

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

June 16, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report

Ordinance No.: 2021-307

Application for: Baymeadows Road PUD

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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 Condition**

This rezoning is subject to the following exhibits:

1. The original legal description dated April 13, 2021
2. The original written description dated May 10, 2021
3. The original site plan dated February 21, 2021

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

1. A residential density limit of 31 dwelling units per acre has been placed on this property as a result of Future Land Use Element (FLUE) Policy 1.1.10A. This density limit can only be changed through application for a rezoning (administrative and minor modifications to increase the density are not permitted) and the requirements of FLUE Policy 1.1.10A must be applied to determine the appropriateness of any increase in residential density.

Planning Department conditions:

1. A residential density limit of 31 dwelling units per acre has been placed on this property as a result of Future Land Use Element (FLUE) Policy 1.1.10A. This density limit can only be changed through

application for a rezoning (administrative and minor modifications to increase the density are not permitted) and the requirements of FLUE Policy 1.1.10A must be applied to determine the appropriateness of any increase in residential density.

2. The northern driveway on Baymeadows Way shall be relocated to align with the existing driveway on the opposite side of Baymeadows Way. A short southbound left turn lane similar in design to the existing left turn lanes on Baymeadows Way shall be built on the median of Baymeadows Way for this driveway. ADA compliant sidewalk shall be built on the frontage of Baymeadows Way.

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 Planning Department recommended that condition #2 be deleted. Transportation Planning Division and the Traffic Engineer will review when construction drawings are submitted.

| | |
|---------------------------|--------|
| Planning Commission Vote: | 6-0 |
| Joshua Garrison, Chair | Aye |
| Dawn Motes, Vice Chair | Absent |
| David Hacker, Secretary | Aye |
| Marshall Adkison | Aye |
| Daniel Blanchard | Absent |
| Ian Brown | Aye |
| Alex Moldovan | Aye |
| Jason Porter | 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
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2021-0307 TO
PLANNED UNIT DEVELOPMENT

JUNE 17, 2021

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 **2021-0307** to Planned Unit Development.

Location: 8738 Baymeadows Road
Between Baymeadows Way and I-95

Real Estate Numbers: 152612-0290

Current Zoning Districts: Planned Unit Development (PUD)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Proposed Land Use Category: Community/General Commercial (CGC) with site specific FLUE Policy 4.4.20.

Planning District: Southeast, District 3

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Blvd, Suite 1500
Jacksonville, FL 32207

Owner: Lenox Cove Apartments LLC
585 Boylston St. 4th Floor
Boston, MA 02116

Staff Recommendation: **APPROVE W/ CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2021-0307** seeks to rezone approximately 3.90± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning to a new PUD is being sought in order to convert the existing hotel/motel to 110 one bedroom and 8 two bedroom multifamily apartment units.

There is a companion Land Use Amendment, **2021-0306 (L-5542-21C)**. The proposed LUA requests amending the Future Land Use Map series (FLUMs) for the subject site from Community/General Commercial (CGC) to Community/General Commercial (CGC) with site specific Future Land Use Element (FLUE) Policy 4.4.20. The site specific policy exempts the subject site from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting roadways classified as arterials or higher on the Functional Highway Classification Map and permits single use residential development on 100% of the site.

The current PUD, 1989-0584-E, allows for a multi building low rise hotel/motel use.

PUD Ord. 1989-0584-E was approved with the following conditions:

- 1. A binding letter of modification of the vested rights modifying the binding letter (number BLIVR 483-005) shall be provided to the Planning Department prior to commencement of the use as required by the State Department of Community Affairs (DCA).**
- 2. The property shall be developed pursuant to the revised conditions of paragraph 3 of the written description of the intended plan of development as set forth in the modification letter, dated August 16, 1989, attached hereto as Exhibit B and by the reference made a part hereof.**

The Planning & Development Department has reviewed the conditions of the enacted ordinance and forwards the following comments:

- 1. Both conditions from the previous PUD are connected to the previous Written Description and use and therefore the Planning and Development Department does not recommend forwarding either condition.**

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.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

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

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series **L-5542-21C (Ordinance 2021-0306)** that seeks to amend the portion of the site that is within the Community General Commercial (CGC) land use category to Community/General Commercial (CGC) with site specific Future Land Use Element (FLUE) Policy 4.4.20. Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series **L-5542-21C** be approved.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

The site specific policy exempts the subject site from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting roadways classified as arterials or higher on the Functional Highway Classification Map and permits single use residential development on 100% of the site. The site is an existing hotel. The proposed PUD and land use amendment with site specific policy would allow for the redevelopment of the site as an apartment complex with 100% residential uses. The PUD proposes a total of 118 dwelling units, which is consistent with the density for CGC in the Urban Area.

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

Yes. The proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained herein, including:

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.

The proposed rezoning at the subject site would directly address the projected growth for the surrounding area by providing for a greater variety of housing options for local citizens.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Jacksonville Naval Air

Station (NAS Jax). Zoning will limit development to a maximum height of less than 500 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).

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.

Industrial Zones

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

Flood Zones

Approximately 0.26 of an acre of the subject site is located within the 0.2 Percent Annual Chance Flood Hazard flood zone. 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 an average of 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 0.2 Percent Annual Chance Flood Hazard flood zone is defined as an area within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

(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 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 and Development 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 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 category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC).

(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. The City Development Number is 10127.00: Lenox Cove Apartments was approved on 5/20/2021 but the Concurrency & Mobility Management System Office for the conversion of a 116 room hotel to now be apartments. The mobility fee for the previous use of a hotel was paid and the proposed use will not be required to pay a Mobility fee for this proposed project.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to convert the existing hotel/motel to 110 one bedroom and 8 two bedroom multifamily apartment units. Moreover, this proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per unit; accordingly, the proposed 118 units would require approximately 17,700 square feet of recreational/open space. This will be met by the existing amenity facilities on the Property.

