

## WRITTEN DESCRIPTION

### **NEW BERLIN ROAD @ DUNN CREEK ROAD COMMERCIAL PUD**

February 4, 2020

#### I. PROJECT DESCRIPTION

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, proposed uses.

The site contains 1.472 acres west of the northwest corner of New Berlin Road and Dunn Creek Road and is owned by AL Century LLC. The site is vacant land along New Berlin Road. A concrete building exists on the adjoining property near the intersection of New Berlin Road and Dunn Creek Road with a former Internet Café as its past use within the CCG-1 zoning district. This PUD now excludes the former application's CCG-1 portion of the initial application site. Surrounding uses include vacant land to the north; single-family homes, mobile homes and vacant land to the south across New Berlin Road; a convenience store with gas pumps to the east across Dunn Creek Road; a single-family home to the northeast across Dunn Creek Road; a cell tower and church to the west; and automotive commercial businesses to the southeast across Dunn Creek on the south side of New Berlin Road. The property north of and adjoining this site has recently undergone a land use change to NC and a rezoning to PUD for a commercial shopping center.

The requested PUD development proposes moderately impacting commercial uses in one single structure with the potential to connect to the east of the site via driveways a convenience store or other free-standing retail store as shown on the attached Exhibit E Site Plan. The Revised Exhibit E Site Plan dated January 13, 2020 shows the potential future convenience store and gas pumps with canopies along with future driveways and parking areas and locations for future retention pond, dumpsters, loading zone and underground fuel tanks.

The proposed Commercial/Office Shopping center with 9,600 square feet is located on the site facing New Berlin Road. The building contains 1 store unit with 2,000 square feet (40' x 50') on the eastern end, 1 store unit with 2,100 square feet (42' x 50') on the western end, and 3 store units with 1,000 square feet (20' x 50') on the left middle of the building and 2 store units with 1,250 square feet (25' X 50') on the right middle of the building. With 29 parking spaces required, the plan proposes 28 regular parking spaces (10' x 20') and 4 handicapped parking spaces (12' x 20' plus shared and lined handicapped designated area). Since the small wetland area in the northwest portion of the site is non-jurisdictional, it will be incorporated into the site retention pond and/or filled in and included with part of the driveways and commercial building. A large retention pond is proposed to be located on the western end of the site (approximately .16 of an acre) to provide water retention for the shopping center development. The retention ponds will include an aerator fountain.

- B. Project Name: New Berlin Road @ Dunn Creek Road Commercial PUD
- C. Project Architect/Planner: Riley Planning Services LLC
- D. Project Engineer: NA
- E. Project Developer: Baligh Altheeb
- F. Current Land Use Description: Community/General Commercial (CGC)
- G. Proposed Land Use Description: Community/General Commercial (CGC)
- H. Current Zoning District: Commercial Office (CO)
- I. Requested Zoning District: Planned Unit Development (PUD)
- J. Real Estate Number(s): 106509-0100

## II. QUANTITATIVE DATA

- A. Total Acreage: 1.472 acres
- B. Total number of dwelling units: 0
- C. Total amount of non-residential floor area: 9,600 square feet
- D. Total amount of recreation area: 0 acres
- E. Total amount of open space: 0 acres
- F. Total amount of public/private rights-of-way: 0 acres
- G. Total amount of land coverage of all buildings and structures: 9,600 square feet (office and commercial units).
- H. Phase schedule of construction (include initiation dates and completion dates):  
Initiation of construction within 2 years of PUD approval and completion within 5 years of PUD approval.

## III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code?  
This proposed PUD will expand allowable commercial uses which are consistent with other uses along New Berlin Road in the vicinity of New Berlin Road commercial developments in the area as well as recently approved commercial uses in an adjoining PUD to the north of the site, and which will be unobtrusive to adjoining developments. PUD site plan will offer controlled ingress/egress locations and vehicular interconnectivity within the entire proposed commercial development as well as assure planned landscaping, sidewalks and signage. Interconnectivity of driveways will also be provided to future commercial uses to the north, east and west of this PUD site.

- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City. Not Applicable.

#### IV. USES AND RESTRICTIONS

- A. Permitted Uses: The following commercial and office uses are proposed through this PUD to be included for potential site development:

- 1) Commercial retail sales and service establishments.
- 2) Banks, including drive-thru tellers, savings and loan institutions, drive-thru ATM machine structures, and similar uses.
- 3) Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment and similar uses.
- 4) Art galleries, museums, community centers, dance, art or music studios.
- 5) Vocational, trade or business schools and similar uses.
- 6) Day care centers or care centers meeting the performance standards and criteria set forth in Part 4.
- 7) An establishment or facility which includes the retail sale and service of beer and wine for off-premises consumption or for on-premises consumption in conjunction with a restaurant.
- 8) Restaurants with the outside sale and service of food meeting performance standards and development criteria set forth in Part 4.
- 9) Express or parcel delivery offices and similar uses (but not freight or truck terminals).
- 10) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- 11) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- 12) Churches, including a rectory or similar use.
- 13) Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.
- 14) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- 15) Filling or gas stations with up to 8 pump stations as well as convenience store and automated car wash meeting the performance standards and developments criteria set forth in Part 4.
- 16) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

**B.** The following uses are prohibited: Multi-family residential vertically integrated with a permitted use on the ground floor; employment offices; pharmacies not in conjunction with a grocery store; retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, and sporting goods; tattoo parlors; bait shops; auto repair facilities, package stores, cocktail lounges and bars; and internet cafes.

**C.** Permissible Uses by Exception: The following uses shall be recognized as permissible uses by exception:

- 1) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer, or wine for off-premises consumption.
- 2) Auto laundry or manual car wash.
- 3) Schools meeting the performance standards and development criteria set forth in Part 4.

**D.** Limitations on Permitted or Permissible Uses by Exception: Sale, service and display, preparation and storage shall be conducted within a completely enclosed building, unless otherwise provided for, and no more than 30 percent of the floor space shall be devoted to storage.

**E.** Permitted Accessory Uses and Structures: Accessory uses and structures are allowed as set forth in Section 656.403.

**F.** Restrictions on Uses: Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or 6-foot concrete, opaque fencing with front screening gates which is aesthetically compatible with other structures located, or to be located, on the property.

## V. DESIGN GUIDELINES

**A.** Lot Requirements:

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None, except as otherwise required for certain uses.
- (3) *Minimum lot coverage:* None, except as otherwise required for certain uses.
- (4) *Minimum front yard:* 10 Feet
- (5) *Minimum side yard:* 10 feet; where the lot is adjacent to a low-density residential district, a minimum setback of 15 feet shall be provided.
- (6) *Minimum rear yard:* 10 feet
- (7) *Maximum height of structures:* 50 Feet

**B.** Ingress, Egress and Circulation:

(1) *Parking Requirements:* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code. There may be shared parking between individual parcels subject to the review and approval of the Planning and Development Department.

(2) *Vehicular Access:*

a. Vehicular access to the Property shall be by way of a 30-foot driveway near the eastern side of the site along New Berlin Road site frontage and a 25-foot driveway near the western end of the New Berlin Road site frontage, substantially as shown on the Revised Site Plan dated January 13, 2020. There will also be a connection drive at the western property line to the adjoining parcel to the west. In order to assure interconnectivity to the future commercial property development to the north and east, the subject property's eastern 30' north-south entrance driveway will be extended to the northern subject property line to connect to the future commercial development to the north of the subject property and the eastern subject property line to connect to the future commercial development to the east of the subject property. The final location of all access points is subject to the review and approval of the Transportation Planning Division.

b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

(3) *Pedestrian Access*

a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan and zoning requirements. Sidewalks will be provided along New Berlin Road and Dunn Creek Road within the right-of-way along the perimeter of the subject property.

C. Signs:

(1) One (1) externally or internally illuminated double-sided on-site entrance identification sign not to exceed sixty (60) square feet in area and twenty-four (24) feet in height for the shopping center. Such freestanding signs shall be of a monument style or as otherwise approved by the Planning and Development Department, and shall have architectural elements and design consistent with the buildings with which they are associated.

