



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning Department
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Jacksonville, FL 32202
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September 18, 2025

The Honorable Kevin Carrico
The Honorable Joe Carlucci, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2025-0628 Application for: McMillan Avenue Apartments PUD

Dear Honorable Council President Carrico, Honorable Council Member and LUZ Chairperson Carlucci 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 Department Recommendation: **Deny**

Planning Commission Recommendation: **Approve w/ Conditions**

- 1. Linen supply, freight movers, business machine services, service and repair of general appliances and small engines, and mobile care detailing services shall be prohibited.**
- 2. Sign Companies shall be limited to a maximum of 5,000 square feet of gross floor area.**
- 3. The east side of buildings along Rutledge Avenue shall be limited to a maximum of 20 feet in height.**

This rezoning is subject to the following exhibits:

1. The Original Legal Description dated May 21, 2025.
2. The Original Written Description dated May 6, 2025.
3. The Original Site Plan dated May 27, 2025.

Planning Commission Commentary: There were no speakers in opposition. The commission had no concerns for the proposed development with the removal of a select few uses and limitation of proposed heights of structures along the Rutledge Avenue ROW.

Planning Commission Vote:	6-0
Mark McGowan, Chair	Aye
Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Charles Garrison	Aye
Ali Marar	Absent
Dorothy Gillette	Aye
D.R. Repass	Absent

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Abney', with a stylized, flowing script.

Erin L. Abney, MPA

Chief, Current Planning Division
Planning Department
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(904) 255-7817; EAbney@coj.net

REPORT OF THE PLANNING DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2025-0628 TO
PLANNED UNIT DEVELOPMENT

SEPTEMBER 18, 2025

The Planning Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2025-0628** to Planned Unit Development.

<i>Location:</i>	5713 Moncrief Road, between Rowe Avenue and Rutledge Avenue
<i>Real Estate Number(s):</i>	026276-0010
<i>Current Zoning District(s):</i>	Residential Low Density-60 (RLD-60) Commercial Community General-2 (CCG-2)
<i>Proposed Zoning District:</i>	Planned Unit Development (PUD)
<i>Current Land Use Category:</i>	Low Density Residential (LDR) Community General Commercial (CGC)
<i>Current Land Use Category:</i>	Community General Commercial (CGC)
<i>Planning District:</i>	Northwest, District 5
<i>Council District:</i>	District 10
<i>Applicant/Agent:</i>	Michael Herzberg 12483 Aladdin Road Jacksonville Florida 32223
<i>Owner:</i>	TNY Investment Corp 6501 Arlington Expressway Jacksonville Florida 32211
<i>Staff Recommendation:</i>	DENY

GENERAL INFORMATION

Application for Planned Unit Development **2025-0628** seeks to rezone approximately 7.49 acres of land from Residential Low Density-60 (RLD-60) and Commercial Community General-2 (CCG-2) to PUD. The rezoning to PUD is being sought to expand the commercial footprint of the

site, while adding warehouse uses. The PUD differs from the standard Zoning Code by restricting the allowed uses that are found within the CCG-2 Zoning District, and would allow for uses such as freight movers, Linen Supply, and Business Machine Services which are only permitted in the Industrial Land Use Categories..

There is a companion small scale Land Use Amendment (**2024-0627/ L-6061-25C**), which seeks to amend the 5.35 acre portion of the site that is in the Low Density Residential (LDR) land use category to Community/General Commercial (CGC).

Staff does not find the PUD and Small Scale Land Use amendment to be appropriate, or compatible with the surrounding area as the proposed would be expanding the commercial uses further from Moncrief Road into an established residential area.. Directly northeast and south east of the subject site are single family homes which today are significantly buffered from the commercial uses, the proposed application will now expand this commercial space leaving a minimal buffer and no transition between the heavy commercial uses and residential uses.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning 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 2045 Comprehensive Plan?