The use of existing and proposed landscaping: Landscaping will be provided in accordance with the requirements set forth in Part 12 of the Zoning Code; provided, however, that any required uncomplimentary buffer may overlap with the building setbacks.

The treatment of pedestrian ways: The property is an existing developed property and sidewalks have already been constructed along Baymeadows Road and Baymeadows Way.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Baymeadows Way. Comments from Traffic & Engineering include:

- The PUD written description states the southern driveway Baymeadows Way will be right in only. The site plan shows this access as right in/right out. The right out part of this driveway shall be removed and the southern driveway shall be right in only as stated in the written description. This access shall be designed to physically prevent any movement other than right in.
- The northern driveway on Baymeadows Way shall be relocated to align with the existing driveway on the opposite side of Baymeadows Way. A short south bound left turn lane similar in design to the existing left turn lanes on Baymeadows Way shall be built on the median of Baymeadows Way for this driveway.
- ADA compliant sidewalk shall be built on the frontage of Baymeadows Way.
- The angled parking shall meet the design requirements of City of Jacksonville Code of Ordinances Section 656.607(k) and Figure A shown therein.

Baymeadows Road (State Route 152), from Philips Highway (U.S 1) to Interstate 95, is the directly accessed functionally classified roadway in the vicinity. Baymeadows Road is a 4-lane divided arterial in this vicinity, and is currently operating at 106.23% of capacity. This Baymeadows Road segment has a maximum daily capacity of 39,800 vpd and a 2020 daily traffic volume of 42,278 vpd.

This development is for 118 dwelling units of ITE Code 220 Multifamily Low Rise, which would generate 864 vpd.

The use and variety of building setback lines, separations, and buffering: Each building shall be a minimum of twenty (20) feet from the Property boundaries. The existing setbacks between buildings will remain. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks.

The use and variety of building sizes and architectural styles: The project will be the redevelopment of an existing hotel/motel so the multi-family dwelling units will consist of 110 one bedroom units under 500 square feet, and 8 two bedroom units under 700 square feet.

(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 proposed development is located in a mixed-use area with commercial properties as the prevailing use. Allowing for the redevelopment of the subject site will complement the neighboring commercial uses by providing a mixed-variety of land uses and promote residential urban infill within the Baymeadows 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 | CGC | CCG-1 | Office Space |
| South | CGC | CCG-1 | Vacant Undeveloped |
| East | CGC | CCG-1 | Fast Food Restaurant |
| West | CGC | CCG-1 | Gas Station |

(6) Intensity of Development

The proposed development is consistent with the proposed CGC functional land use category and will convert the existing hotel/motel to 110 one bedroom and 8 two bedroom multifamily apartment units. The PUD is appropriate at this location because it will support the existing offices, service establishments and contribute to the variety of housing products within the area.

The availability and location of utility services and public facilities and services:

The subject site will be serviced by JEA for utilities.

School Capacity:

Based on the Development Standards for impact assessment, the 6.10± acre proposed PUD rezoning has a development potential of 31 single-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 2021-0307**

Development Potential: 118 Residential Units

| School Type | CSA | 2020-21 Enrollment/CSA | Current Utilization (%) | New Student/ Development | 5-Year Utilization (%) | Available Seats CSA | Available Seats Adjacent CSA 3&5 |
|-------------|-----|------------------------|-------------------------|--------------------------|------------------------|---------------------|----------------------------------|
|-------------|-----|------------------------|-------------------------|--------------------------|------------------------|---------------------|----------------------------------|

| | | | | | | | |
|---------------------------|---|-------|-----|-----------|------|-----|-------|
| Elementary | 4 | 5,438 | 80% | 19 | 100% | 500 | 2,053 |
| Middle | 4 | 4,005 | 82% | 8 | 85% | 338 | 382 |
| High | 4 | 856 | 10% | 10 | 86% | 75 | 142 |
| Total New Students | | | | 37 | | | |

Total Student Generation Yield: 0.333

Elementary: 0.167

Middle: 0.073

High: 0.093

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 | CONCURRENCY SERVICE AREA | STUDENTS GENERATED | SCHOOL CAPACITY (Permanent/ Portables) | CURRENT ENROLLMENT 20 Day Count (2020/21) | % OCCUPIED | 4 YEAR PROJECTION |
|------------------------|--------------------------|--------------------|--|---|------------|-------------------|
| Beauclerc ES #230 | 4 | 19 | 1,041 | 669 | 64% | 73% |
| Southside MS #211 | 3 | 8 | 977 | 955 | 98% | 80% |
| Atlantic Coast HS #268 | 5 | 10 | 2,443 | 2,311 | 95% | 97% |

- Does not include ESE & room exclusions
- Analysis based on a **maximum** 118 dwelling units – 2021-0307
- Same as Above (SAA)

(7) Usable open spaces plazas, recreation areas.

Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per unit; accordingly, the proposed 118 units would require approximately 17,700 square feet of recreational/open space. This will be met by the existing amenity facilities on the Property.

(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.

(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 proposed unit mix of 110 one bedroom units under 500 square feet, and 8 two bedroom units under 700 square feet, requires a total of 181 parking spaces. The existing hotel use has 115 parking spaces, and an additional fifty-five (55) parking spaces will be created as part of this redevelopment, for a total of one hundred seventy (170) parking spaces.

