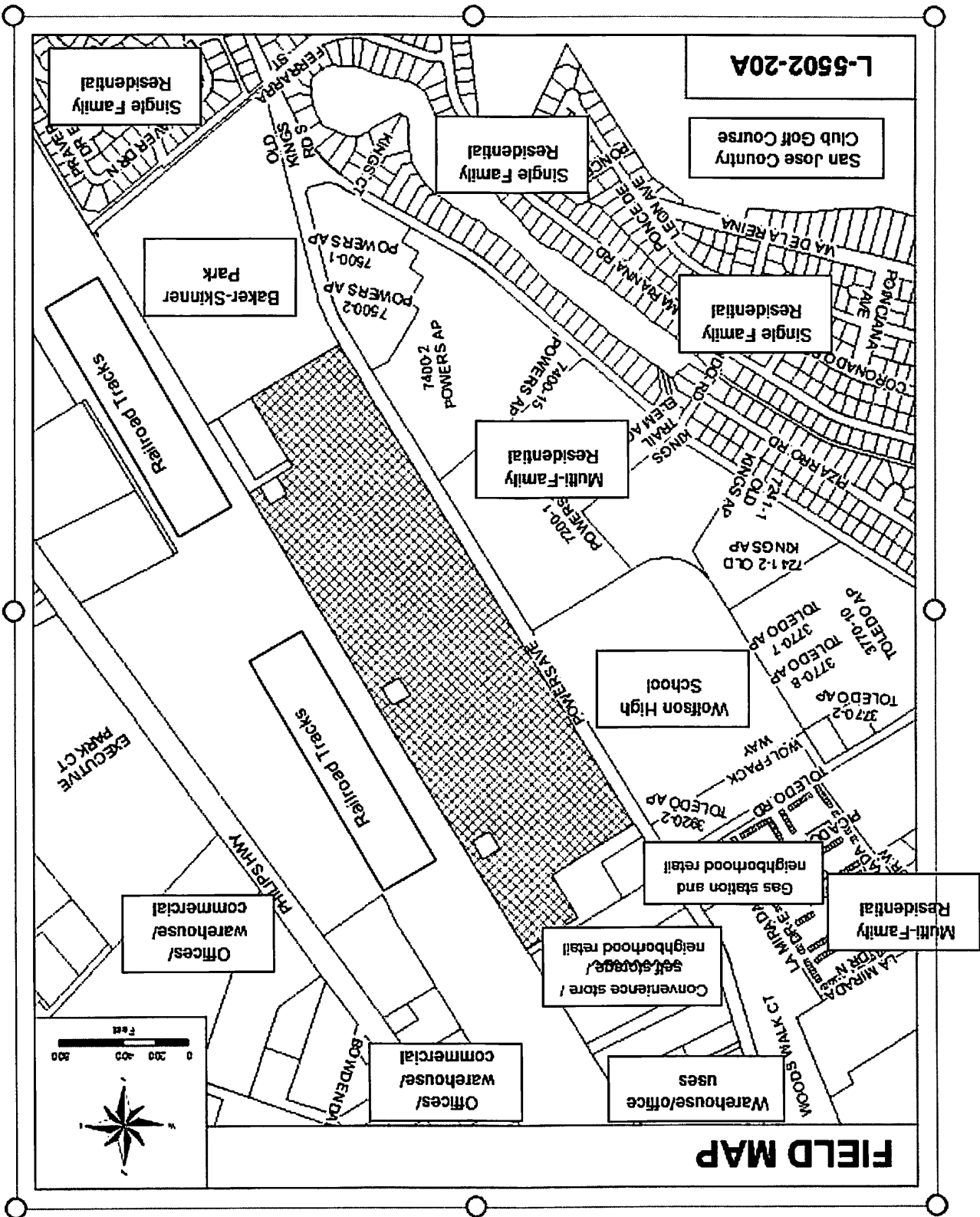
Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area’s vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