No. The 7.49-acre subject site is located at 5713 Moncrief Road, a collector roadway, between Rowe Avenue and Rutledge Avenue, both local roadways. The site is in Planning District 5 (Northwest) and Council District 10. The applicant seeks to rezone the site from CCG-2 and RLD-60 to PUD. The companion land use amendment application is pending concurrently with this rezoning application, pursuant to Ordinance 2025-627, to change the land use category from MDR to CGC. The portion of the site subject to the rezoning request in the CGC land use category and the CCG-2 zoning district is not a part of the land use amendment. The total acreage for the land use amendment is 5.35 acres. The total acreage for the rezoning application is 7.49 acres.

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. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods.

CGC in the Urban Priority Area is intended to promote the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and

redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. Vertical integration of a mix of uses is encouraged. The maximum gross density in the UPA shall be 60 units / acre and the minimum gross density shall be 20 units / acre, except:

- In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in this category shall be the same as allowed in Medium Density Residential (MDR) without such services.

Uses allowed in the CGC land use category include commercial retail sales and service, including auto sales and funeral homes. It also includes restaurants, hotel and motels, financial institutions, and commercial recreational and entertainment facilities.

The following uses in the PUD written description are Inconsistent with the proposed CGC land use category:

Linen Supply,
Freight Movers,
Business Machine Services,
Sign Companies, and
Similar uses.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?

No. This proposed rezoning to Planned Unit Development is **inconsistent** with the 2045 Comprehensive Plan, and does not further the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Goal 1 To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

The applicant is proposing a commercial warehouse park in a predominantly residential area. These uses are allowed in the CCG-2 Zoning District and CGC Land Use, however, staff has concerns that these uses are too intense to encroach into the residential area and will not protect the health, safety, and welfare of the abutting residents.

Policy 3.1.2 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.

The proposed uses are allowed by exception in the CCG-2, which is one of the City's most intense zoning categories. Approval of this rezoning would not allow for a gradual transition and appropriate buffering for the surrounding residential area from this intense use.

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

If approved, 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.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2045 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 category as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Community General Commercial (CGC). The Planning and Development Department finds that even with the proposed small-scale land use amendment (**2025-0627/L-6061-25C**), the proposed PUD is **inconsistent** with the 2045 Comprehensive Plan, as evaluated in Criteria (A) and (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.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for commercial uses. This proposed development would 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 **inconsistent** 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 use of existing and proposed landscaping: All of the landscaping is proposed to be in the buffer areas around the site, but will not be provided within the vehicle use area via terminal islands.
- The particular land uses proposed and the conditions and limitations thereon: The applicant proposes uses primarily found in CCG-2 with the removal of the most intense uses from that district, but does not provide any restrictions on the permitted uses that are allowed, which are not compatible with the surrounding residential uses.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning Department finds that external compatibility is **not achieved** by the following:

- The type, number and location of surrounding external uses: The surrounding area around the existing residential portion of the parcel, are residential in character with a commercial corridor along Moncrief Road. The PUD is introducing an intensive commercial use to the predominately residential area.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR/CGC	RLD-60/CCG-2	Single family dwellings/ Vacant Residential
South	MDR/CGC	RLD-60/CCG-2	Single family dwellings
East	MDR	RLD-60	Single family dwellings
West	MDR/CGC	RLD-60/CCG-2 / RMD-B	Single family dwellings, Bar

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a commercial warehouse park. The PUD is **inappropriate** at this location because the proposed uses are incompatible and too intense for the surrounding area.

- The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: Per the submitted written description, the applicant will be required to provide a 10-foot uncomplimentary land use buffer along the east and south property boundaries. However, Staff finds that the proposed use will still have negative affects on the surrounding residences given the intense nature of the proposed development, and the objectionable noise, vibrations, and fumes associated with automobile wrecking.
- The existing residential density and intensity of use of surrounding lands: There are single family dwellings to the north, south, east and west. While there is some commercial found

to the north and west of the subject property, the area is predominantly residential in character to the east.

- Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety: These uses are allowed in the CCG-2 Zoning District and permitted in the IL Zoning District. Staff finds the expansion of the area of these uses to be too intense and have the potential to be harmful to the surrounding residential area.
- The City's Transportation Division reviewed the potential impact of the development and provided the following information: The subject site is approximately 7.49 acres and is located on Moncrief Road, a collector roadway. Moncrief Road between Golfair Boulevard and Edgewood Avenue is currently operating at 41% of capacity. This segment currently has a maximum daily capacity of vehicles per day of 40,800 (vpd) and average daily traffic of 16,591 vpd. The applicant requests 113,175 SF of Office/Warehouse (ITE Code 152) which could produce 247 daily trips. The applicant requests 113,175 SF of Office (ITE Code 710) which could produce 886 daily trips.