(11) Sidewalks, trails, and bikeways

External sidewalks exist along Baymeadows Road and Baymeadows Way.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **June 1, 2021** by the Planning and Development Department, the Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0307** be **APPROVED with the following exhibits:**

1. **The original legal description dated April 13, 2021**
2. **The original written description dated May 10, 2021**
3. **The original site plan dated February 21, 2021**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2021-0307** be **APPROVED W/ CONDITONS.**

1. **A residential density limit of 31 dwelling units per acre has been placed on this property as a result of Future Land Use Element (FLUE) Policy 1.1.10A. This density limit can only be changed through application for a rezoning (administrative and minor modifications to increase the density are not permitted) and the requirements of FLUE Policy 1.1.10A must be applied to determine the appropriateness of any increase in residential density.**
2. **The northern driveway on Baymeadows Way shall be relocated to align with the existing driveway on the opposite side of Baymeadows Way. A short southbound left turn lane similar in design to the existing left turn lanes on Baymeadows Way shall be built on the median of Baymeadows Way for this driveway. ADA compliant sidewalk shall be built on the frontage of Baymeadows Way.**



Aerial View

Source: JaxGIS



View of Subject Property

*Source: Planning & Development Dept.
Date: June 1, 2021*



View of Subject Property

Source: Planning & Development Dept.

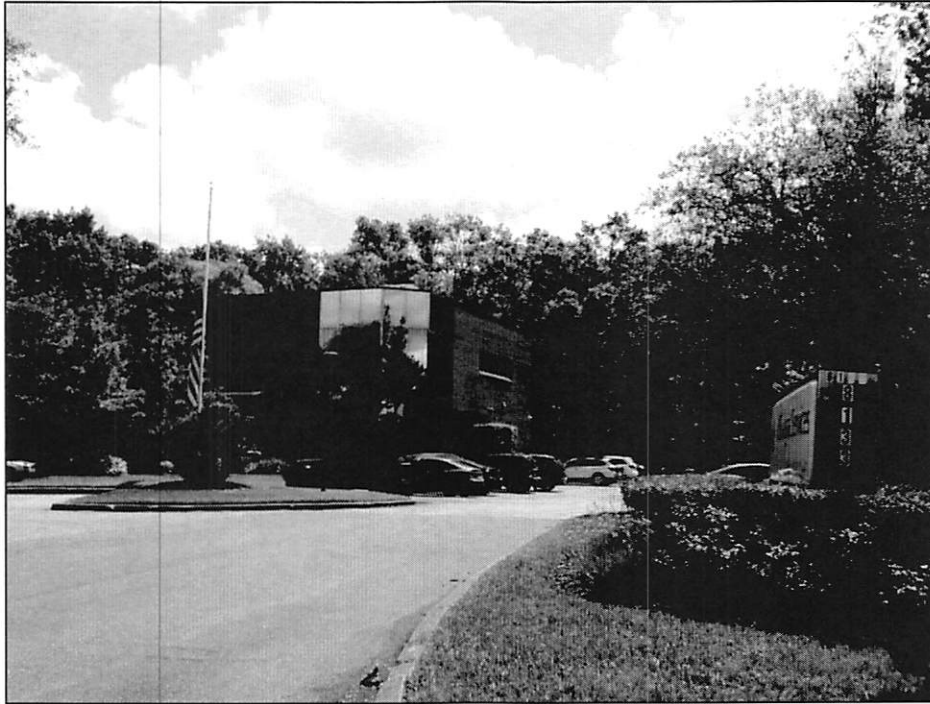
Date: June 1, 2021



View of Subject Property

Source: Planning & Development Dept.

