

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

April 7, 2022

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.: 2022-151 Application for: Old St. Augustine Commercial PUD

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

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

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

Planning Commission Recommendation: **Approve with Conditions**

This rezoning is subject to the following exhibits:

1. The original legal description dated February 28, 2022.
2. The **revised** written description dated April 7, 2022
3. The original site plan dated October 29, 2021.

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

1. The property shall be developed in accordance with the Transportation Planning Memorandum dated March 22, 2022, or as otherwise approved by the Planning and Development Department.
2. There shall be no interior or exterior seating for the restaurant.

Planning Department conditions:

1. The property shall be developed in accordance with the Transportation Planning Memorandum dated March 22, 2022, or as otherwise approved by the Planning and Development Department.
2. There shall be no interior or exterior seating for the restaurant.

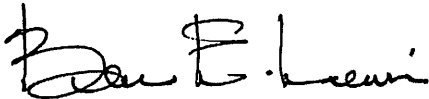
Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary: There were no speakers in opposition. The agent proposed Condition #2 indicting the proposed restaurant is to be a drive-up only. There was little discussion among the Commissioners.

Planning Commission Vote:	6-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Aye
Jason Porter	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
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 2022-0151 TO
PLANNED UNIT DEVELOPMENT

APRIL 7, 2022

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 **2022-0151** to Planned Unit Development.

Location: 0 Old St. Augustine Road
North of Losco Road

Real Estate Number: 155665-0000

Current Zoning District: Planned Unit Development (PUD) 1990-0025

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)

Proposed Land Use Category: Neighborhood Commercial (NC)

Planning District: Southeast, District 3

Applicant/Agent: Fred Atwill
Atwill, LLC
901 Forest Acres Lane
Jacksonville, FL 32234

Owner: Donna Helming
720 Oaks Field Road
Jacksonville, FL 32211

Pamela Newey
Pam, LLC
3733 University Blvd West
Jacksonville, FL 32217

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2022-0151** seeks to rezone approximately 0.66± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning is being sought to permit the development of a restaurant with drive through service options along with outdoor seating not to exceed a capacity of 60 seats. The proposed PUD differs from the usual application of the zoning code by limiting the uses usually allowed in the Neighborhood Commercial (NC) zoning districts and allowing Drive-thru facilities by right rather than by Zoning Exception.

The current PUD, **1990-0025**, allows uses following the zoning district of CPO in the Jacksonville Zoning Code at the time, which is equivalent to Commercial Office (CO) of Sec.656.311 of the current Zoning Code.

There is a companion Land Use Amendment, **2022-0150 (L-5662-22C)**. The proposed LUA is for Residential Professional Institutional (RPI) to Neighborhood Commercial (NC).

PUD Ord. 1990-0025-E was approved with the following conditions:

1. The subject property shall be developed in accordance with the revised site plan and accompanying written description of the intended plan of development, dated April 12, 1990, and on file in the office of the Planning Department.

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

1. The applicant has submitted a new written description and site plan for the newly proposed PUD and therefore the department does not recommend forwarding the following 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 Residential Professional Institutional (RPI) 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-5662-22C) (Ordinance 2022-0150) that seeks to amend the portion of the site that is within the Residential Professional Institutional (RPI) land use category to Neighborhood Commercial (NC). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5662-22C be approved.

Therefore, Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

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

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

Future Land Use Element (FLUE):

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The proposed site is located within the Suburban Development Area and is served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Naval Air Station Jacksonville (NAS Jax). Zoning will limit development to a maximum height of less than 300 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.

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

The intended development will meet 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 categories as identified in the Future Land Use Map series (FLUMs): Residential Professional Institutional (RPI). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series (L-5662-22C) (Ordinance 2022-0150) that seeks to amend the portion of land that is within the Residential Professional Institutional (RPI) land use category to Neighborhood Commercial (NC). The Planning and Development Department finds that the proposed PUD is consistent with the 2030 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).

This development is subject to mobility fee review.

(3) Allocation of residential land use

This proposed Planned Unit Development is being requested to permit the development of a restaurant with drive through service options along with outdoor seating not to exceed a capacity of 60 seats. 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 with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The proposed development is for commercial uses and therefore the property is not required to provide recreational areas.

The use of existing and proposed landscaping: This PUD shall be developed in accordance with Part 12, Landscape Regulations, of the City's Zoning Code. The configuration of the retention system is designed to buffer adjacent uses and to provide for transition between boundaries. Further, a fence, wall or evergreen hedge no less than six (6) feet in height that is at least 85% opaque may be provided by the developer in conjunction with the vertical development of the Property. The fence, wall or evergreen hedge may be located along the southeasterly boundary lines of the property.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, vehicular access for the subject property shall be along Old St. Augustine Road. Comments from Transportation include:

The subject site is approximately 0.66 of an acre and is accessible from Old Saint Augustine Road, a collector facility. Old Saint Augustine Road is currently operating at 83.28% of capacity. This segment of Old Saint Augustine Road has a maximum daily capacity of 37,611 vehicles per day (vpd) and average daily traffic of 31,324 vpd.

This PUD is a companion to pending small-scale land use application L-5662-22C (2022-0150). The preliminary site plan provided by the applicant indicates a 1,250 square foot coffee shop with a drive-through (ITE Code 937), which would produce 207 daily vehicular 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 subject parcel is at the corner of Old St. Augustine Road and 11001-1 Old St. Augustine Road AP. According to the City's Functional Highway Classification Map, Old St. Augustine Road is a collector road and 11001-1 Old St. Augustine Road AP is a private roadway. Old St. Augustine Road is primarily zoned for commercial uses with surrounding uses include neighborhood shopping centers, schools, banks/office spaces. Branching off Old St. Augustine Road are properties zoned for multi-family residential and townhome subdivisions.