(7) Usable open spaces plazas, recreation areas.

The project is not required to provide open space or a recreation area for commercial/industrial use.

(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 identify wetlands on-site. Any Development in these area will be required to comply with all Local, State, and Federal regulations.

(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, with the exception of the requirements of vehicle use area terminal islands.

(11) Sidewalks, trails, and bikeways

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

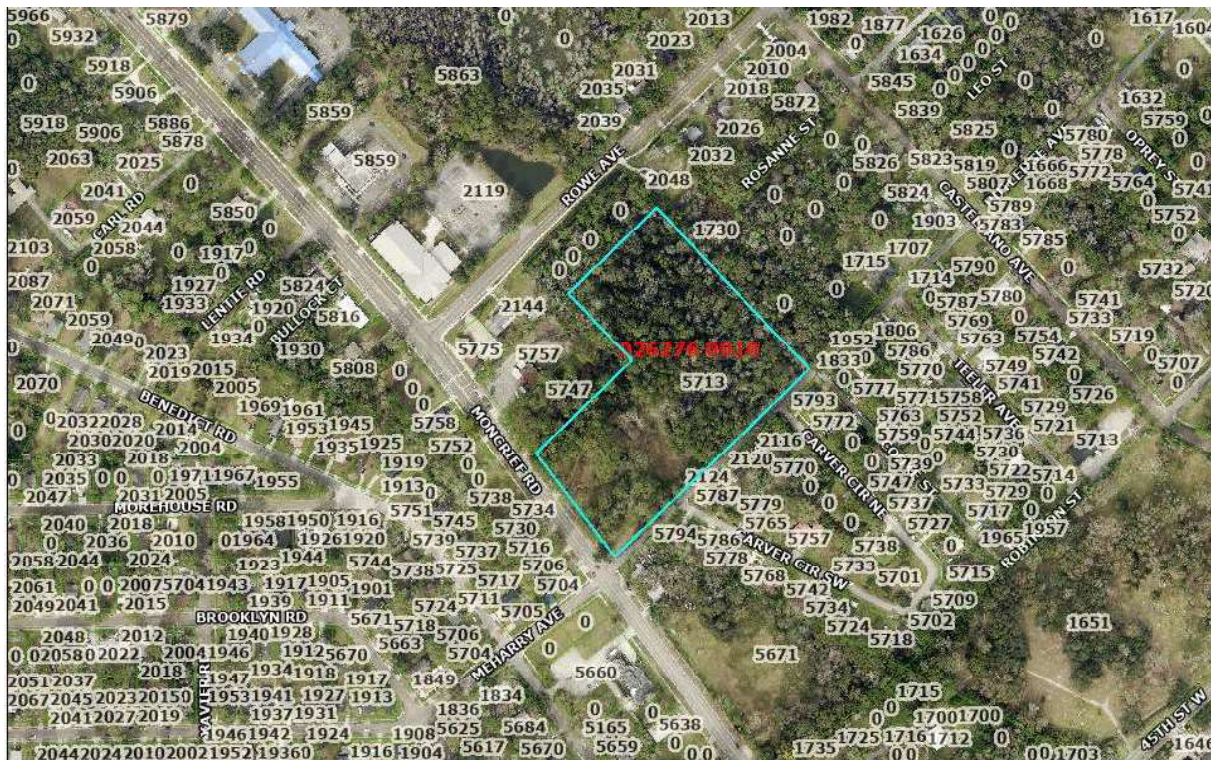
SUPPLEMENTAL INFORMATION

The applicant provided photo evidence of the signs being posted on September 4, 2025, but upon visual inspection of the subject property on September 11, 2025 the required Notice of Public Hearing sign **were not** posted.

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning Department that Application for Rezoning **2024-0628** be **DENIED** with the following exhibits:

1. The original legal description dated May 21, 2025.
2. The original written description dated May 6, 2025.
3. The original site plan dated May 27, 2025.



