



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.: 2025-0243 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**

This rezoning is subject to the following exhibits:

1. The Original Legal Description dated October 28, 2024.
2. The Original Written Description dated March 18, 2025.
3. The Original Site Plan dated March 18, 2025.

Planning Commission Commentary: There were two speakers in opposition, expressing the community's desire to maintain the existing neighborhood character of single-family dwellings. They noted that existing apartments in the immediate area are deteriorating, contributing to blight and increased crime. The Commissioners were divided. Several expressed concerns about the site's history as a former dump, noting that remediation could potentially expose a vulnerable population to contamination. They also felt the proposed development was not compatible with the surrounding single-family subdivision. Other Commissioners, however, found the site appropriate for higher-density development, given the presence of several existing apartment complexes in the area.

Planning Commission Vote:	4-3
Mark McGowan, Chair	Aye
Mon'e Holder, Secretary	Nay
Lamonte Carter	Nay
Amy Fu	Nay
Charles Garrison	Aye
Ali Marar	Aye
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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Jacksonville, FL 32202
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REPORT OF THE PLANNING DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2025-0243 TO
PLANNED UNIT DEVELOPMENT

MAY 8, 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 **2025-0243** to Planned Unit Development.

<i>Location:</i>	0 Owen Avenue, between the end of Owen Avenue and Winton Drive
<i>Real Estate Number(s):</i>	027729 0000
<i>Current Zoning District(s):</i>	Residential Low Density-60 (RLD-60)
<i>Proposed Zoning District:</i>	Planned Unit Development (PUD)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Proposed Land Use Category:</i>	Medium Density Residential (MDR)
<i>Planning District:</i>	District 5 – Northwest
<i>Council District:</i>	District 10
<i>Applicant/Agent:</i>	Michael Herzberg 12483 Aladdin Road Jacksonville, FL 32223
<i>Owner:</i>	Christiana Forest SJ, LLC 400 East Bay Street #1609 Jacksonville, Florida 32202
<i>Staff Recommendation:</i>	DENY

GENERAL INFORMATION

Application for Planned Unit Development 2025-0243 seeks to rezone approximately 5.34± acres of land from Residential Low Density-60 (RLD-60) to a Planned Unit Development. The rezoning

to PUD is being sought to allow for ninety-six multi-family dwellings. Per the submitted site plan, the property will be developed with four three-story apartment buildings, with twenty-four units in each building.

There is a companion Small-Scale Land Use Amendment (**L-6019-25C/2025-0242**) which seeks to amend the land use from Low Density Residential (LDR) to Medium Density Residential (MDR). Staff is recommending denial for both the land use amendment and rezoning due to the lack of consistency with the surrounding area's development pattern.

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. There is a companion Small-Scale Land Use Amendment (**L-6019-25C/2025-0242**) which seeks to amend the land use from Low Density Residential to Medium Density Residential. The applicant is proposing a rezoning to PUD to allow for multi-family development within an established single-family neighborhood. The permitted and permissible uses in the PUD written description are consistent with the allowed uses and densities of the proposed MDR category and the 2045 Comprehensive Plan.

However, when applying the criteria of consistency with the 2045 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the density of a proposed residential development does not exceed the gross density threshold of the proposed land use category does not ensure overall consistency with the 2045 Comprehensive Plan. Therefore, the transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. This is especially important when multi-family residential units are introduced to a predominately single-family area, as is proposed in this Planned Unit Development.

Therefore, while the proposed uses are consistent with the category description of the proposed functional land use category, the intensity and scale of the project is **not consistent** with the intent of the 2045 Comprehensive Plan.

(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:

Policy 2.2.14 The City shall recognize and maintain neighborhoods through the development and implementation of district plans and/or neighborhood plans, which identify the needs of the City's neighborhoods and the opportunities to improve and maintain those neighborhoods in light of continued growth and development pressures within and surrounding them.

Staff noted that there are two neighborhood plans for this area: Northwest Vision Plan (2003) and the Lem Turner/Ribault Scenic Drive Neighborhood Plan Action Plan. Both plans discuss maintain/protecting the existing character of the neighborhood. Staff finds that the proposed PUD would disrupt the character of the existing neighborhood.

Policy 3.1.12 The City shall, through Land Development Regulations and land use category descriptions, require higher density residential development and supporting commercial uses to locate on or near arterial or collector roads used for mass transit routes and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.

The subject property is located along McMillan Avenue, which is classified as a local roadway. Staff is supportive of increased density when sites are located along collector roadways, due to the capability of supporting increasing traffic.