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	RPI	CRO	School
South	RPI	PUD: 1997-1148	Bank
East	RPI	RMD-D	Multi-Family Dwellings
West	CGC	CCG-1	Shopping Center

(6) Intensity of Development

The proposed development is consistent with the NC functional land use category with specific reference to the following:

The availability and location of utility services and public facilities and services: The subject site will be serviced by JEA for city water and sewer. Per the JEA Availability Letter dated January 21, 2022, the property has an existing 8-inch water main within the Old St Augustine Road ROW and an existing 4-inch and 8-inch sewer connection within the Old St. Augustine Road ROW.

(7) Usable open spaces plazas, recreation areas.

No recreation area is required.

(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 parking requirements shall be consistent with Part 6 of the City's Zoning Code.

(11) Sidewalks, trails, and bikeways

Pedestrian access shall be provided by existing sidewalks along Old St. Augustine Road and internal sidewalk facilities installed in accordance with the 2030 Comprehensive Plan.

Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.

SUPPLEMENTARY INFORMATION

The applicant provided documentation and photo proof to the Planning and Development Department on **February 23, 2022** that the Notice of Public Hearing signs **were** posted.



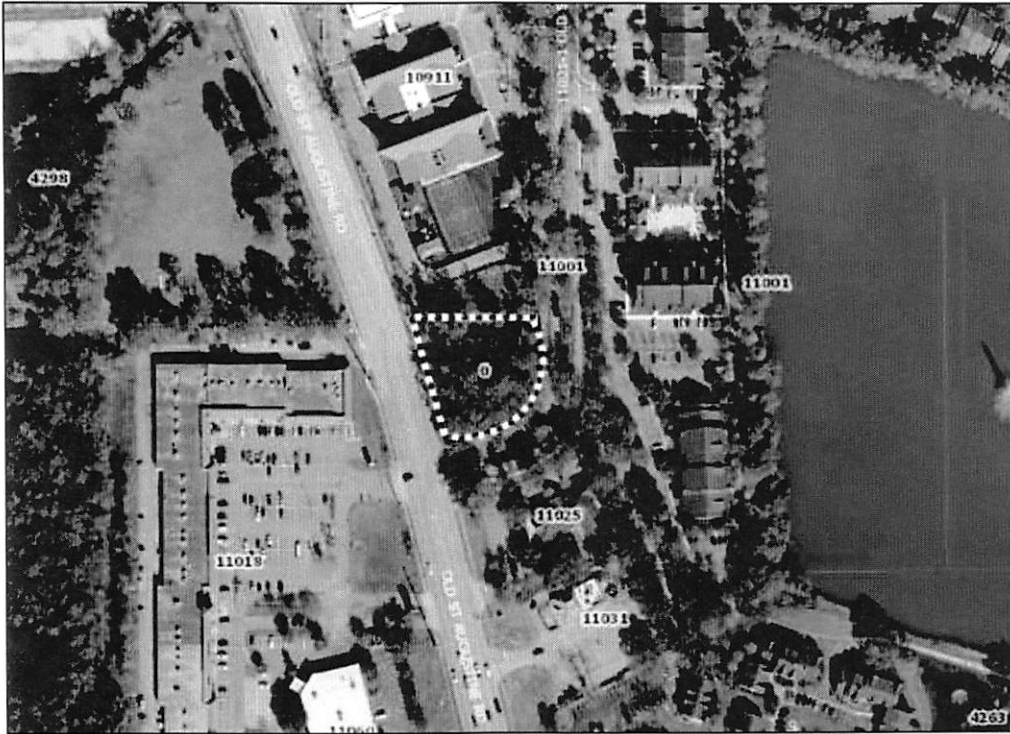
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0151** be **APPROVED with the following exhibits:**

- The original legal description dated February 28, 2022.**
- The original written description dated January 27, 2022.**
- The original site plan dated October 29, 2021.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2022-0151** be **APPROVED W/ CONDITION.**

- 1. The property shall be developed in accordance with the Transportation Planning Memorandum dated March 22, 2022, or as otherwise approved by the Planning and Development Department.**