Date: June 1, 2021



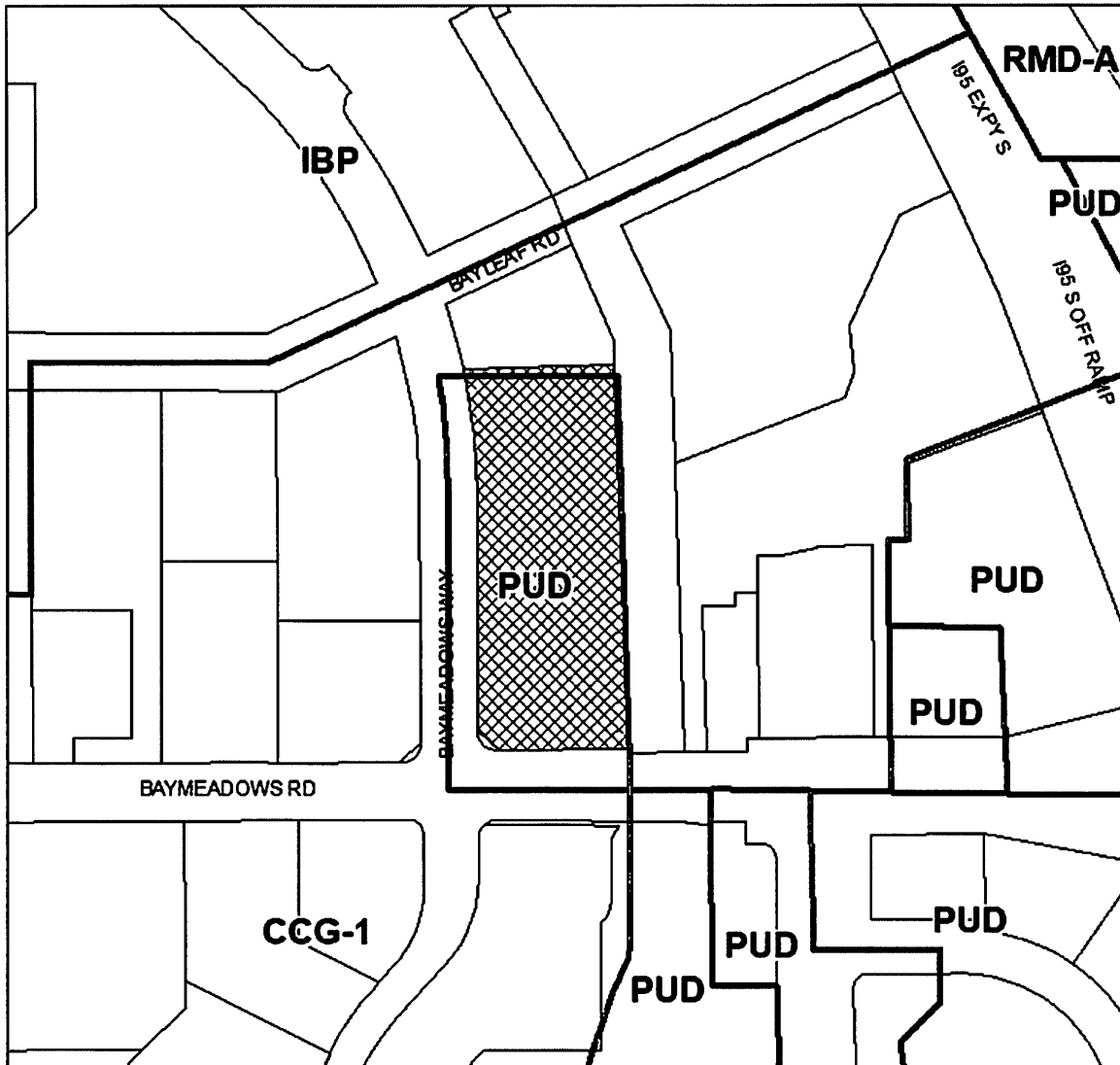
View of Property to the North

*Source: Planning & Development Dept.
Date: June 1, 2021*



View of Property to the West

*Source: Planning & Development Dept.
Date: June 1, 2021*

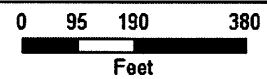
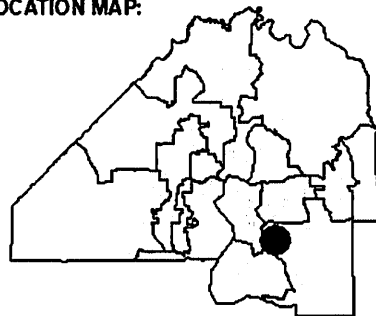


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

11

TRACKING NUMBER

T-2021-3450

**EXHIBIT 2
 PAGE 1 OF 1**

Application For Rezoning To PUD**Planning and Development Department Info****Ordinance #** 2021-0307 **Staff Sign-Off/Date** ELA / 05/25/2021**Filing Date** 05/25/2021 **Number of Signs to Post** 4**Hearing Dates:****1st City Council** 06/22/2021 **Planning Commission** 06/17/2021**Land Use & Zoning** 07/20/2021 **2nd City Council** 07/27/2021**Neighborhood Association** BAYMEADOWS COMMUNITY COUNCIL, BETTER BAYMEADOWS, INC.**Neighborhood Action Plan/Corridor Study** N/A**Application Info****Tracking #** 3450**Application Status** FILED COMPLETE**Date Started** 03/27/2021**Date Submitted** 03/27/2021**General Information On Applicant**

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| DUGGAN | WYMAN | R |

Company Name

ROGERS TOWERS, P.A.

Mailing Address

1301 RIVERPLACE BOULEVARD, SUITE 1500

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32207 |

| Phone | Fax | Email |
|------------|------------|-------------------|
| 9043983911 | 9043960663 | WDUGGAN@RTLAW.COM |

General Information On Owner(s) **Check to fill first Owner with Applicant Info**

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| SEE | BELOW | |

Company/Trust Name

BAYMEADOWS HOTEL LLC

Mailing Address

8737 BAYMEADOWS ROAD

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32256 |

| Phone | Fax | Email |
|-------|-----|-------|
| | | |

Property Information**Previous Zoning Application Filed For Site?****If Yes, State Application No(s)** ORD. 1989-584-375

| Map RE# | Council District | Planning District | From Zoning District(s) | To Zoning District |
|-----------------|------------------|-------------------|-------------------------|--------------------|
| Map 152612 0290 | 11 | 3 | PUD | PUD |

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

CGC

Land Use Category Proposed?**If Yes, State Land Use Application #**

5542

Total Land Area (Nearest 1/100th of an Acre) 3.90**Development Number****Proposed PUD Name** 8737 BAYMEADOWS ROAD PUD**Justification For Rezoning Application**

TO PERMIT THE CONVERSION OF THE EXISTING HOTEL ROOMS INTO APARTMENTS. SEE ATTACHED WRITTEN DESCRIPTION.

Location Of Property**General Location**

PERIMETER CENTER

| House # | Street Name, Type and Direction | Zip Code |
|---------|---------------------------------|----------|
| 8737 | BAYMEADOWS RD | 32256 |

Between Streets

BAYMEADOWS WAY and I-95

Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit - Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- Exhibit H** Aerial Photograph.
- Exhibit I** Listed Species Survey (If the proposed site is greater than fifty acres).

- Exhibit J** : Other Information as required by the Department
(i.e.-*building elevations, *signage details, traffic analysis, etc.).
- Exhibit K** : Site Location Map.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

