



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
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Jacksonville.gov

January 18, 2024

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2023-536**                      **Application for: Biscayne Blvd Apartments PUD**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation:   **Approve with Conditions**

Planning Commission Recommendation:                      **Approve with Conditions**

This rezoning is subject to the following exhibits:

- 1. The original legal description dated October 24, 2023**
- 2. The revised written description dated December 18, 2023**
- 3. The original site plan dated October 17, 2023**

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

- 1. The development shall be limited to a maximum of 107 Units in order to comply with the density limits of the proposed Residential Medium Density land use Category.**
- 2. Any and all development within the PUD shall be required to submit for verification of substantial compliance.**

Planning Department conditions:

1. **The development shall be limited to a maximum of 107 Units in order to comply with the density limits of the proposed Residential Medium Density land use Category.**
2. **Any and all development within the PUD shall be required to submit for verification of substantial compliance.**

Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners. The Commissioners indicated that if the applicant submits a revised legal description, Condition #1 can be deleted. The Department has no objection.

Planning Commission Vote: **7-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Absent
Mark McGowan, Secretary	Aye
Lamonte Carter	Absent
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Aye
Ali Marar	Aye
Jack Meeks	Aye

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

Sincerely,



Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2023-0536 TO**  
**PLANNED UNIT DEVELOPMENT**

**JANUARY 18, 2024**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2023-0536** to Planned Unit Development.

***Location:*** 10939 Biscayne Boulevard; 0 Dunn Avenue  
Between Mar Vic Lane and Yelford Circle

***Real Estate Number(s):*** 044176-0050; 044155-0200

***Current Zoning District(s):*** Residential Low Density-100A (RLD-100A)  
Residential Medium Density-C (RMD-C)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Low Density Residential (LDR)  
Medium Density Residential (MDR)

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Council District:*** District 8

***Planning District:*** North, District 6

***Applicant/Agent:*** Wyman Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** Dunn Avenue Holdings LLC  
4025 Sunbeam Road  
Jacksonville, Florida. 32257

***Staff Recommendation:*** **APPROVE with CONDITION**

### **GENERAL INFORMATION**

Application for PUD Rezoning 2023-0536 seeks to rezone 5.4 acres from Residential Low Density-100A (RLD-100A) and Residential Medium Density-C (RMD-C) to Planned Unit Development to permit Multi-Family Development. The subject parcels are currently vacant, the applicant is seeking to rezone the site to permit multi-family residential development with up to 20 units an area.

The PUD differs from the standard RMD-D Zoning Category by allowing for an increase in maximum lot coverage from 50% to 55%, an increase from the maximum height of 35 feet to 45 feet, and also allows for additional parking to be allowed over the maximum of part 6 of the Zoning code if the developer deems it necessary.

The rezoning is a companion application to a Small Scale Land Use Amendment 2023-0535 which is seeking to change the land use category on the subject site from Low Density Residential (LDR) to Medium Density Residential (MDR). The department is also recommending approval on the Small Scale Amendment.

### **CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

#### ***(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?***

Yes. The request is to rezone from Residential Low Density - 100A (RLD 100-A) and Residential Medium Density – C (RMD-C) to PUD to permit a multifamily residential development.

The 5.40 of an acre subject site is undeveloped and located along the east side of Biscayne Boulevard, a collector road, between Mar Vic Lane and Yelford Circle, both unclassified roads. The site is also located in the Suburban Development Area, Planning District 6 and Council District 8.

A 0.97 of an acre portion of the rezoning is subject to companion Land Use Amendment L-5831-23C, which seeks to amend the portion of the site from LDR to MDR.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas.

Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. 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. Development within the category should be compact and connected and should support multi-modal transportation. The maximum gross density in the Suburban Area, when abutting LDR, shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre.

The PUD written description is proposing a development with a density of 20 DUs/Acre, and is therefore consistent with the MDR land use category. According to the land use table, the site appears to meet the recreation requirements outlined in the Recreation and Open Space Element. **However, it should be noted that the Site Plan shows an acreage of 5.38 acres and 108 dwelling units, which exceeds the maximum density allowed in LDR by 1 unit, and is inconsistent with the Written Description.**

***(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan:

**Objective 1.6** 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.

**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 residents. 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 Comprehensive Plan and Land Development Regulations.