Aerial View

Source: JaxGIS



View of the Subject Property

Source: JaxGIS Maps



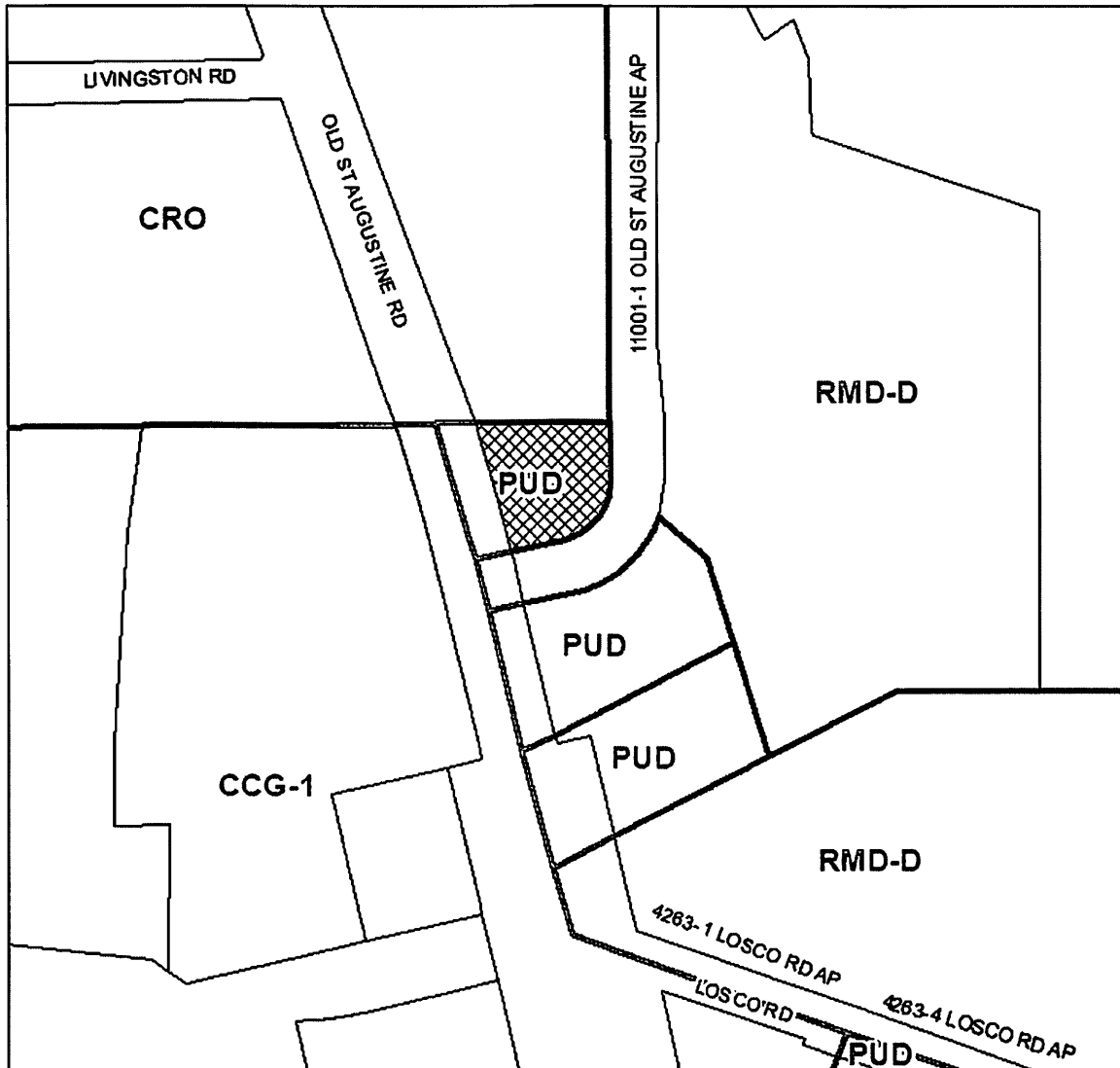
View of property to the West

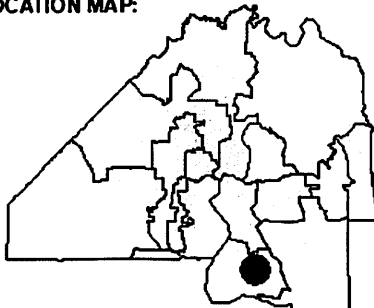
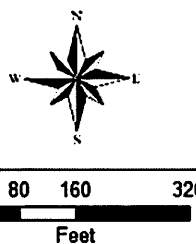
Source: GoogleMaps



View of property to the South

Source: GoogleMaps



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>6</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2022-0151</p>	<p>TRACKING NUMBER</p> <p>T-2022-4038</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>



ONE CITY. ONE
JACKSONVILLE.

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

MEMORANDUM

DATE: March 22, 2022

TO: Erin Abney, City Planner II
Current Planning Division

FROM: Chris Schoenig, City Planner III
Transportation Planning Division

SUBJECT: Transportation Memorandum 2022-0151

Upon review of the referenced application and based on the information provided to date, the Transportation Planning Division has the following conditions:

- The driveway shown on the site plan will not function as a right in/right out driveway. Remove the median and align the proposed driveway with the existing driveway across Old St Augustine Road. If that cannot be done, a professional traffic engineer shall conduct a meeting to determine a safe access prior to Civil Site Plan Review. The meeting shall include the Chief of the Traffic Engineering Division (currently Chris LeDew CLeDew@coj.net), the Chief of the Transportation Division (currently Laurie Santana LSantana@coj.net) and the traffic reviewer from Development Services (currently John Kolczynski JohnFK@coj.net).
- A queuing analysis shall be performed and included with the Civil Site Plan Review showing that vehicles will never queue onto Old St Augustine Road.

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2022-0151 **Staff Sign-Off/Date** ELA / 02/18/2022
Filing Date 03/08/2022 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 04/12/2022 **Planning Commission** 04/07/2022
Land Use & Zoning 04/19/2022 **2nd City Council** 04/26/2022
Neighborhood Association GREATER HOOD ROAD COMMUNITY ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4038 **Application Status** FILED COMPLETE
Date Started 01/27/2022 **Date Submitted** 01/27/2022

General Information On Applicant

Last Name ATWILL **First Name** FRED **Middle Name**
Company Name ATWILL LLC
Mailing Address 9001 FOREST ACRES LANE
City JACKSONVILLE **State** FL **Zip Code** 32234
Phone 9046108975 **Fax** 904 **Email** ATWILLFRED15@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name HELMING **First Name** DONNA **Middle Name**
Company/Trust Name INDIVIDUAL
Mailing Address 720 OAKS FIELD ROAD
City JACKSONVILLE **State** FL **Zip Code** 32211
Phone 9047331202 **Fax** **Email** HDH325@BELLSOUTH.NET

Last Name NEWAY **First Name** PAMELA **Middle Name**
Company/Trust Name PAM, L.L.C.
Mailing Address 3733 UNIVERSITY BOULEVARD WEST
City JACKSONVILLE **State** FL **Zip Code** 32217
Phone **Fax** **Email**

9047331202

HDH325@BELLSOUTH.NET

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 90-25-142; 90-580-243

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 155665 0000	6	3	PUD	PUD

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

Existing Land Use Category

RPI

Land Use Category Proposed?