Strategic Regional Policy Plan

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

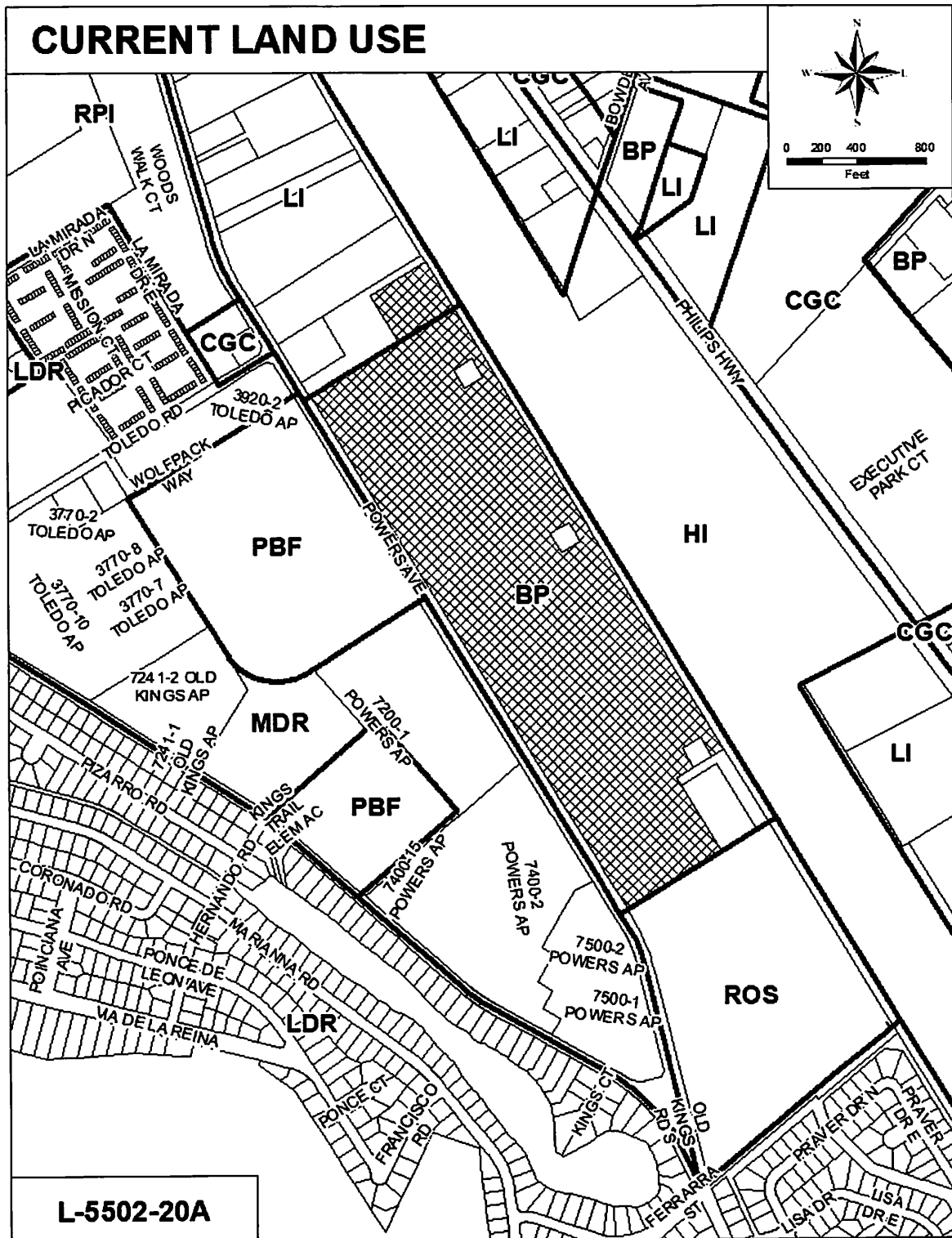
Policy 21: The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment is consistent with Policy 21 of the Regional Health section of the Northeast Florida Regional Council’s Strategic Regional Policy Plan as it would provide an additional housing choice in the area and would provide infill in an already developed area of the northeast Florida region.