***(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?***

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

***(1) Consistency with the 2030 Comprehensive Plan***

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Medium Density Residential (MDR). There is a companion Application for Small Scale Land Use Amendment to the Future Land use Map Series L-5831-23C (Ordinance 2023-0535) that seeks to amend the portion of land that is within the Low Density Residential (LDR) land use category to Medium Density Residential (MDR). The Planning and Development Department finds that the proposed PUD is consistent with the 2045 Comprehensive Plan, as evaluated in Criteria (B).

***(2) Consistency with the Concurrency Mobility and Management System***

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

Transportation Planning Division comments to be included in staff report:

This development is subject to mobility fee review and Pursuant to Policies 4.1.4, 4.1.5, and 4.1.8 of the Transportation Element of the 2045 Comprehensive Plan.

***(3) Allocation of residential land use***

This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

***(4) Internal compatibility***

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The subject site will utilize a singular driveway entrance from Biscayne Boulevard which will open up to a large vehicle use area that surrounds the proposed apartment units.
- The use and variety of building setback lines, separations, and buffering: The proposed project will be built with 7 buildings built into two parallel rows with a vehicle use area on the outside and between the two rows.
- The separation and buffering of vehicular use areas and sections of vehicular use areas: The appropriate landscape buffers are shown between the different drive aisles and neighboring properties.

***(5) External Compatibility***

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

- The type, number and location of surrounding external uses: The subject property is surrounded on two sides by limited access roadways, a retention pond and woods. There is a small conveniences store and filling station and low intensity commercial development. The proposed development is not expected to create any adverse impacts to the surrounding area
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	LDR/MDR	RR-Acre/ RMD-C	Vacant Residential
<b>South</b>	LDR/MDR	RLD-100A/ RMD-C	Single Family Residential/ Medium Density Residential
<b>East</b>	MDR	RMD-C	Vacant Residential
<b>West</b>	MDR	RLD-100A/ PUD	Undeveloped/ Single Family Residential

***(6) Intensity of Development***

The proposed development is consistent with the proposed Medium Density Residential (MDR) functional land use category as a multi-family development. The PUD is appropriate at this location because it will offer alternative housing options.

- The existing residential density and intensity of use of surrounding lands: The surrounding area is developed with both single family and multi-family uses. Additionally, there are other vacant properties in the area which are zoned for multi-family residential that could potentially be developed in the future.
- The availability and location of utility services and public facilities and services: JEA indicates there are water and sewer mains within the Biscayne Boulevard right of way.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The City’s Traffic Engineer and Transportation Division have reviewed the proposal and left the following comments:

The subject site is approximately 5.40 acres and is accessible by Biscayne Blvd, a collector facility. Biscayne Blvd between Dunn Ave and Duval Rd is currently operating at 73.2%

of capacity. This segment currently has a maximum daily capacity of vehicles per day 10,344 (vpd) and average daily traffic of 7,576 vpd.

This PUD is a companion to pending small-scale land use application L-5831-23C (2023-0535). The applicant requests 108 dwelling units of multi-family (ITE Code 220), which could produce 728 daily trips.

***(7) Usable open spaces plazas, recreation areas.***

The project will be developed with the required amount of open space and recreation area per Section 656.420 of the Zoning Codes.

***(8) Impact on wetlands***

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

***(9) Listed species regulations***

No wildlife survey was required as the project is less than the 50-acre threshold.

***(10) Off-street parking including loading and unloading areas.***

The site will be developed in accordance with Part 6 of the Zoning Code, however if any additional parking is needed the PUD request that the owner and developer shall be able to add it if necessary.

***(11) Sidewalks, trails, and bikeways***

The project will contain a pedestrian system that meets the 2045 Comprehensive Plan.



### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 11, 2023, the required Notice of Public Hearing sign was posted.



### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2023-0536** be **APPROVED with the following exhibits:**

1. The original legal description dated October 24, 2023
2. The original written description dated November 9, 2023
3. The original site plan dated October 17, 2023

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-0536** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