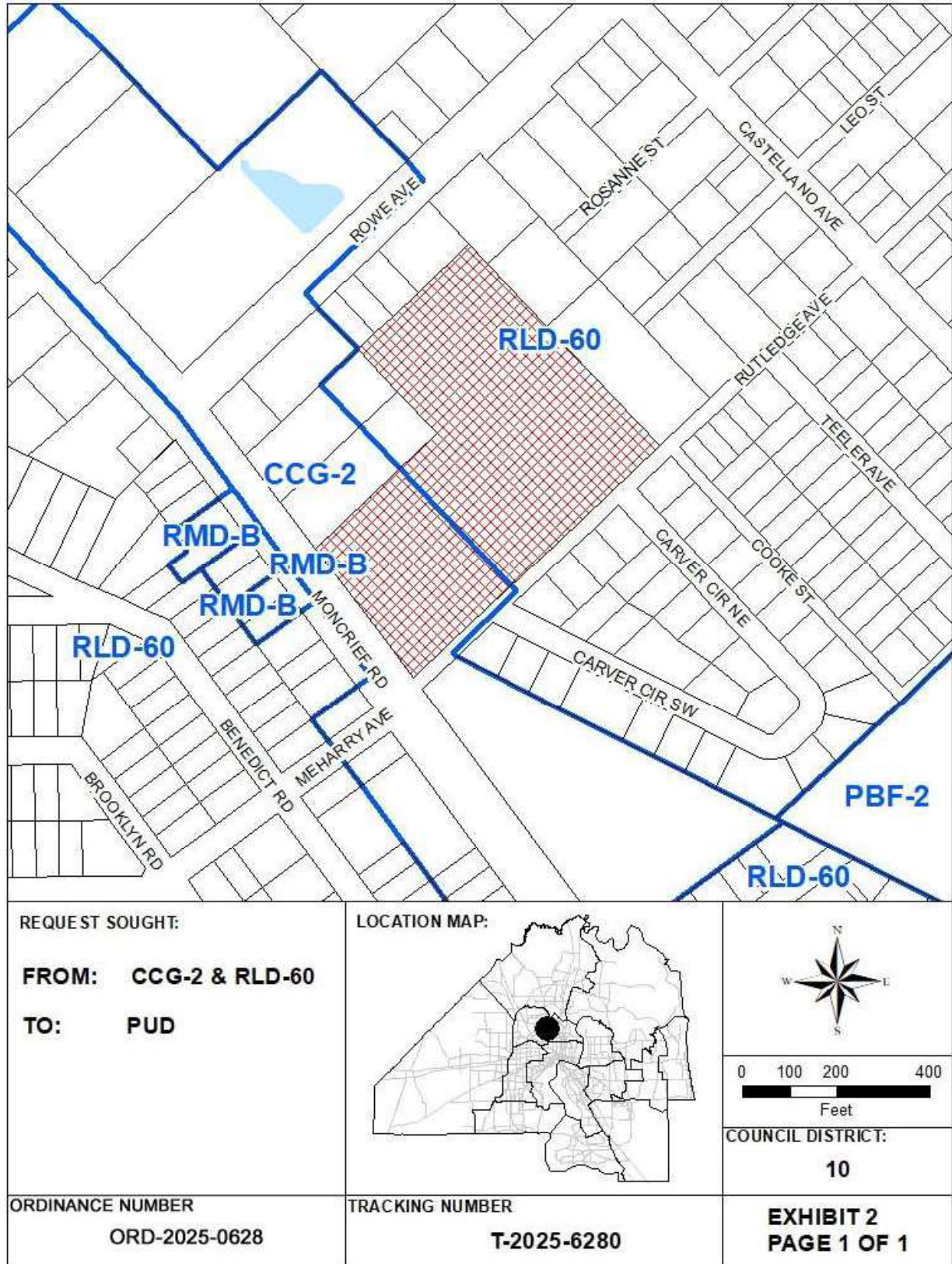
Aerial View



View of the Subject Site from Moncrief Road



View of the neighboring bar/liquor store on Moncrief Road



Legal Map