



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
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November 7, 2024

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

RE: Planning Commission Advisory Report
Ordinance No.: 2024-786 **Application for: Pottsburg Creek Apts PUD**

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

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

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

Planning Commission Recommendation: **Approve with Condition**

This rezoning is subject to the following exhibits:

- 1. The original legal description dated May 22, 2024**
- 2. The original written description dated August 1, 2024**
- 3. The original site plan dated May 16, 2024**

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

- 1. Development of structures and allowed permitted uses, listed within the written description, may only occur in areas of the PUD which are designated as the CGC land use category.**

Planning Department conditions:

1. Development of structures and allowed permitted uses, listed within the written description, may only occur in areas of the PUD which are designated as the CGC land use category.

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.

Planning Commission Vote: **7-0**

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

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
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0786 TO

PLANNED UNIT DEVELOPMENT

NOVEMBER 7, 2024

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2024-0786** to Planned Unit Development.

Location: 0 Beach Boulevard
Between Shaw Road and Grove Park Boulevard

Real Estate Numbers: 136380-0000, 136291-0000

Current Zoning Districts: Residential Low Density-90 (RLD-90)
Commercial Community/General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Categories: Low Density Residential (LDR)
Community/General Commercial (CGC)

Proposed Land Use Categories: Community/General Commercial (CGC)

Planning District: District 2- Arlington and Beaches

Council District District 4

Applicant/Agent: Anes Dracic
Modwelling
4800 Beach Boulevard, Suite 1
Jacksonville, FL 32207

Owner: Anes Dracic
Modwelling
4800 Beach Boulevard, Suite 1
Jacksonville, FL 32207

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2024-0786** seeks to rezone approximately 1.37± acres of land from Residential Low Density-90 (RLD-90) and Commercial Community/General-1 (CCG-1) to Planned Unit Development (PUD). The rezoning to PUD is being sought to develop the property as a residential community of up to 32 multi-family apartment units. According to Transportation Planning, the 32 apartment units are expected to generate 216 daily vehicle trips. The property is currently located in both the Low Density Residential (LDR) and Community/General Commercial (CGC) land use categories within the Urban Area of the Future Land Use Element of the 2045 Comprehensive Plan. There is a companion, small-scale, Land Use Amendment, 2024-0785 (L-5959-24C), to change the LDR portion of the property to the CGC Functional Land Use Category.

STANDARDS, CRITERIA AND FINDINGS

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

(A) Is the proposed zoning district consistent with the 2045 Comprehensive Plan?

Yes. The subject property is located in the Low Density Residential (LDR) Community General Commercial 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 2045 Comprehensive Plan. The proposed PUD request is to allow for multi-family residential development. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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. CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is encouraged to provide support for commercial and other uses.

Single-use multi-family development is permitted when 50 percent or more of the contiguous CGC category land area within up to one quarter of a mile radius is developed for non-residential uses. The maximum gross density in the Urban Area shall be 40 units/acre and there shall be no minimum density except for sites within the Coastal High Hazard Area (CHHA) the maximum gross density shall be 20 units/acre unless appropriate mitigation is provided consistent with the City's CHHA policies.

The site is within the boundaries of the 2021 and 2013 Coastal High Hazard Area. Pursuant to ordinance 2024-191-E, the CHHA maps were updated from the 2013 dataset to the 2021 dataset. As this application was paid and filed prior to the enactment of this ordinance, the application site is bound by the regulations and maps under the 2013 CHHA. Site design choices have been made to keep the development out of the 2013 CHHA area, as well as limit the density increases within the boundaries of the 2021 updated CHHA.

The proposed rezoning to PUD to allow for 32 multifamily units is consistent with the CGC land use category of the 2045 Comprehensive Plan. However, the PUD covers land in both the LDR and CGC land use categories. The permitted uses within the PUD shall be limited to those areas that are designated with the CGC land use category.

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

Yes. The proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan and furthers 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 for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Objective 1.1

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located within an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. Pursuant to the Duval County Manatee Protection Plan, the site is in an Unacceptable zone for the purposes of the Boat Facility Siting Recommendations. In an Unacceptable zone, development is limited to 1 slip for every 100 feet of shoreline owned or controlled by the applicant, rounded up. Based on the length of the shoreline contiguous to the

property, this would allow for a maximum of 4 slips. Further, the Recommendations do not apply to boat facilities with a total of four or less slips. So long as development falls within this limit, it will comport with the Manatee Protection Plan.