(2) 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.

(3) One (1) under-the-canopy sign per occupancy, not exceeding a maximum of 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 building in question.

- (4) Directional signs shall not exceed 4 square feet in area and 4 feet in height.
- (5) Real estate signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary sign(s) of a maximum of twelve (12) feet in area and twelve (12) feet in height are also permitted. Directional signs in compliance with Part 13 of the Zoning Code are permitted within the PUD.

D. Landscaping:

The property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code; provided, however, that the required perimeter landscaping may be relocated elsewhere within the Property when ownership or occupancy of the Property is subdivided into separate parcels and reciprocal easements for access, ownership and maintenance are created among the separate parcels of the Property. A six (6) foot high 100% opaque vinyl fence shall be located along the entire western and northern boundaries of the site. Various trees shall be planted around the perimeter of the site where appropriate and within some of the parking lot islands and planting beds with sufficient width. Shrubberies shall also be planted around the perimeter of the site and within planting beds and parking lot islands with appropriate locations with consideration to full growth sizing and visual sighting and screening.

E. Recreation and Open Space: None

F. Utilities

Water will be provided by JEA.  
Sanitary Sewer will be provided by JEA.  
Electric will be provided by JEA.

G. Wetlands

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

H. Lighting

The developer shall mount light fixtures on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.

VI. 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 the existing and proposed uses within the Property, and showing the general layout of the overall Property.

VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATIONS FOR THIS PROJECT

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

- B. Is more efficient than would be possible through strict application of the Zoning Code.

The PUD binds the Applicant and successors to this Written Narrative and the Site Plan; the proposed uses in the PUD's Written Narrative for various commercial uses insures more control of the less desirable commercial uses which would be incompatible for the surrounding area; the PUD also provides for site-specific requirements including buffering, controlled ingress-egress, signage requirements and complimentary architectural features.

- C. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area.

As proposed in the Site Plan and Written Narrative, the proposed uses for the development will be compatible with the commercial uses along New Berlin Road at the intersection with Dunn Creek Road as existing or proposed by PUD.

- D. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.

The majority of the property is currently within the CGC land use category – Suburban Area Future Land Use Category located along a collector road (New Berlin Road) intersecting with Dunn Creek Road (which functions as a collector between Starratt Road to the north and Faye Road to the south although not classified as such in the 2030 Comprehensive Plan's Transportation Element). This commercial site is part of one of four corners at this intersection of New Berlin Road with Dunn Creek Road which are within the Community/General Commercial land use category to create a commercial node. This proposed PUD rezoning application intends to support various unobtrusive uses consistent with the Commercial Community/General-1 (CCG-1) zoning district. This PUD proposes various portions of permissible uses and permissible uses by exception found in the CCG-1 district which will complement surrounding land uses and zoning districts along New Berlin Road. The project site is located within the Suburban Development Area. A rezoning to PUD for office and commercial uses has been adopted by City Council as proposed by a developer for the immediately adjoining site to the north of this proposed PUD site.

*Future Land Use Element*

**COMMUNITY/GENERAL COMMERCIAL (CGC)  
CGC - GENERAL INTENT**

Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged

when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

*CGC - SUBURBAN AREA (SA) INTENT*

The Suburban Area is intended to provide development in a nodal development pattern.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

*CGC - SUBURBAN AREA USES*

The uses provided herein shall be applicable to all CGC sites within the Suburban Area.

*Principal Uses*

Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of TOD. Residential uses shall not be the sole use and shall not exceed 80 percent of a development.

Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category. Adult entertainment facilities are allowed by right only in Zoning District CCG-2.

*Secondary Uses*

Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma centers; Building trade contractors; Rescue missions; and Day labor pools.

The proposed PUD would specifically advance the following Objectives and Policies of the Land Use Element of the 2030 Comprehensive Plan:

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.

Policy 1.1.8: 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.

Policy 1.1.10: Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Policy 1.1.12: 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.

Policy 1.1.22: 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 as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 3.1.3: Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.