

Percy Road PUD

January 16, 2025

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A.** RE # 019494-0055
- B.** Land Use Designation: NC
- D.** Current Zoning District: PUD
- E.** Proposed Zoning District: PUD

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

GATE Petroleum Company (the “Applicant”) proposes to rezone approximately 3.63 acres of property located at the northeast quadrant of the intersection of Lem Turner Road and Percy Road from Planned Unit Development pursuant to Ordinance 2004-0014-E (the “Original PUD”) to Planned Unit Development (the “PUD”). The property is more particularly described by the legal description attached hereto as **Exhibit “1”** (the “Property”). The Property shall be developed in accordance with this PUD Written Description and the PUD Conceptual Site Plan dated September 27, 2024 and attached as **Exhibit 4** to this Ordinance (the “Site Plan”). The Property is currently vacant. As described below, this PUD zoning district is being sought to allow for the development of a gas station with associated commercial uses. The Original PUD contemplated that the Property would be developed with a variety of commercial uses and permitted a gas station by zoning exception. This PUD permits a gas station by right and continues to allow for a diversity of commercial uses on the Property in a manner that is internally consistent, compatible with external uses, and provides for innovative site planning concepts that will create an aesthetically pleasing environment.

This PUD removes the conditions in Section 4(a)-(f) of the Original PUD ordinance from the Property because: (a) the Traffic Engineering Division Memorandum referenced in Section 4(a) is outdated and this PUD will be separately reviewed by the Traffic Engineering Division, (b) the Northlake Community already has an entryway sign on the south side of Percy Road, (c) a six feet maximum height for signage is inadequate for the uses proposed herein, (d), the requirement that all buildings be stucco with brick accents is inconsistent with the uses proposed herein, (e) the drive-thru screening requirement has not been incorporated into this PUD, and (f) landscaping and buffering will be provided as described herein.

The Property is designated as Neighborhood Commercial (“NC”) on the Future Land Use Map (FLUM) of the 2045 Comprehensive Plan and is within the Suburban Development Area. Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use Category</u>	<u>Zoning</u>	<u>Use</u>
South	CGC, MDR	PUD	Vacant
East	LDR	PUD	Single Family
North	LDR	PUD, AGR	Vacant, Single Family
West	MDR, RR	PUD, RR-Acre	Single Family, Entitled for Multi-Family

III. DESCRIPTION OF PERMITTED USES

A. PUD Conceptual Site Plan and Parcels

The Site Plan is attached to this Ordinance as **Exhibit 4**. The parcel designations on the Site Plan are solely for the purpose of defining the general location of permitted uses within the PUD; they do not define or correlate to ownership and do not subdivide the Property. The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.

B. Permitted Uses

1. Permitted uses and structures.

- a. Medical and dental or chiropractor offices and clinics.
- b. Professional and business offices.
- c. Neighborhood retail sales and service establishments, including pharmacies, provided however that no individual building footprint shall exceed 40,000 square feet.
- d. Service establishments such as barber or beauty shops, shoe repair shops.
- e. Restaurants, including restaurants with the outside sale and service of food.
- f. Banks with or without drive-thru tellers and financial institutions, travel agencies and similar uses.
- g. Libraries, museums and community centers.
- h. An establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption.
- i. Veterinarians meeting the performance standards and development criteria set forth in Part 4.

- j. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- k. Employment office (but not a day labor pool).
- l. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
- m. Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).
- n. Schools meeting the performance standards and development criteria set forth in Part 4. The distance limitations of the Zoning Code, including but not limited to those set forth in Part 8 of Chapter 656, shall not apply to schools located within the PUD.
- o. Hospitals, sanitariums and similar uses.
- p. Daycare centers meeting the performance standards and development criteria set forth in Part 4.
- q. Nursing homes, assisted living facilities, group care homes, housing for the elderly or orphans and similar uses.
- r. Filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in Part 4.
- s. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption in conjunction with a restaurant.
- t. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in Part 4.
- u. Drive-thru facilities in conjunction with a permitted or permissible use or structure.
- v. Automated Car Washes meeting the performance standards and development criteria set forth in Part 4.
- w. Auto Laundry, meeting the performance standards and development criteria set forth in Part 4.

2. *Permissible uses by exception.* Those uses permitted by right (and not otherwise listed herein as permitted uses) and permissible by exception in the CN zoning district.

3. *Lot and yard requirements.*

For purposes of these requirements, “lot” refers to the parcel within which the commercial use is located and “yard” refers to the distance between principal structures or buildings and the parcel boundary.

- a. *Minimum lot width*—75 feet.
- b. *Minimum lot area*—7,500 square feet.
- c. *Maximum lot coverage by all buildings*—50%.
- d. *Impervious surface ratio*—85%.
- e. *Minimum yard requirements.*
 - (i) Front— Ten (10) feet.
 - (ii) Side— Ten (10) feet.
 - (iii) Rear—Ten (10) feet.
- f. *Maximum height of structures.* Sixty (60) feet.

C. Accessory Uses and Structures

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal structure. Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code; provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures. In addition, accessory uses and structures may be located within any required uncomplimentary buffer.

D. Height Limitations

Decorative rooftop structures including: screening, mechanical equipment, roof access, mansard roofs, spires, cupolas, parapets, antennas, chimneys and other appurtenances not intended for human occupancy are not included in the maximum height.