Coastal High Hazard Area (CHHA)

Approximately 0.1 acres of the subject site is located within the 2013 Coastal High Hazard Area (CHHA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The Coastal High Hazard Area (CHHA) is the area below the elevation of the Category 1 storm surge line as established by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as established by the most current Northeast Florida Hurricane Evacuation Study. It is shown on The Coastal High Hazard Areas (CHHA) and Hurricane Evacuation Zones Map. The companion amendment request for the subject site is to change the land use designation of a portion of the PUD from LDR to CGC. No development is proposed on the portion of the subject site that is located within the CHHA. The portion of the PUD within the 2013 CHHA will remain LDR with no changes.

The site is within the boundaries of the 2021 and 2013 Coastal High Hazard Area. Pursuant to ordinance 2024-191-E, the CHHA maps were updated from the 2013 dataset to the 2021 dataset. As this application was paid and filed prior to the enactment of this ordinance, the application site is bound by the regulations and maps under the 2013 CHHA. Site design choices have been made to keep the development out of the 2013 CHHA area, as well as limit the density increases within the boundaries of the 2021 updated CHHA.



Map indicating CHHA on subject property

(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.

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 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) and Community General Commercial (CGC). There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series L-5959-24C (Ordinance 2024-0785) that seeks to amend the Land Use Categories to Community General Commercial (CGC). The Planning and Development Department finds that the proposed PUD is consistent with the 2045 Comprehensive Plan, as evaluated in Criteria (B).

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for a residential development. Moreover, 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 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: The number of units does not require a minimum amount of open space and recreational areas per the Zoning Code. The site is required to meet the 2045 Comprehensive Plan's Recreation and Open Space Regulations. This area will be further evaluated in the Site Plan Review portion of the Development Process.

The use of existing and proposed landscaping: Landscaping will meet the requirements of Part 12 Landscape Regulations of the Zoning Code except the following:

Modification to Sec. 656.1215 (a)(1): Except for those uses described in Sections 656.604(a)(2), Sections 656.604(e)(1) and 656.604(f)(1), a landscaped area of not less than ten square feet for each linear foot of VUA street frontage, 50 percent of which shall be at least a five-foot wide strip abutting the street right-of-way except for driveways. For those uses described in Sections 656.604(a)(2), Sections 656.604(e)(1), and 656.604(f)(1), the landscape area is determined by the total number of parking spaces provided and the parking rate. All perimeter landscaping shall conform to Section 656.607(j), Parking Lot Landscaping Matrix, Figure B. Landscaped area calculations shall be met exclusive of any driveway width. The remaining required landscape area shall be located within 30 feet of the street right-of-way.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be accessible by Beach Boulevard (SR-212/US-90), a principal arterial roadway and FDOT right of way. FDOT will have complete control of the access.

Beach Boulevard between Pottsburg Creek and Parental Home Road is currently operating at 88% of capacity. This segment currently has a maximum daily capacity of vehicles per day of 64,200 (vpd) and average daily traffic of 56,500 vpd.

The applicant requests 32 multi-family dwelling units (ITE Code 220) which could produce 216 daily trips.

(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 surrounding property north of the subject site is zoned RLD-90 and utilized as single-family dwellings. The properties south and west of the subject site is zoned CCG-22, and is used for commercial and non-profit purposes. East of the property lies a waterway, zoned WT.

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	Water	WT	Water
South	CGC	CCG-2	Non-profit/Animal Shelter
East	CGC	CSV	Water/Wetlands
West	CGC	CCG-2	Boat and RV Sales

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and will be developed with a maximum of 32 units. The PUD is appropriate at this location because it is consistent with the growing nature of the general area and will provide a greater variety of housing options for local citizens.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

The subject property is located on the north side of SR-212 (Beach Boulevard). Per the memo from FDOT dated October 14, 2024, the applicant needs to coordinate with FDOT Access Management and Permits regarding the proposed site access through US-90 / SR-212 / Beach Blvd. The segment mentioned in Table 2 is not anticipated to have adequate capacity to accommodate the trips generated from the development at the target Level of Service (LOS) standard in 2028. The City should consider implementing additional strategies to mitigate transportation impacts on this affected State Facility.

Table 2

County	Road	Segment ID	FDOT LOS Standard	Maximum Service Volume	2022 Peak Hour Volume	2022 Peak LOS	2028 Peak Hour Volume	2028 Peak LOS
Duval	SR-212 / US-90 / Beach Blvd	21,278	D	5,780	5,085	C	5,463	C
Duval	SR-212 / US-90 / Beach Blvd	21,179	D	4,870	5,085	F	5,463	F

Bicycle and Pedestrian Facilities

There are sidewalks and bike lanes on Beach Blvd alongside the project site. Sidewalks are proposed within the project site.