NORTHWEST VISION PLAN (2003)

The site is within the boundaries of the Northwest Jacksonville Vision Plan. While the Plan offers no specific recommendations for the subject site, the plan emphasizes the importance of strengthening and protecting existing neighborhoods. As the proposed development is located within an established single-family neighborhood, it would disrupt the character of the neighborhood and be incompatible with the surrounding single-family uses. As such, the proposed rezoning is inconsistent with the Northwest Jacksonville Vision Plan.

LEM TURNER/RIBAULT SCENIC DRIVE NEIGHBORHOOD ACTION PLAN

The subject site is within the bounds of the Lem Turner/Ribault Scenic Drive Neighborhood Action Plan (NAP), adopted by Ordinance 2004-707-E. The site is specifically within the Ribault Scenic neighborhood of the plan area, and the plan identifies the subject parcel as “undevelopable land,” with no other details or commentary. In general, the plan concludes that “infrastructure improvements can maintain the existing character of the neighborhood” and that the neighborhood “has the character and stability to remain one of the north side’s middle to upper class communities.” The proposed rezoning to PUD would disrupt the existing single-family residential character of the neighborhood, and as such, is inconsistent with the NAP and FLUE Policy 2.2.14.

STRATEGIC REGIONAL POLICY PLAN

The proposed rezoning is inconsistent with the following Goal of the Communities and Affordable Housing component of the Northeast Florida Strategic Regional Policy Plan:

Goal: Each local government is encouraged to take the lessons learned from visioning, the public preference for multiple growth centers, the opportunities and challenges raised by resources of regional significance and the desires of their residents and determine where new growth should go, ideally in locations allowing it to take advantage of existing infrastructure, be mixed use, compact and connected to other centers. These mixed use growth and redevelopment centers are supported in all seven Counties and have the potential to increase transit ridership, reduce car dependency, maintain water and air quality and conserve water. Once these locations are chosen, governments should do all they can to support quality development there that will appreciate in value and achieve multiple community and economic goals.

The proposed rezoning from RLD-60 to PUD would disrupt the land use fabric created by the established single-family neighborhood and detract from the character of the area. It is inconsistent with the NAP, as noted above, and as such, is inconsistent with the Strategic Regional Policy Plan.

(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 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 categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). There is a companion Small-Scale Land Use Amendment (**L-6019-25C/2025-0242**) which seeks to amend the land use from LDR to Medium Density Residential (MDR). The Planning Department finds that 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 ninety-six (96) apartment units. 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 use of existing and proposed landscaping: Per the submitted written description, landscaping will meet Part 12 of the Zoning Code, which requires a 10-foot uncomplimentary land use buffer along property boundaries abutting single-family residential.
- The separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed site plan shows that the apartment buildings will be located internally on the site, with the parking and vehicle use area located along the perimeter, and nearest to the abutting single-family residential. As listed above, the applicant will be required to provide a 10-foot uncomplimentary buffer between the parking areas and the neighboring properties.
- The use and variety of building setback lines, separations, and buffering: Per the submitted written description, the building setbacks are twenty-five feet for the front and side yards, and seventy-five feet for the rear yard. The site plan depicts a retention pond along the rear property boundary, parking abutting the side property boundaries, and the buildings clustered in the center of the property. The written description also limits the height of the structures to 35 feet, which is consistent with the surrounding RLD-60 zoning district.
- The variety and design of dwelling types: Per the submitted site plan, there will be four three-story apartment buildings, with twenty-four dwelling units per building.
- The treatment of pedestrian ways:

(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 **not achieved** by the following:

- The type, number and location of surrounding external uses: Most of the surrounding area is developed with single-family dwellings meeting the RLD-60 zoning district. Many of the structures were built between the 1930s and 1970s. The property to the northeast was historically the Hillside Cemetery/Potter's Field. Jean Ribault High School and Sallye B. Mathis Elementary School are located north of the subject property along Winton Drive. This PUD would introduce an apartment complex that is significantly different from the

mass and scale of the surrounding area. While there are multi-family dwellings approximately 0.50 miles west of the subject site, all of those structures are two-stories or less in height and clustered together, thereby allowing a transition between uses. The nearby multi-family dwellings also have direct access to a segment of Moncrief Road that is classified as a minor arterial roadway.