If Yes, State Land Use Application #

5662

Total Land Area (Nearest 1/100th of an Acre) 0.66

Development Number

Proposed PUD Name OLD ST. AUGUSTINE ROAD COMMERCIAL PUD

Justification For Rezoning Application

THE PROPOSED DRIVE THROUGH RESTAURANT FEATURING 60 OUTDOOR SEATS WILL BE BENEFICIAL TO THE SURROUNDING NEIGHBORHOOD AND COMMUNITY BY CREATING NEW AND VARIED EMPLOYMENT OPPORTUNITIES WHILE ALSO OFFERING AN ADDITIONAL DINING OUT OPTION FOR NEARBY RESIDENTS AND PASS BY PATRONS; THE PROPOSED RESTAURANT SUPPORTS THE PURPOSES OF THE CITY'S 2030 COMPREHENSIVE PLAN REGARDING THE PLANS COMMERCIAL NODAL DEVELOPMENT VISIONS, GIVEN ITS LOCATION ACROSS OLD ST AUGUSTINE ROAD FROM AN EXISTING SHOPPING CENTER.

Location Of Property

General Location

SOUTH OF LIVINGSTON AVENUE ALONG THE EAST SIDE OF OLD ST. AUGUSTINE ROAD

House #	Street Name, Type and Direction	Zip Code
0	OLD ST AUGUSTINE RD	

Between Streets

LIVINGSTON AVENUE and 1100-1 OLD ST. AUGUSTINE ROAD AP

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

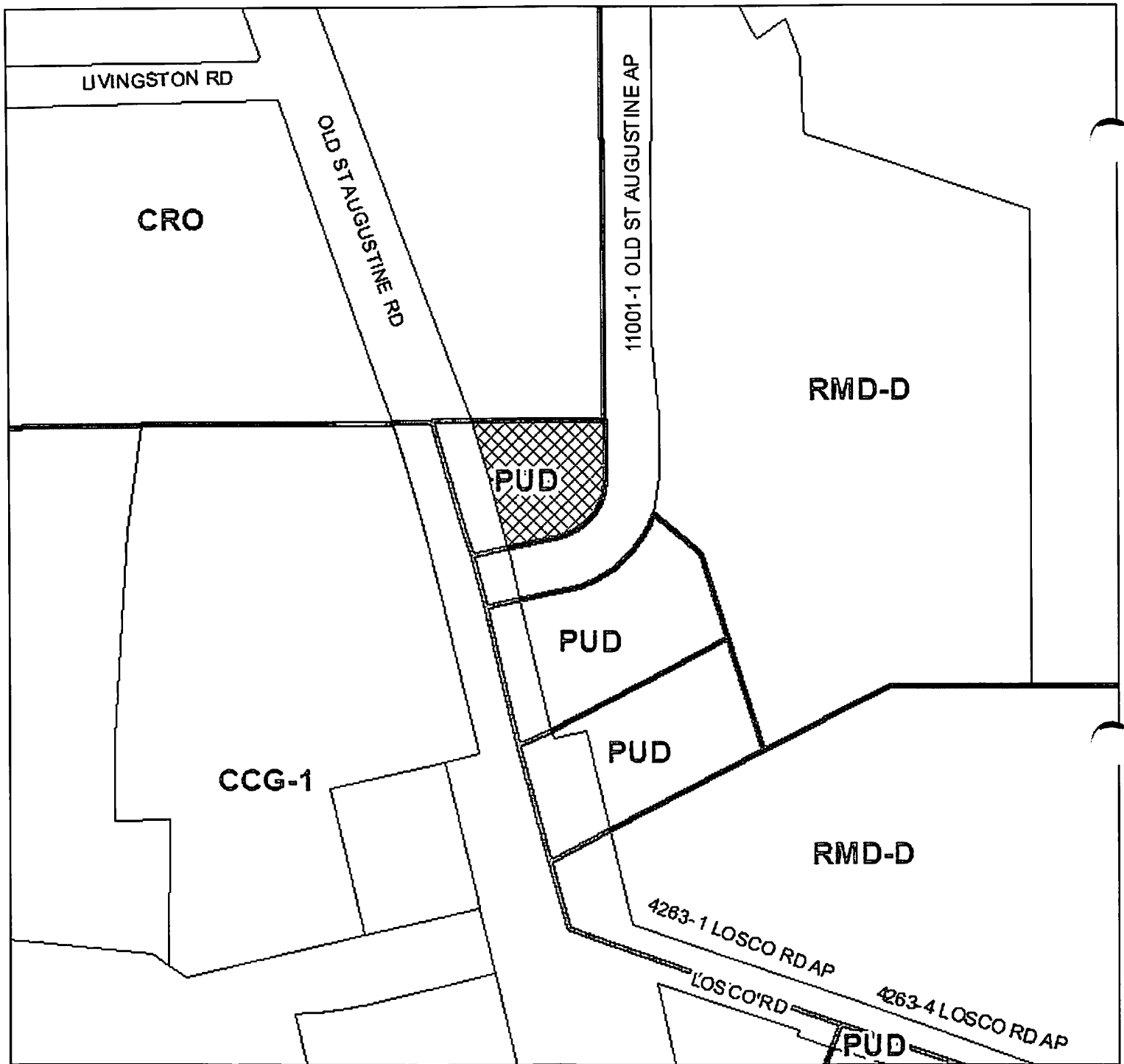
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**
0.66 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
8 Notifications @ \$7.00 /each: \$56.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,335.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

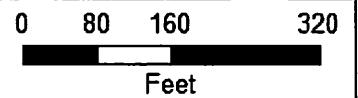
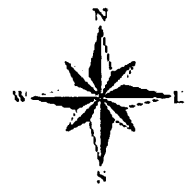
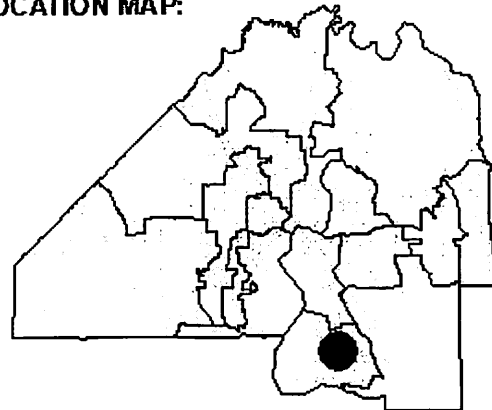