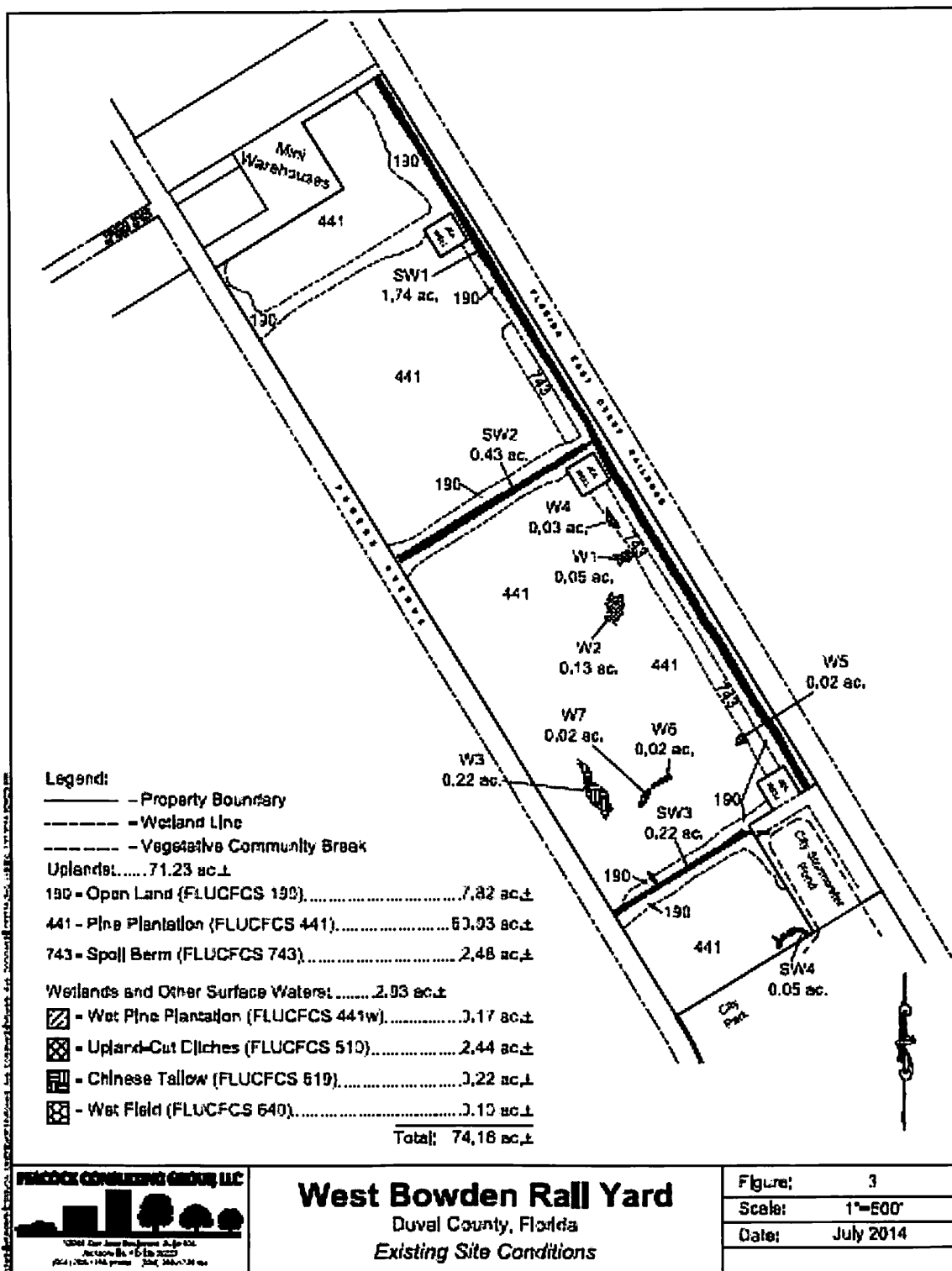
LAND UTILIZATION / FIELD MAP

CURRENT LAND USE



WETLAND MAP

Provided by the Applicant



WELLHEAD ADDITIONAL INFORMATION

Parola, Helena

From: West, Susan R. - Consulting Engineer <westsr@jea.com>
Sent: Friday, January 8, 2021 5:21 PM
To: Parola, Helena; Kelly, Susan
Subject: RE: Request for Review of Land Use Application L-5502-20A

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Please see below. Let me know if you need additional information. Thanks!

Three (3) JEA wellheads are located in proximity to the subject parcel. As the JEA owned wellhead properties are mostly surrounded by the subject property, JEA obtained permanent unobstructed rights for ingress and egress over the subject property for access to the wellheads. In addition, the wellheads are connected by a 24" raw water main which is located within the subject property along the easterly property line.

The development will need to meet standard distancing requirements from both the well heads and the raw water main in accordance with Florida Department of Environmental Protection and JEA Standards. Of particular concern will be the distance between the JEA infrastructure and any above ground structures, subsurface utilities, stormwater management facilities, landscape, fencing and other such improvements. In addition, any improvements planned over the raw water main will need to be reviewed and approved by JEA. Access to the JEA wellhead properties and raw water main will need to be maintained throughout any construction activities and permanent access features will require JEA approval. Final access to the JEA infrastructure will need to be unobstructed and capable of being utilized by large operation and maintenance vehicles.

We recommend that the developer contact the JEA Real Estate Group and the JEA Development Group early in the planning and design process to discuss the existing easements, temporary and permanent access requirements, and proposed development improvements. Any modifications to the existing easements will require approval by the JEA Real Estate Group. Construction plans will need to be submitted for review and approval by the JEA Development Group. JEA is accepting online submittals for review and is conducting virtual predesign meetings. Information regarding the plan submittal process may be found at https://www.jea.com/water_and_wastewater_development/.

Susan R. West, PE
Consulting Engineer
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