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

The subject site will be serviced by JEA for city water by existing 12-inch water main and 4-inch force main sewer connection along Beach Boulevard. Additionally, in a memo provided by JEA dated June 6, 2024, JEA Availability Number 2023-2039 issued 09/22/2020 for 85,050 gpd for the proposed development. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

School Capacity:

Based on the Development Standards for impact assessment, the 1.37± acre proposed PUD rezoning has a development potential of 32 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.

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

**School Impact Analysis
PUD 2024-0786**

Development Potential: 32 Single-Family Units

School Type	CSA	2024-2025 Enrollment/CSA	Current Utilization (%)	New Student/Development	5-Year Utilization (%)	Available Seats	Available Seats - Adjacent CSA 4 & 5
Elementary	3	7,147	69%	4	75%	775	3,355
Middle	3	1,914	67%	1	56%	273	1,433
High	3	4,494	89%	2	85%	303	1,708
Total New Students				7			

Total Student Generation Yield: 0.248

Elementary: 0.119

Middle: 0.050

High: 0.078

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

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 (Rounded)	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2020/2021)	% OCCUPIED	4 YEAR PROJECTION
Hogan-Spring Glen ES #64	3	4	472	428	91%	94%
Southside MS #211	3	1	988	827	84%	88%
Englewood HS #90	3	2	1,879	1,907	101%	86%

1. Attendance school may not be in proposed development's Concurrency Service Area (CSA)
2. Does not include ESE & room exclusions
3. Analysis based on a **maximum** 32 dwelling units – 2024-0789
4. The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757)

by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

(7) Usable open spaces plazas, recreation areas.

The project will be developed, in regards to recreation and open space, in accordance with Section 656.420 of the Zoning Code.

(8) Impact on wetlands

Review of City data and the applicant's site plan indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the City's GIS analysis that indicates the location, size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size:	0.05 of an acre.
General Location(s):	The wetlands are located on the east side of the subject site and buffers Pottsburg Creek.
Quality/Functional Value:	The wetland has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City's waterways..
Soil Types/ Characteristics:	(22) Evergreen-Wesconnett complex– The Evergreen and Wesconnett series consists of nearly level, very poorly drained, soils. The Evergreen soils formed in decomposed organic materials underlain by thick sandy marine sediments while the Wesconnett soils formed in thick sandy marine sediments. Both soils are located in depressions and are moderately permeable and moderately slowly permeable. The high water table is at or above the soil surface for very long periods.
Wetland Category:	Category II
Consistency of Permitted Uses:	Category II Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.6 shown below – conservation uses permitted.

Environmental Resource
Permit (ERP):

Not provided by the applicant and none exists according to the St. Johns River Water Management District web site.

Wetlands Impact:

Approximately half of the wetlands of the application site will be impacted by development.

Associated Impacts:

Associated with the AE Flood Zone, AE-Floodway and Adaption Action Area.

Relevant Policies:

CCME Policies 4.1.3 and 4.1.5

For more information regarding Conservation/Coastal Management Element, please see the attached memo from Community Planning Division.



Aerial view of subject site with wetlands indicated by highlighted portion

Flood Zones

Approximately 0.36 acres of the subject site is located within the AE 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 AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.



View of subject site with flood zone indicated by highlighted portion

(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.

One and one-half parking spaces for each one-bedroom dwelling containing 500 square feet or more, and an additional one-quarter space for each bedroom in excess of one will be provided.

(11) Sidewalks, trails, and bikeways

There is an existing sidewalk on Beach Boulevard in front of the property. The project will contain a pedestrian system that meets the 2045 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 21, 2024**, 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 **2024-0786** be **APPROVED with the following exhibits:**

1. **The original legal description dated May 22, 2024**
2. **The original written description dated August 1, 2024**
3. **The original site plan dated May 16, 2024**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2024-0786 be **APPROVED subject to the following condition, which may only be changed through a rezoning:**

1. **Development of structures and allowed permitted uses, listed within the written description, may only occur in areas of the PUD which are designated as the CGC land use category.**