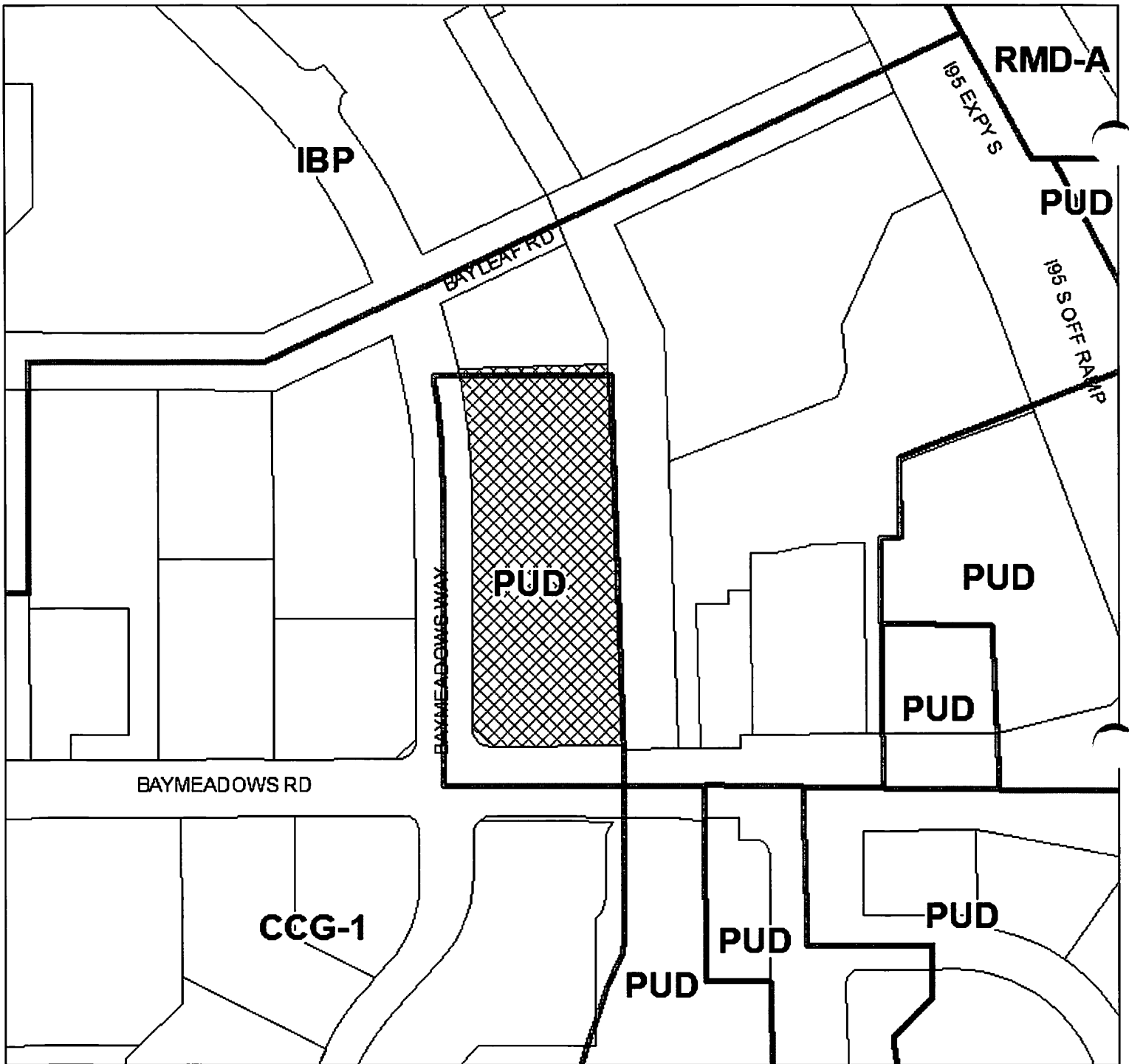
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- | | |
|--|-------------------|
| 1) Rezoning Application's General Base Fee: | \$2,269.00 |
| 2) Plus Cost Per Acre or Portion Thereof | |
| 3.90 Acres @ \$10.00 /acre: | \$40.00 |
| 3) Plus Notification Costs Per Addressee | |
| 45 Notifications @ \$7.00 /each: | \$315.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,624.00 |

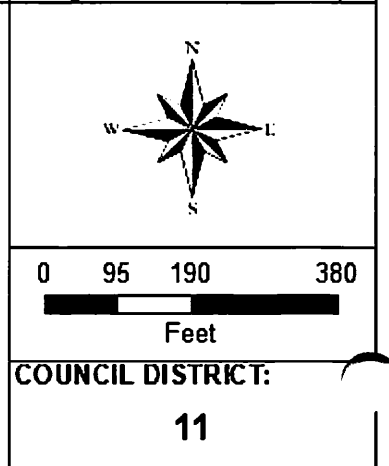
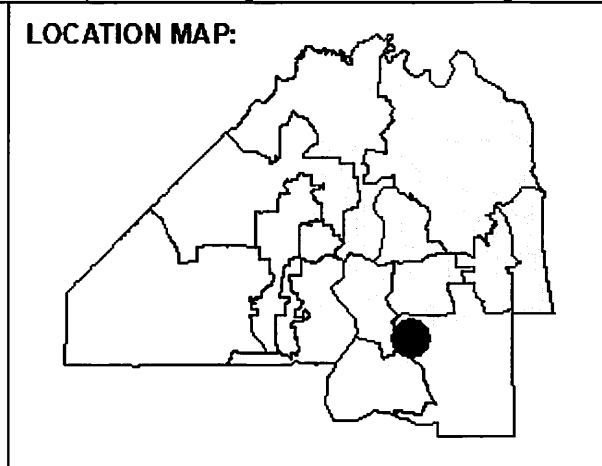
NOTE: Advertising Costs To Be Billed to Owner/Agent



REQUEST SOUGHT:

FROM: PUD

TO: PUD



TRACKING NUMBER

T-2021-3450

EXHIBIT 2

PAGE 1 OF 1

Legal Description

A portion of the Francis Richard Grant, Section 56, Township 3 South, Range 27 East, Jacksonville, Duval County, Florida, being more particularly described as follows:

For a point of reference. commence at the point of intersection of the Northeasterly right of way line of Phillips Highway (U.S. Highway No. 1, a 150 foot right of way, as now established, and the Northerly right of way of Baymeadows Road (an established 100 foot right of way) and run North 89°44'00" East, along said Northerly right of way line and its Easterly prolongation, a distance of 2,960.73 feet to a point lying on the former right of way line of said Baymeadows Road; run thence North 00°16'00" West, a distance of 14.00 feet to a point lying on the current right of way line of said Baymeadows Road (A variable width right of way, as now established), said point also being the Point of Beginning.