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

6

TRACKING NUMBER

T-2022-4038

**EXHIBIT 2
PAGE 1 OF 1**

EXHIBIT D

PUD Written Description

**Old St. Augustine Road Commercial PUD
January 27, 2022**

City Development Number: TBD

I. PROJECT DESCRIPTION

A. General Information

The project will be named the "Old St. Augustine Commercial PUD" (the "PUD"). The subject property of this Application for Rezoning from the original PUD under Ordinance 90-25-142 to updated Planned Unit Development (the "PUD Rezoning") consists of Real Estate #155665-0000 for a total of 0.66+/- acres (the "Property"). The Property is currently vacant.

The Property is currently zoned PUD and carries a future land use designation of RPI. (Please see Zoning and Land Use maps at Exhibit "I").

The proposed uses for the Property are consistent with the proposed PUD zoning district, as set forth in the City of Jacksonville Zoning Code (the "City's Zoning Code"). Except where otherwise specifically stated, all references to the City's Zoning Code in this PUD Exhibit "D" Written Description shall refer to the provisions of Chapter 656 of the City of Jacksonville Ordinance Code in effect at the time of the Planned Unit Development ("PUD") approval, and not of any future amendments thereof.

B. Purpose of Rezoning Request

The purpose of this rezoning is to create a PUD zoning district for the Property that better promotes a unified, symbiotic development at build out by blending it with the requirements and permitted uses of the current neighboring zoning districts. Additionally, at this time the PUD Rezoning primarily seeks to permit the development of a restaurant with drive through service options along with outdoor seating not to exceed a capacity of 60 seats.

C. Location

The Property is located on the eastern side of Old St. Augustine Road between Livingston Road and 11001-1 Old St. Augustine AP. The Property is bordered along its western boundary by Old St. Augustine Road.

D. Surrounding Properties

Surrounding existing uses, future land use map ("FLUM") designations and zoning districts are as follows:

	<u>EXISTING USES</u>	<u>FLUM DESIG.</u>	<u>ZONING DISTRICT</u>
SOUTH	Wachovia Bank immediately adjacent to Property; fast food restaurant immediately south of Wachovia Bank.	RPI	PUD

EAST	Multi-family apartment complexes	RPI	RMD-D
NORTH	Augustine Rd Charter School	RPI	CRO
WEST	Mandarin Central Plaza, LLC	CGC	CCG-1

E. Project Professionals

The names of the professional project planner(s), architect(s), engineer(s) and developer(s) are as follows:

**Fred Atwill, Jr. Planner
Atwill LLC
9001 Forest Acres Lane
Jacksonville, Florida 32234**

Architect: TBD

Engineer: TBD

Developer: TBD

II. USES AND RESTRICTIONS

A. Permitted Uses

- (a) Professional and business offices.
- (b) Banks, savings and loans institutions and similar uses.
- (c) Art galleries, museums, community centers, dance, art or music studios.
- (d) Off street commercial parking lots, meeting the performance standards development criteria set forth in Part 4 of the City's Zoning Code ("Part 4").
- (e) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (f) Drive thru facilities in conjunction with a permitted or permissible use or structure.
- (g) Fast food restaurant with drive throughs featuring outdoor seating not to exceed 60 seats.
- (h) Banking ATM Services.

B. Permitted accessory uses and structures

Permitted accessory uses and structures shall be in accordance with Section 656.403 of the City's Zoning Code.

C. Permissible Uses by Exception

- (a) Day care centers or care centers meeting the performance standards and

development criteria set forth in Part 4.

III. **DESIGN GUIDELINES**

A. **Lot Requirements**

- (a) ***Minimum lot area:*** None, except as otherwise required for certain uses.
- (b) ***Maximum lot coverage:*** 50 percent.
- (c) ***Minimum lot width:*** 75 feet.
- (d) ***Minimum lot area:*** 7,500 square feet, except as required for certain uses.
- (e) ***Minimum front yard:*** Twenty (20) feet.
- (f) ***Minimum side yard:*** Ten (10) Feet.
- (g) ***Minimum rear yard:*** Ten (10) feet.
- (h) ***Maximum height of structures:*** Forty-five (45) feet, with the exception of cell towers and any other tower that accommodates a permitted use in this PUD, spires, antennas, chimneys or other appurtenances not intended for human occupancy, any and all of which may exceed the maximum allowable height of forty-five (45) feet.

B. **Access and Circulation**

- (a) ***Parking Requirements:*** The parking requirements shall be consistent with Part 6 of the City's Zoning Code.
- (b) ***Vehicular Access:*** Vehicular access to the Property shall be by way of Old St. Augustine Road as indicated on the Conceptual Site Plan at Exhibit "G". The location of the access points shown on Exhibit "G" are conceptual and may be subject to realignments and/or relocations as the development occurs, subject to the approval of the Planning and Development Department during its Site Plan Review process.
- (c) ***Pedestrian Access:*** Pedestrian access shall be provided by existing sidewalks along Old St. Augustine Road and internal sidewalk facilities installed in accordance with the 2030 Comprehensive Plan.

C. **Signs**

- (a) ***Street Frontage Signage:*** One (1) street frontage pylon sign, not to exceed sixty-three square feet, is permitted, provided such signage is non-illuminated and/or ground lighted, as provided by the City's Zoning Code. Such freestanding signage shall be of a pylon style or as otherwise approved by the Planning and Development Department, not to exceed twelve (12) feet in height, and shall have architectural elements and design consistent with the buildings with which they are associated (please see Exhibit "J").