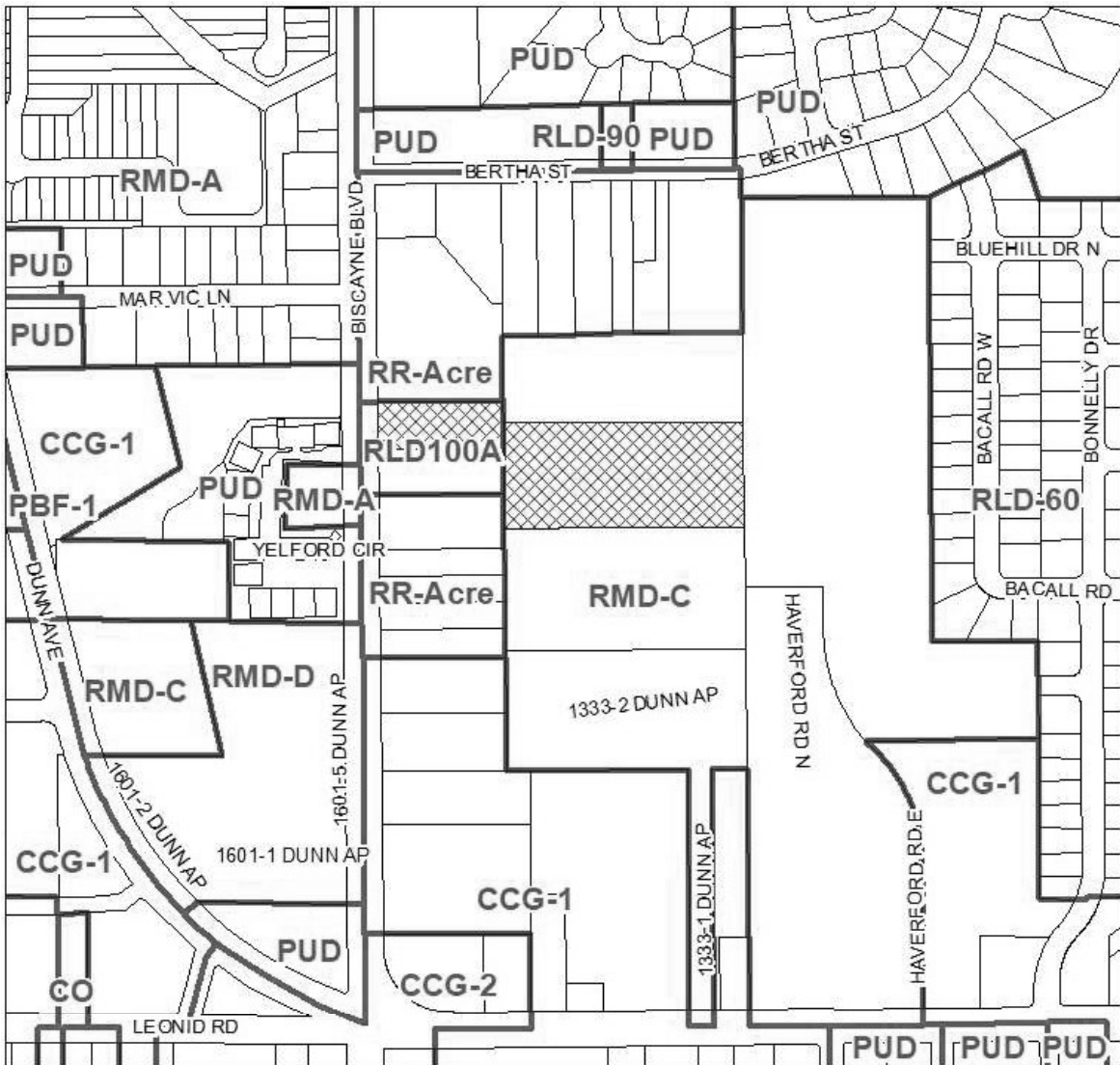
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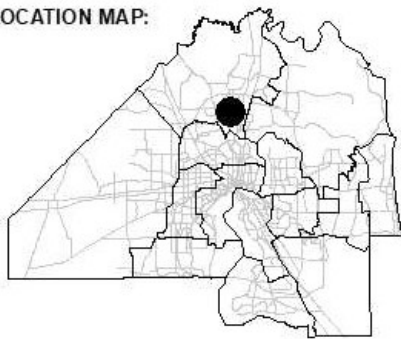
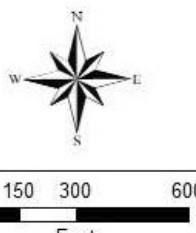


Aerial View



View of the Subject Site



<p>REQUEST SOUGHT:</p> <p><b>FROM: RLD-100A &amp; RMD-C</b></p> <p><b>TO: PUD</b></p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER:</p> <p><b>ORD-2023-0536</b></p>	<p>TRACKING NUMBER</p> <p><b>T-2023-4974</b></p>	<p>COUNCIL DISTRICT:</p> <p><b>8</b></p> <p><b>EXHIBIT 2</b>  <b>PAGE 1 OF 1</b></p>

Legal Map