From the Point of Beginning thus described, run North 45°16'00" West, along the Easterly right of way line of Baymeadows Way (a 100 foot right of way, as established by Official Records Volume 3358, Page 746, of the current Public Records of said County). A distance of 49.50 feet to a point of tangency; run thence North 00°16'00" West, along said Easterly right of way line, a distance of 401.00 feet to a point of curvature of a curve leading Northwesterly; run thence along said Easterly right of way line and along and around the arc of-a curve, concave Westerly, and having a radius of 1,126.70 feet, an arc length of 230.52 feet, said curve being subtended by a chord bearing and distance of North 06°07'40" West, 230.12 feet to a point lying on said curve, said point also being the Southwesterly corner-of that certain tract described in Deed recorded in Official Records Volume 5813, Page 508, of the current Public Records of said County; run thence North 88°00'08" East, along the Southerly boundary of said tract, a distance of 264.03 feet to the Southeasterly corner of said tract; run thence South 01°59'52" East along the Westerly boundary of that certain tract described in Deed recorded in Official Records Volume 1722, Page 353, of the current Public Records of said County, a distance of 673.19 feet to a point lying on the aforementioned currently Northerly right of way line of Baymeadows Road; run thence South 89°44'00" West, along said current right of way line a distance of 225.75 feet to the Point of Beginning.

EXHIBIT "D"
8737 Baymeadows Road PUD
Written Description
May 10, 2021

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: CGC
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. Real Estate Number: 152612-0290

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 3.9± acres of property (the "Property") from Planned Unit Development (PUD) to PUD. The subject property is located at the northeast corner of Baymeadows Road and Baymeadows Way, at 8737 Baymeadows Road and is more particularly described in the legal description attached as Exhibit "1" to this application.

The existing PUD Ordinance 89-584-375 was approved for a hotel/motel use, and the Property is developed with 116 hotel rooms under the Homewood Suites hotel flag. The purpose of this rezoning is to convert the existing buildings and facilities to 110 one bedroom and 8 two bedroom multifamily apartment units. In order to comply with the Comprehensive Plan Future Land Use Element provisions limiting multifamily development within the CGC future land use category to a maximum of eighty percent of a development, and prohibiting ground floor residential development abutting arterials roadways, a companion small scale land use amendment seeking a site specific policy addressing these two issues has also been submitted. The tracking number is 5542. No new vertical development is proposed. A conceptual site plan of the proposed redevelopment is attached to this application (the "Site Plan").

III. PUD DEVELOPMENT CRITERIA

A. Description of Uses and Development Criteria

- 1. *Permitted uses.* Multi-family apartment dwelling units, hotel/motel rooms, amenities including but not limited to cabana/clubhouse, pool, recreation/ball courts, health/exercise facility, business/conference center, business and leasing offices, and similar uses; essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and land communication devices, small satellite dishes, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code; and home occupations meeting the performance standards and development criteria set forth in

Part 4 of the Zoning Code. Cellular towers, communication antennas and communication towers as described in Part 15 of the Zoning Code are permitted.

2. *Permitted accessory uses and structures.* Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code; provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures. In addition, accessory uses and structures may be located within any required uncomplimentary buffer.
3. *Minimum lot requirement (width and area).* 3.9 acres.
4. *Maximum lot coverage by all buildings.* None.
5. *Impervious surface ratio.* 85%.
6. *Minimum Yard Requirements and Building Setbacks.* Each building shall be a minimum of twenty (20) feet from the Property boundaries. The existing setbacks between buildings will remain. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks.
7. *Maximum height of structure.* Sixty (60) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

B. Overall Development Criteria.

1. *Access.* As shown on the Site Plan, access to the Property will be available via Baymeadows Way. The existing curb cut access to Baymeadows Road will be closed and a second, right-in only, access connection to Baymeadows Way will be added. Interior circulation drives will be privately owned and maintained by the owner and/or an owners' association and/or a management company and may be gated.
2. *Pedestrian Circulation.* External sidewalks exist along Baymeadows Road and Baymeadows Way.
3. *Recreational/Open Space.* Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per unit; accordingly, the proposed 118

units would require approximately 17,700 square feet of recreational/open space. This will be met by the existing amenity facilities on the Property.

4. *Parking and Loading Requirements.* The proposed unit mix of 110 one bedroom units under 500 square feet, and 8 two bedroom units under 700 square feet, requires a total of 181 parking spaces. The existing hotel use has 115 parking spaces, and an additional fifty-five (55) parking spaces will be created as part of this redevelopment, for a total of one hundred seventy (170) parking spaces.
5. *Signage.* On the Baymeadows Road frontage, one (1) double-sided monument sign up to six (6) feet in width and four (4) feet in height is permitted. On the Baymeadows Way frontage, one (1) double-sided monument sign up to four (4) feet in width and three (3) feet in height is permitted. Both monument signs may be externally illuminated. The existing "Deerwood Association" monument sign on the Property will remain. Real estate signs, directional signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary signs for models units are also permitted. Wall signs not exceeding ten (10) percent of the square footage of the occupancy frontage or respective side of a building abutting a public right-of-way or approved private street are permitted within the PUD. One under the canopy sign per occupancy not exceeding a maximum of eight square feet in area is permitted; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

6. *Landscaping/fencing.* Landscaping will be provided in accordance with the requirements set forth in Part 12 of the Zoning Code; provided, however, that any required uncomplimentary buffer may overlap with the building setbacks. In addition, accessory structures may be located within any required uncomplimentary buffer. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation.