- (b) **Wall Signage:** Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.
- (c) **Canopy Signage:** One (1) under-the-canopy sign per occupancy, not exceeding a maximum of eight (8) square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the subject building.
- (a) **Directional Signage:** Directional signs shall not exceed four (4) square feet.

D. Landscaping and Buffers

This PUD shall be developed in accordance with Part 12, Landscape Regulations, of the City's Zoning Code.

The configuration of the retention system is designed to buffer adjacent uses and to provide for transition between boundaries. Further, a fence, wall or evergreen hedge no less than six (6) feet in height that is at least 85% opaque may be provided by the developer in conjunction with the vertical development of the Property. The fence, wall or evergreen hedge may be located along the southeasterly boundary lines of the Property as identified on the attached Exhibit "G".

E. Recreation and Open Space

Not applicable.

F. Utilities

The Property will be served by the Jacksonville Electric Authority with potable water, sanitary sewer and electric services (please see JEA Availability Letter at Exhibit "H").

G. Wetlands

Wetlands will be permitted according to local, state and federal requirements.

IV. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the overall Property, and showing the general layout of the overall Property.

The plans and other visual illustrations in this PUD Rezoning are conceptual. The Conceptual Site Plan, as submitted, reflects the best current thinking and planning for the site. It is possible, however, that revisions to the Conceptual Site Plan, including, but not limited to, types of use, access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review. Future changes will be subject to further review and approval by the Planning and Development Department.

V. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The Old St. Augustine Road Commercial PUD is consistent with the general purpose and intent of the City of Jacksonville's 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community by creating new and varied employment opportunities and will provide an additional dining option for nearby residents and pass by patrons.

The Old St. Augustine Commercial PUD is more efficient than would be possible through strict application of the Zoning Code because it allows and encourages compatible, flexible uses that promote a continuity of purpose and use for the overall area. By modifying the use limits mandated by the current zoning and land use designations for the Property, the proposed PUD better reflects the general intent of the City's 2030 Comprehensive Plan's Future Land Use Element's direction for Neighborhood Commercially classified districts which are characterized by mixed uses that serve as transitional areas between residential areas and specifically zoned commercial development existing within the City and its diverse set of neighborhoods.

The proposed PUD will promote the purposes of the City of Jacksonville's 2030 Comprehensive Plan by contributing to the Plan's requirements for nodal development and will likely serve to reduce the number of local Vehicle Miles Traveled ("VMT") by offering jobs, dining options and services benefitting area residents. The project will be compact and well connected, and is in a place where it will support multimodal transportation. The Old St. Augustine Commercial PUD supports the Plan's desired concept of nodal development, given its location adjacent to a major neighborhood-oriented shopping center directly across Old St. Augustine Road and nearby the major roadway intersection/interchange of I-295 and Old St. Augustine Road.

VI. PUD REVIEW CRITERIA

A. Consistency with Comprehensive Plan

The proposed uses presented in this PUD Rezoning are consistent with the goals, objectives and policies of the 2030 Comprehensive Plan according to its future land use map designations and its current zoning designations. Specifically, this proposal is consistent with the following City of Jacksonville 2030 Comprehensive Plan Future Land Use Element's Policies under its Objective 1.1:

(1) 1.1.5. Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to, zoning, subdivision of land, landscape and tree protection regulations and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

(2) 1.1.6. Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use Map category description and their associated provisions.

(3) 1.1.8. Require that all new non-residential projects be developed in either nodal areas, in appropriate commercial infill areas, or as part of mixed or multi-use developments such as Planned Unit Developments (PUDs), cluster developments, Traditional Neighborhood Design (TND) developments and Local Designated Historic Preservation Districts, as described in this Element.

(4) 1.1.10. Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

(5) 1.1.11. Ensure that mixed and multi-use projects enhance, rather than detract from, the character of the established developed areas by requiring site plan-controlled zoning such as Planned Unit Developments (PUDs) for all mixed and multi-use projects conforming with the following criteria:

- a) The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use.**
- b) The proposed development is in conformity with the goals, objectives, policies and operative provisions of this and other elements of the 2030 Comprehensive Plan; and**
- c) The proposed development is compatible with surrounding land uses and zoning.**

(6) 1.1.16. Prohibit scattered, unplanned, urban sprawl development without provisions for facilities and services adopted in the 2030 Comprehensive Plan in locations inconsistent with the overall concepts of the Future Land Use Element.

(7) 1.1.18. Limit urban scale development to the Urban and Suburban Areas of the City, as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services....

(8) 1.1.20. Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl.

(9) 1.1.23. The City will encourage the use of such smart growth practices as:

- a) Interconnectivity of transportation modes and recreation and open space areas;**
- b) A range of densities and types of residential developments;**
- c) Mixed use development which encourages internal capture of trips;**
- d) Use of the urban and suburban area boundaries as urban growth boundaries;**
- e) Revitalization of older areas and the downtown; and**
- f) Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.**

B. Consistency with the Concurrency Management System

The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency Management and Mobility System Office ("CMMSO") found under Chapter 655, Ordinance Code.

C. Internal Compatibility/Vehicular Access

This PUD Rezoning contains limitations on the uses and intensities of uses that will be allowed on the Property, along with development standards that contain provisions for signage, landscaping and sidewalks. Access to the Property is achieved by using Old St. Augustine Road.

D. External Compatibility/Intensity of Development

Surrounding land use designations and zoning districts include: RPI/CRO & RMD-D to the north and northeast, CGC and CCG-1 to the west and southwest, RPI/PUD immediately south, and RPI/ RMD-D due east of the Property. A combination of fencing and/or landscaping will serve to buffer the proposed PUD's non-residential development from the neighboring residential properties. A large portion of the project's northern boundary shall be buffered from the neighboring RPI/CRO lands by a stormwater runoff containment facility (please see Conceptual Site Plan at Exhibit "G").