- 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	NC/PBF	CN/PBF-2	Church, Hillside Cemetery/Potters Field
South	LDR	RLD-60	Single-family dwellings
East	LDR/PBF	RLD-60, PBF-1, PBF-2	Single-family dwellings, Hillside Cemetery/Potters Field
West	LDR	RLD-60	Single-family dwellings, church

(6) Intensity of Development

While the proposed use of multi-family dwellings is consistent with the MDR functional land use category, Staff finds the proposed land use change and PUD **to not be appropriate** at this location due to the existing development pattern of the area, along with the inconsistency between the proposed development and intentions of the Northwest Vision Plan and the Lem Turner/Ribault Scene Drive Neighborhood Action Plan.

- The existing residential density and intensity of use of surrounding lands: Much of the surrounding area is developed with single-family dwellings built between the 1930s and 1970s, that either meet or exceed the RLD-60 zoning district standards. There is a two-story apartment complex located approximately 0.51 miles away from the subject site, however, that complex is accessed via Moncrief Road West; which is classified as a minor arterial roadway. The proposed PUD would have access via McMillan Avenue, which is classified as a local roadway. Staff finds the proposed PUD would disrupt the established single-family development pattern of this area.
- The availability and location of utility services and public facilities and services: JEA has indicated no objection to the proposed development. There is an existing 12 inch water main along Winton Drive at the McMillan Avenue intersection, and an existing 8 inch gravity sewer main along McMillan Avenue.

○

School Capacity: Based on the Development Standards for impact assessment, the 5.34± acre proposed PUD rezoning has a development potential of 96 multi-family 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.

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

School Impact Analysis

PUD 2025-0243

Development Potential: 96 Residential Dwellings

School Type	CSA ¹	2024-25 Enrollment/CS A	Current Utilization (%)	New Student/ Development ³	5-Year Utilization (%)	Available Seats – CSA ²	Available Seats - Adjacent CSA 2, 7, & 8
Elementary	1	10,763	54%	11	56%	2,086	2,289
Middle	1	6,288	70%	3	81%	1,131	1,115
High	1	6,762	71%	6	69%	912	1,309
Total New Students				20			

NOTES:

¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)

² Does not include ESE & room exclusions

³ Student Distribution Rate
 ES-.120
 MS-.041
 HS-.072

0.233

The Student Distribution Rate is calculated for each school type by dividing the total number public school students enrolled in that school type in Duval County (103,363) by the number of total permitted housing units (443,232) for the same year, generating a yield of 0.233.

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

Public School Facilities Element

Policy 2.3.2

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

Policy 2.3.3

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

Objective 3.2

Adopted Level of Service (LOS) Standards

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

Policy 3.1.1

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

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL ¹	CONCURRENCY SERVICE AREA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2024/25)	% OCCUPIED	4 YEAR PROJECTION
Rufus Payne ES #163	1	11	677	234	35%	35%
Matthew Gilbert MS #146	1	3	799	569	71%	55%
William Raines HS #165	1	6	1839	1384	75%	79%
		20				

NOTES:

¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)

² Does not include ESE & room exclusions

³ Student Distribution Rate
ES-.120
MS-.041

HS-.072

0.233

The Student Distribution Rate is calculated for each school type by dividing the total number public school students enrolled in that school type in Duval County (103,363) by the number of total permitted housing units (443,232) for the same year, generating a yield of 0.233.

- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject site is approximately 5.38 acres and is located on McMillan Avenue, a local roadway, which is east of Moncrief Road, a collector roadway. Moncrief Road between Edgewood Avenue and Cleveland Road is currently operating at 28% of capacity. This segment currently has a maximum daily capacity of vehicles per day of 40,800 (vpd) and average daily traffic of 11,330 vpd.

The applicant requests 96 apartments (ITE Code 221) which could produce 436 daily trips.

The application was forwarded to the Transportation Planning Division and the following are comments provided: 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.

Furthermore, the following comments were issued from the Traffic Engineer. Staff forwards to you the following: Neighborhood driveways at McMillan Ave and shall align with or be separated by a minimum 75' from Robert C Weaver Dr.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with open space and recreation area as required in Section 656.420 of the Zoning Code and the 2045 Comprehensive Plan.