7. *Architectural Design.* Dumpsters, propane tanks, and similar appurtenances in each parcel shall be kept behind substantially opaque enclosures composed of the same material and painted the same color as the structures located on the parcel, such that the dumpster, propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.
8. *Lighting.* Lighting within the PUD shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on adjacent uses.
9. *Stormwater Retention.* Stormwater facilities will be provided in accordance with all applicable regulations.
10. *Utilities.* Electric utility, water and sewer services will be provided by the JEA.
11. *Maintenance of Common Areas and Infrastructure.* The common areas and infrastructure will be maintained by the owner and/or an owners' association and/or a management company.
12. *Conceptual Site Plan.* The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department. The building locations and roadways shown on the Site Plan are schematic and may change prior to development subject to the review and approval of the Planning and Development Department.
13. *Temporary Uses.* Temporary leasing office and/or construction trailer(s) shall be allowed to be placed on site and moved throughout the site as necessary.
14. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.

IV. PUD REVIEW CRITERIA

- A. Consistency with Comprehensive Plan:** The Property is located within the CGC - Urban Area land use category according to the Future Land Use Map of the 2030 Comprehensive Plan, which permits multifamily development at a gross density of up to forty (40) units per acre. The PUD permits a maximum of 118 apartment units on approximately 3.9 acres and therefore is consistent with the Comprehensive Plan density limitation. In order to comply with the Comprehensive Plan Future Land Use Element provisions limiting multifamily development within the CGC future land use category to a maximum of eighty percent of a development, and prohibiting ground floor residential development abutting arterials roadways, a companion small scale land use amendment seeking a site specific policy addressing these two issues has also been submitted. The tracking number is 5542. No new vertical development is proposed. The proposed development is consistent with the following objectives and policies of the Future Land Use Element of the 2030 Comprehensive Plan, among others: 1.1.12, 1.1.13, 1.1.20, 1.1.22, 1.1.25, 1.2.4, 1.2.9, 2.10, 3.1.6, and 3.1.11.
- B. Roadways / Consistency with the Concurrency and Mobility Management System:** The development of the Property will comply with the requirements of the Mobility Plan.
- C. Allocation of Residential Land Use:** This proposed development will not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2030 Comprehensive Plan.
- D. Internal Compatibility:** The Site Plan attached as Exhibit "E" addresses access and circulation within the site. Access to the site will be available from Baymeadows Way and may be gated; the existing curb cut access to Baymeadows Road will be closed and a second, right-in only access connection to Baymeadows Way will be added. Internal circulation will be provided by approved private roads. The PUD contains special provisions for signage, landscaping, sidewalks, parking, and other issues relating to the common areas and vehicular and pedestrian traffic. Architectural design guidelines within the PUD provide that buildings, structures and signage within the Property are constructed and painted with materials which are aesthetically compatible and that dumpsters or similar appurtenances are screened from view from surrounding roadways and adjacent properties.
- E. External Compatibility / Intensity of Development:** The proposed development is consistent and comparable to the planned and permitted development in the area. The Property is located in the northwest quadrant of the Baymeadows Road exit off I-95, a major interstate/arterial node. The surrounding

land use categories include CGC and BP along Baymeadows Road in both directions; surrounding zoning is CCG-1, IBP, and PUD (Freedom Commerce Center DRI). The Property is located in a developed area with a mix of office and retail commercial uses. The existing structures have been in place since 1991 and will remain. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and increases the mixed use character of this predominantly commercial node by adding a multifamily use. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.

- F. Usable Open Spaces, Plazas, Recreation Areas:** Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per unit; accordingly, the proposed 118 units would require approximately 17,700 square feet of recreational/open space. This will be met by the existing amenity facilities on the Property.
- G. Impact on Wetlands:** N/A, the Property is already developed.
- H. Listed Species Regulations:** N/A.
- I. Off-Street Parking & Loading Requirements:** The proposed unit mix of 110 one bedroom units under 500 square feet, and 8 two bedroom units under 700 square feet, requires a total of 181 parking spaces. The existing hotel use has 115 parking spaces, and an additional fifty-five (55) parking spaces will be created as part of this redevelopment, for a total of one hundred seventy (170) parking spaces.
- J. Pedestrian Circulation System:** External sidewalks exist along Baymeadows Road and Baymeadows Way.

V. ADDITIONAL § 656.341 DATA

- A. Professional Consultants:** Planner and engineer: AVA Engineers. Developer: Lenox Cove Apartments LLC.
- B. Differences from the Usual Application of the Zoning Code:** The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and PUD Conceptual Site Plan; it provides for site-specific design standards and criteria; and it permits a unique and creative approach to the planning and development of the Property.

- C. Land Coverage of All Buildings and Structures/Nonresidential Floor Area:** The impervious surface ratio will not exceed 85%.
- D. Amount of Public and Private Rights of Way:** The internal circulation drives will remain private and may be gated.
- E. Operation and Maintenance of Common Areas:** The Property is privately owned and will remain so.

| | | | |
|---|----|-----------|----|
| 1 | NO | REVISIONS | BY |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |

AVA ENGINEERS, INC.
 Commercial | Residential | Marine
 Florida Certified Professional Engineer
 License No. 000086
 10001 W. US HWY 1, SUITE 200
 BOCA RATON, FL 33433
 (561) 991-1100