Aerial view of subject property



View of subject property



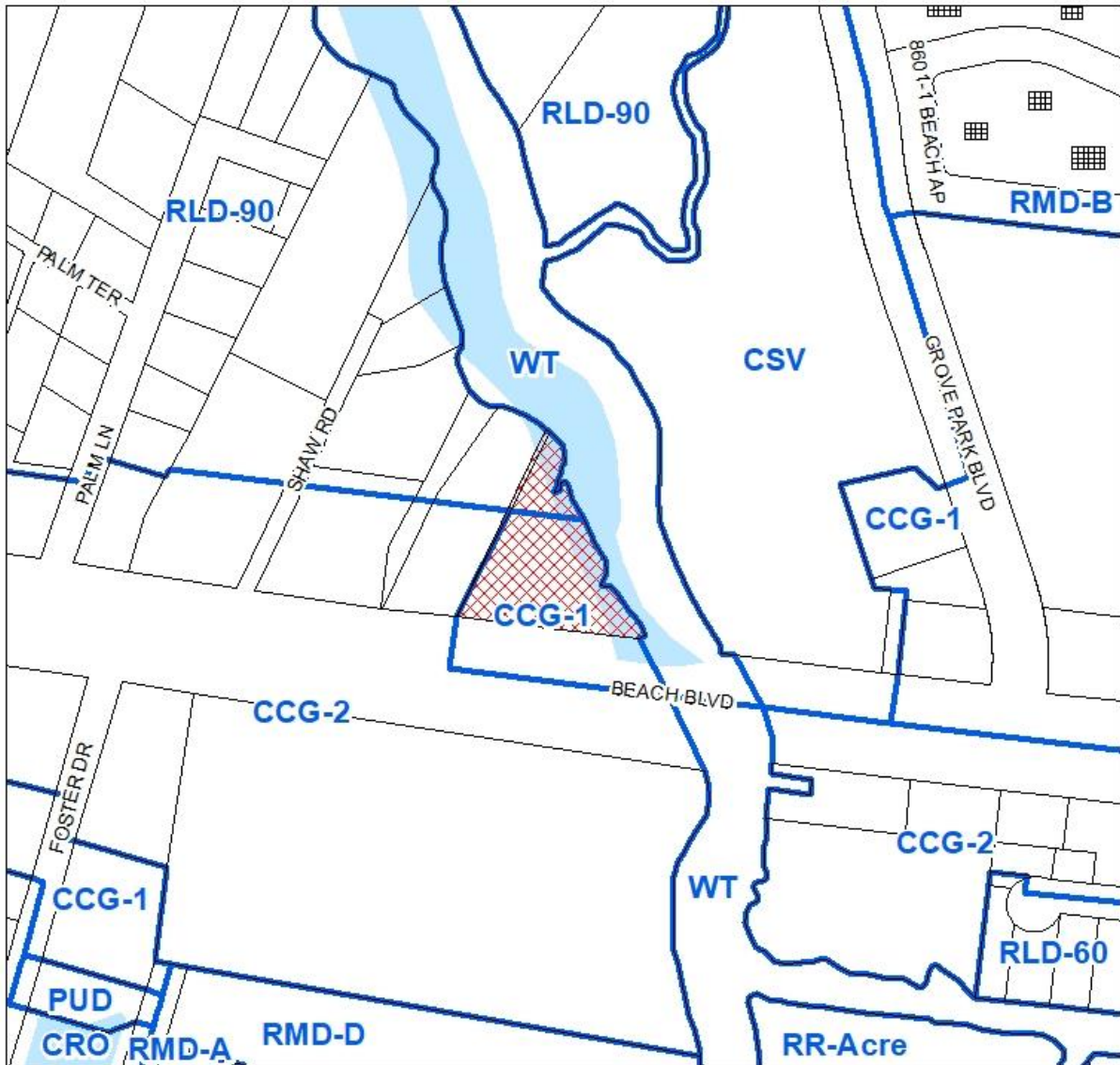
View of subject property

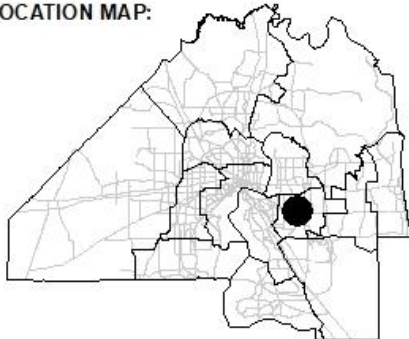
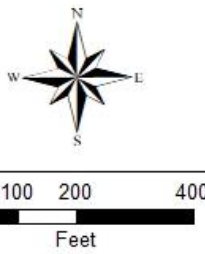


View of adjacent wetlands



View of adjacent property



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1 & RLD-90</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2024-5610</p>	 <p>COUNCIL DISTRICT:</p> <p>4</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
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Legal Map