(8) Impact on wetlands

The proposed site plan dated March 18, 2025, notes that there is 0.95 acres of wetlands on the property that will not be impacted. Nonetheless, any development impacting wetlands will need to 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.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

The applicant provided photo evidence that the required Notice of Public Hearing signs were posted on April 12, 2025.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2025-0243** be **DENIED** with the following exhibits:

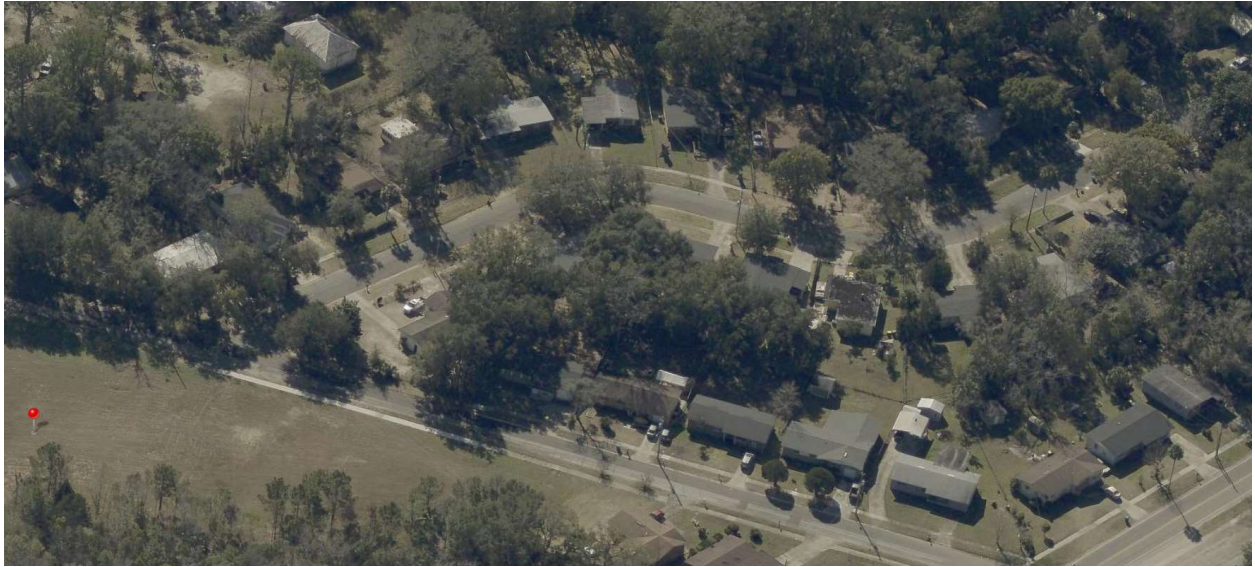
1. The original legal description dated October 28, 2024
2. The original written description dated March 18, 2025
3. The original site plan dated March 18, 2025



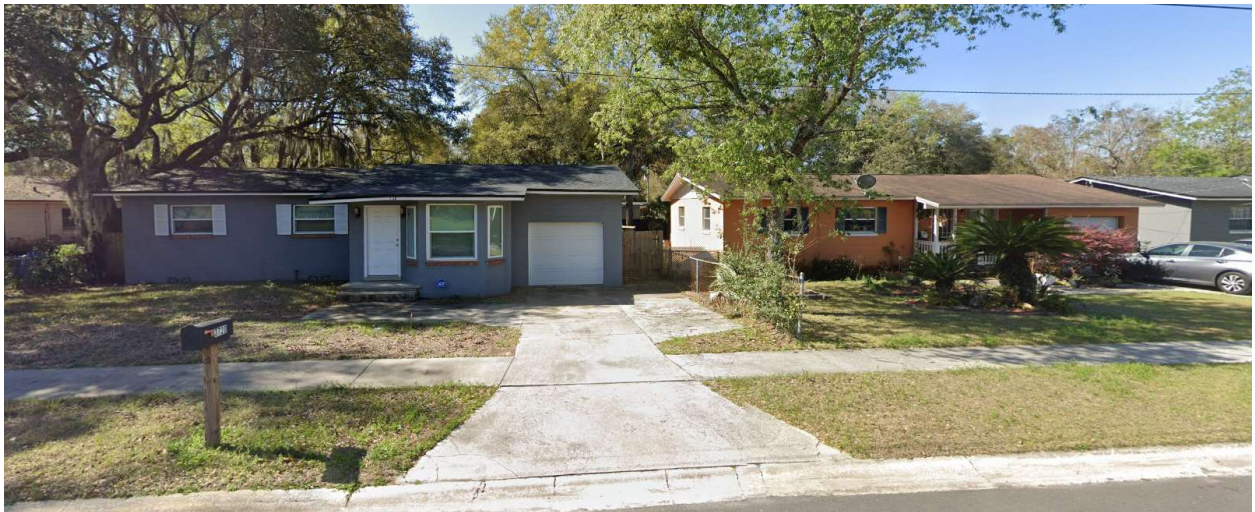
Aerial view of the subject property, facing north.



Aerial view of the subject property, facing north.



Aerial view of the neighboring single-family dwellings, located south of the subject property.



View of the neighboring single-family dwellings, located south of the subject property.