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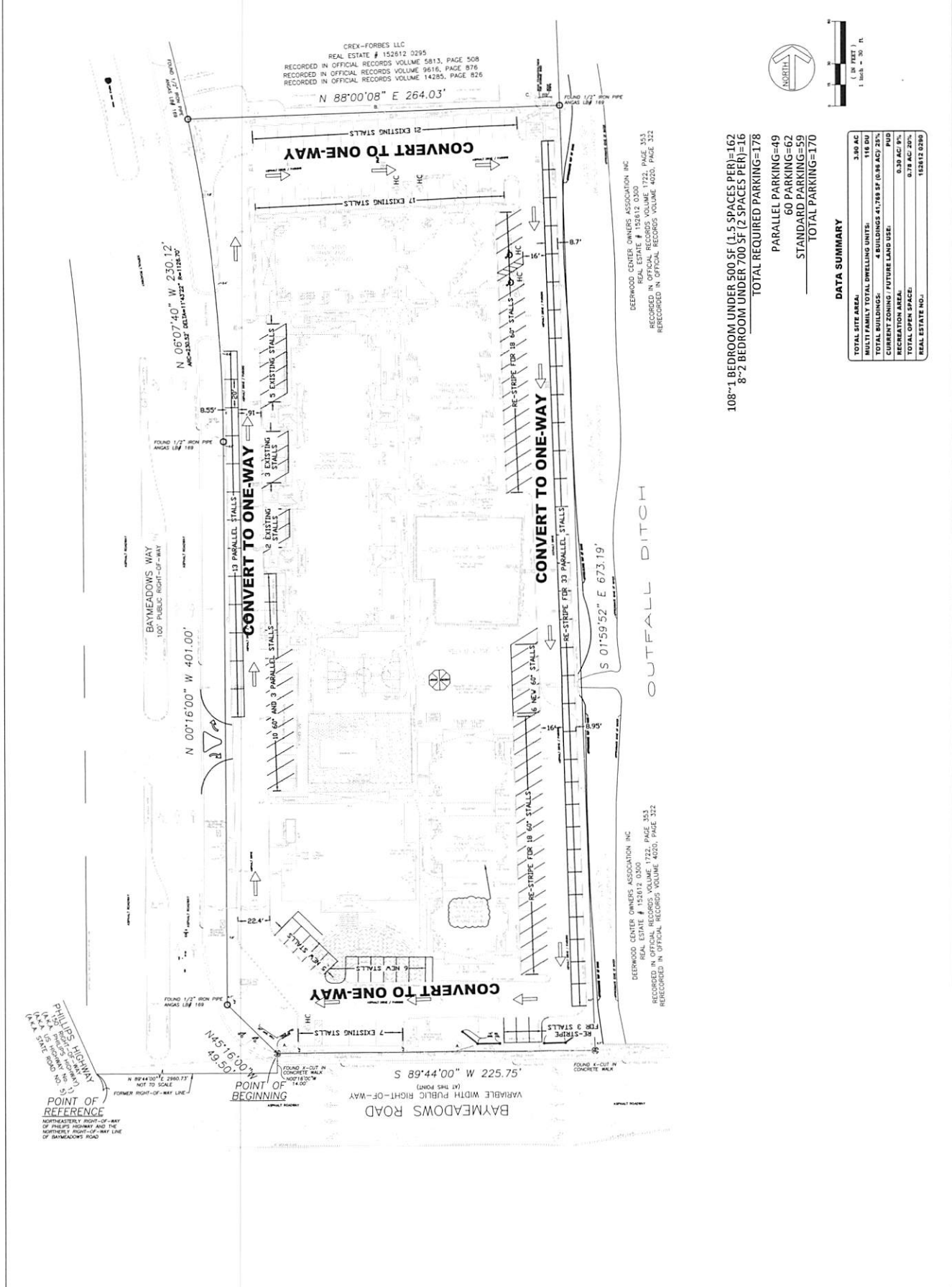
HAWTHORN SUITES

PUD SITE PLAN

Broward County
Florida

DATE: 2/23
DESIGNER: HAV
JOB #: 21-001
DRAWN: CMW
1st TO: 30

1
of 1



108~1 BEDROOM UNDER 500 SF (1.5 SPACES PER)=162
 8~2 BEDROOM UNDER 700 SF (2 SPACES PER)=16
 TOTAL REQUIRED PARKING=178

PARALLEL PARKING=49
 GO PARKING=62
 STANDARD PARKING=59
 TOTAL PARKING=170



DATA SUMMARY

| | |
|------------------------------------|-------------------------------------|
| TOTAL SITE AREA: | 3.96 AC |
| MULTI FAMILY TOTAL DWELLING UNITS: | 116 DU |
| TOTAL BUILDINGS: | 4 BUILDINGS 41,768 SF (0.86 AC) 25% |
| CURRENT ZONING/ FUTURE LAND USE: | PUD |
| RECREATION AREA: | 0.30 AC 8% |
| TOTAL OPEN SPACE: | 0.78 AC 20% |
| REAL ESTATE NO.: | 152612 0295 |

DEERWOOD CENTER OWNERS ASSOCIATION INC
 REAL ESTATE # 152612 0300
 RECORDED IN OFFICIAL RECORDS VOLUME 1722, PAGE 353
 RECORDED IN OFFICIAL RECORDS VOLUME 4020, PAGE 322

DEERWOOD CENTER OWNERS ASSOCIATION INC
 REAL ESTATE # 152612 0300
 RECORDED IN OFFICIAL RECORDS VOLUME 1722, PAGE 353
 RECORDED IN OFFICIAL RECORDS VOLUME 4020, PAGE 322

EXHIBIT F

PUD Name

HAWTHORN SUITES

Date

Feb 24, 2021

Land Use Table

| | | | |
|--|-------------|---------|-------------|
| Total gross acreage | 3.9 | Acres | 100 % |
| Amount of each different land use by acreage | | | |
| Single family | 0 | Acres | 0 % |
| Total number of dwelling units | 0 | D.U. | |
| Multiple family | 0.96 | Acres | 25 % |
| Total number of dwelling units | 118 | D.U. | |
| Commercial | 0 | Acres | 0 % |
| Industrial | 0 | Acres | 0 % |
| Other land use | 0 | Acres | 0 % |
| Active recreation and/or open space | 0.3 | Acres | 8 % |
| Passive open space, wetlands, pond | 0.78 | Acres | 20 % |
| Public and private right-of-way | 0 | Acres | 0 % |
| Maximum coverage of non-residential buildings and structures | 0 | Sq. Ft. | 0 % |