The proposed Old St. Augustine Commercial PUD is compatible with the surrounding land uses. Nearby multi-family residential uses will be adequately buffered from the PUD by a five (5) foot minimum fenced or landscaped setback distance from its eastern boundary line and by the 11001-1 Old St. Augustine Apartments access/egress roadway. Additionally, the adjacent western and southern non-residential uses are homogeneous to the proposed uses in this PUD Rezoning.

E. Recreation/Open Space

Not applicable for the proposed PUD.

F. Impact on wetlands

Wetlands shall be identified and permitted as necessary according to local, State and federal law.

G. Listed Species Regulations

The Property is less than fifty (50) acres. In light of the size of the Property (0.63+/- acres), a listed species survey is not required (a minimum of 50 acres triggers this requirement).

H. Off-Street Parking and Loading Requirements

Off-street parking and loading requirements are in accordance with Part 6 of the City's Zoning Code.

I. Sidewalks, Trails and Bikeways

Sidewalks will be installed pursuant to the requirements in the 2030 Comprehensive Plan. No trails or bikeways are anticipated to be needed for this development unless required by the City.

J. Stormwater Retention

The Property may be served by on-site retention facilities (see the Conceptual Site Plan, Exhibit "G").

K. Utilities

Potable water, sanitary sewer and electric service will be provided by the Jacksonville Electric Authority (please see Exhibit "H" for JEA Availability Letter).

L. Lighting

The proposed PUD lighting shall be designed, installed, maintained and operated to provide adequate down lighting for the Property in such a manner to minimize unreasonable illuminate impacts upon adjacent residential uses while still providing off business hours security for the prospective development.

PRIVATE SCHOOL
CRO ZONING

REG 185372 0000
AUGUSTINE ROAD CYPRESS LLC
OFFICIAL RECORDS BOOK 692, PAGE 692

PARCEL 17, OFFICIAL RECORDS BOOK 4832, PAGE 100
PARCEL 18, OFFICIAL RECORDS BOOK 4832, PAGE 100
PARCEL 19, OFFICIAL RECORDS BOOK 1989, PAGE 10

POINT OF BEGINNING
SOUTH EAST 1/4 OF THE
SECTION 14 OF RANGE 4
RANGE 4
RANGE 4
RANGE 4

REG 18555 0000
MD AMERICA APARTMENTS LP
PARCEL 18, OFFICIAL RECORDS BOOK 1089, PAGE 2187

REG 2164
S002432E
2164

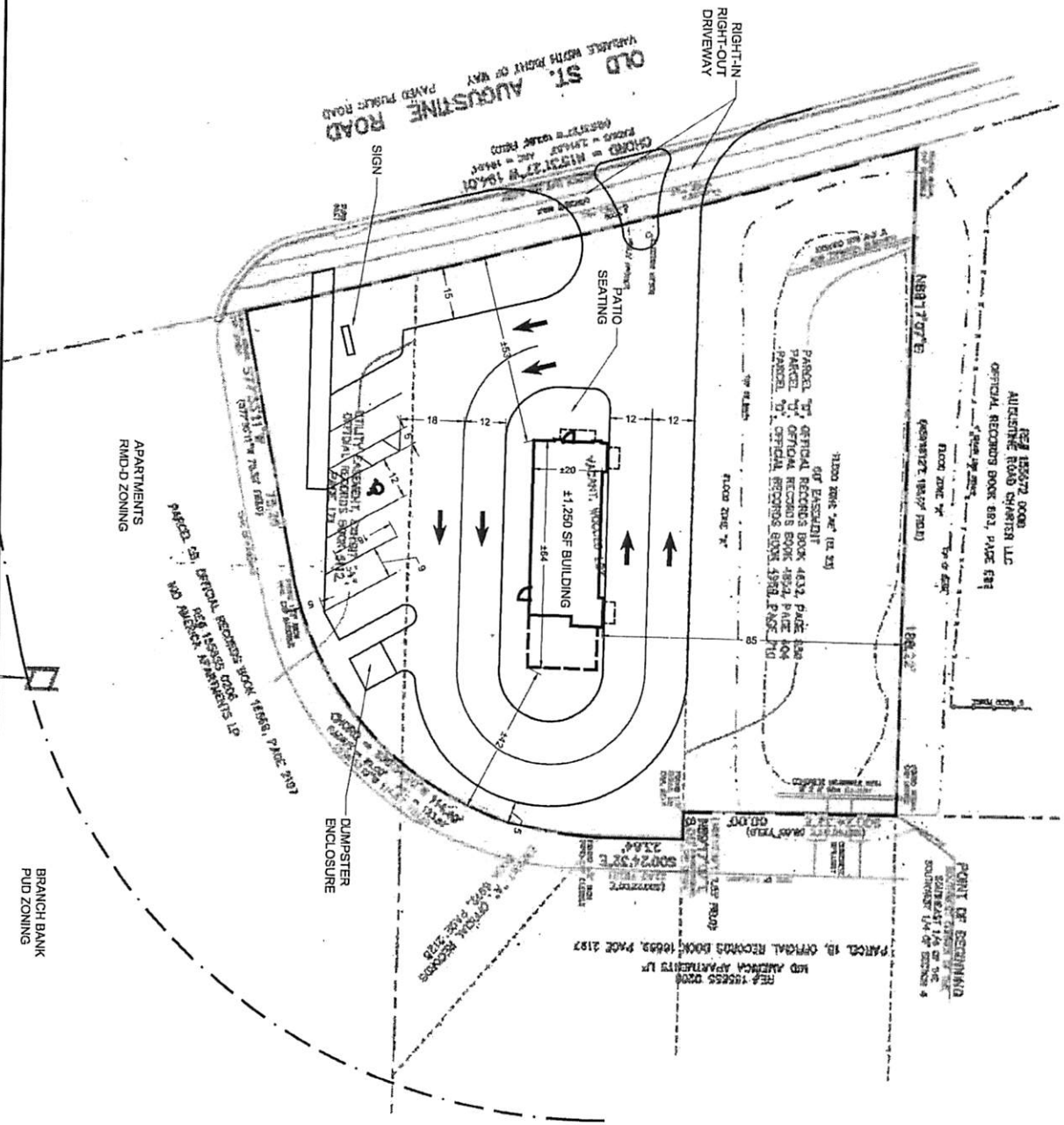
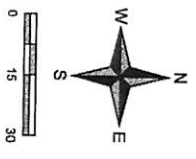
DUMPSTER
ENCLOSURE

REG 185305 0006
MD AMERICA APARTMENTS LP
PARCEL 18, OFFICIAL RECORDS BOOK 1860, PAGE 207

APARTMENTS
RM-D ZONING

BRANCH BANK
PUD ZONING

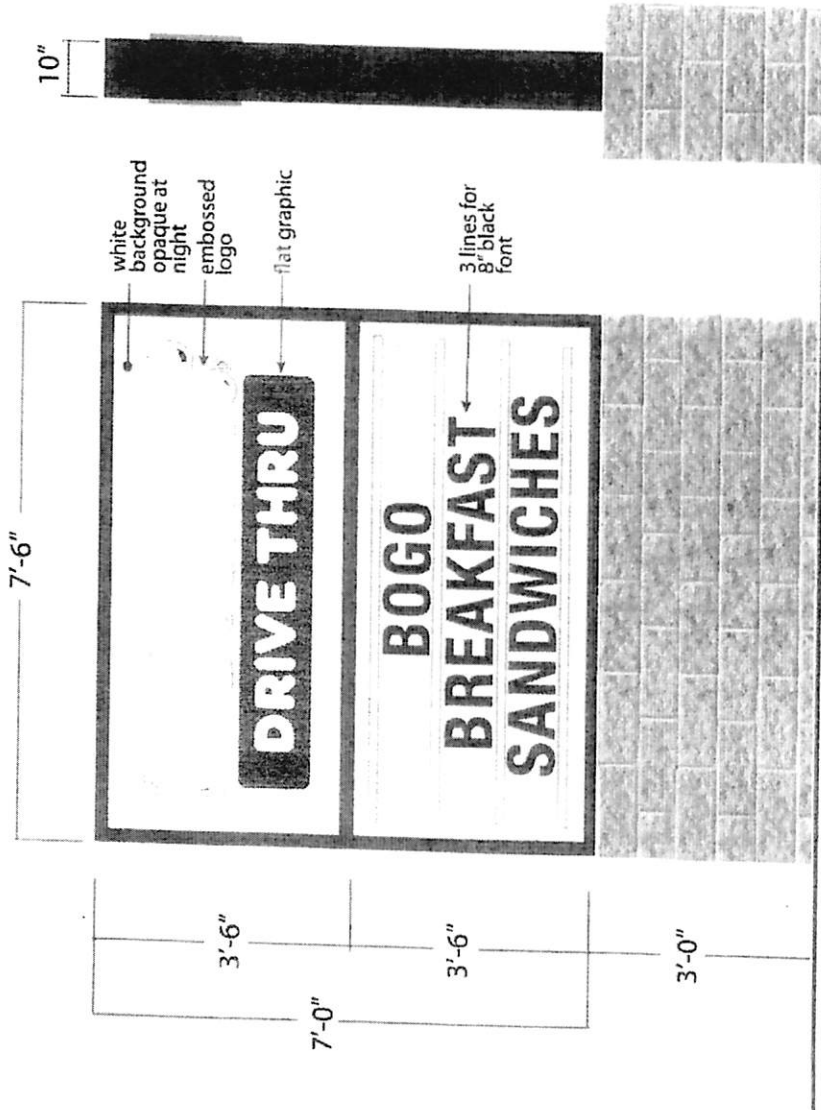
SITE AREA = 0.65 ACRES
CURRENT ZONING = PUD
BUILDING AREA = 41,250 SF
LOT COVERAGE = 5%
6 PARKING SPACES



Old St Augustine Road Coffee Shop

Jacksonville, Florida





**7' x 7'-6" DF LED ILLUM'D MONUMENT SIGN W/
FLAT EMBOSSED FACES & READER BOARD - 52.5 SQ. FT.**

NOTE: Masonry base by others



SPECIFICATIONS:

- Aluminum extrusion and aluminum angle construction
- Cabinet painted to match PMS 7540C Gray
- 1-1/2" face retainer ptd. PMS 7540C Gray
- Interior finish to be reflective white
- UL Listed
- Logo Faces: Clear solar grade polycarbonate decorated 2nd surface; Flat embossed with only 1/2" embossed; DRIVE THRU graphic is flat
- 3M 3630-3123 Orange translucent vinyl, 2nd surface
- 3M 3630-1379 Magenta translucent vinyl, 2nd surface
- Embossed copy is translucent
- White DRIVE THRU copy and 3M 3630-1379 Magenta background are translucent
- Face background is opaque at night; 2nd surface 403 white back-spray, backed-up with opaque silver for complete opaque finish
- Reader board face is fully translucent white and tracked for 3 lines of 8" black font



EXHIBIT F

PUD Name

Old St. Augustine Road Commercial PUD

Land Use Table

Total gross acreage	0.66+/- 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 Acres	0 %
Total number of dwelling units	0 D.U.	
Commercial	0.66+/- Acres	100 %
Industrial	0 Acres	0 %
Other land use	0 Acres	0 %
Active recreation and/or open space	0 Acres	0 %
Passive open space	0 Acres	0 %
Public and private right-of-way	0 Acres	0 %
Maximum coverage of buildings and structures	8,233 Sq. Ft.	30 %