IV. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

A. Access

Access will be provided as shown on the Site Plan via Lem Turner Road and Percy Road. The locations and design of the access points, turn/deceleration lanes, and internal driveways as shown on the Site Plan may vary prior to development; provided, however, that the final design of the access point(s), potential connections, and internal drives shall be subject to the review and approval of Development Services and the Planning and Development Department. As shown on the Site Plan, there are two potential access points along Lem Turner Road—one providing direct access to the Property (“Alternative Access A”), and another providing access to the Property through the abutting parcel (RE # 019456-0135) located to the north of the Property (“Alternative Access B”). These are alternative options; only one access point will be provided along Lem Turner Road. In the event Alternative Access B is chosen, the Applicant may purchase the applicable portion of the abutting parcel to construct this access point. If not, all necessary easements and agreements will be executed with the owner of the abutting parcel. This PUD hereby waives the restriction in Section 656.408(b) of the Zoning Code related to cross-access between commercially zoned properties and residentially zoned properties.

B. Sidewalks, Trails, and Bikeways

Sidewalks shall be provided as required in the 2045 Comprehensive Plan.

C. Landscaping/Landscaped Buffers

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code or as otherwise approved by the Planning and Development Department. Pursuant to and beyond what is required in Part 4 of the Zoning Code, along the eastern border of the Property, an eight (8) foot high visual barrier or screen, not less than 100 percent (100%) opaque, shall be provided between any filling or gas station developed on the Property and the adjacent residential uses.

D. Signage

The purpose of these sign standards is to establish a coordinated signage program that provides for the identification of the project, uses, users, and tenants and for directional communication in a distinctive and aesthetically pleasing manner. A coordinated system of identification, directional, and vehicular control signage will be provided. The PUD identity, multiple uses, owners, and/or tenants may be identified on signs within the PUD without regard to property ownership boundaries that may exist among the individual uses, owners, and/or tenants and without regard to lot location or frontage. All signs shall be architecturally compatible with the project or buildings represented. Signs may be internally or externally illuminated. Monument signs shall meet the setbacks required by Section 656.1303.i.2 of the Zoning Code.

1. Project Identity Digital Pylon Sign on Lem Turner Road.

A maximum of one (1) project identity digital pylon sign is permitted along Lem Turner Road for the uses, users, tenants and owners within the PUD. This sign may be two sided, internally or externally illuminated, and may be located within the median of any internal access roads. Multiple uses/users/tenants/owners within one building/parcel or a series of buildings/parcels may be identified on this pylon sign. This pylon sign shall not exceed thirty (30) feet in height, and the total square feet shall not exceed two hundred (200) square feet (each side) in area.

2. Project Identity Monument Sign on Percy Road.

A maximum of one (1) project identity monument sign is permitted along Percy Road for the uses, users, tenants and owners within the PUD. This sign may be two sided, internally or externally illuminated, and may be located within the median of any internal access roads. Multiple uses/users/tenants/owners within one building/parcel or a series of buildings/parcels may be identified on this monument sign. This monument sign will not exceed fifteen (15) feet in height, and the total square feet shall not exceed one hundred (100) square feet (each side) in area.

3. Internal Signs.

Internal identity monument and directional signs are permitted within the Property, which may be internally or externally illuminated. Multiple users/tenants within one building or a series of buildings may be identified on internal signs.

4. Projecting and Wall Signs oriented toward Lem Turner Road and Percy Road.

Wall and projecting signs oriented toward Lem Turner Road and Percy Road are permitted on any building/structure face, or at the corner of a building/structure face. Such signage will not exceed ten (10) percent, cumulatively, of the square footage of the side of the building/structure oriented toward Lem Turner Road or Percy Road. These signs may be internally or externally illuminated. In the event a projecting sign projects from the corner of a building/structure, the ten (10) percent measurement shall be based upon the smaller of the two sides of the building/structure adjacent to such sign.

5. Other Signs.

Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of ten (10) square feet in area per side.

Changing message devices are permitted subject to the provisions of Section 656.1302, Zoning Code, as it may be amended.

Directional signs indicating major buildings, specific areas and various building entries are permitted. The design of these signs should reflect the character of the buildings and project identity signs within the PUD and may include the logo and name of the PUD identity, if any, the parcel identity, multiple uses, users, tenants and owners within the PUD. For predominately vehicle directional signage, such signs shall be a maximum of eight (8) square feet in area per sign face.

Because all project identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they will be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.

Temporary banner signs will be permitted not to exceed fifty (50) square feet in area. Banner signs will be permitted in the entrances and interior of the PUD. Seasonal festive banners may be displayed for a maximum of fourteen (14) days without a permit except that such banners may be displayed forty-five (45) days prior to and thirty (30) days following the holiday. Other banners (including but not limited to “Now Opening” or “Hiring Soon” banners) may be displayed for a maximum of thirty (30) days. The banners shall be allowed to display logos and/or the name of the project and/or owner. Festival banners placed on street light poles are permitted and unregulated. Banner signs do not count toward the overall maximum sign face allowable for monument signs.

E. Architectural Guidelines

Buildings, structures, and signage within the PUD shall be architecturally compatible, as shown in the attached Architectural Demonstrative Renderings (note: the renderings are merely illustrative and not intended to serve as an accurate depiction of the development).

F. Construction offices/model units/real estate rental or sales

On-site, temporary construction offices/trailers/model units/rental or sales offices will be permitted in any lot, “unit,” or “phase” until that lot, “unit,” or “phase” is built out. Real estate rental or sales activities are permitted within model units. Associated parking for rental or sales activities is permitted adjacent to model units.

G. Modifications

Amendment to this approved PUD district may be accomplished through an administrative modification, minor modification, or by filing an application for rezoning as authorized by Section 656.341 of the Zoning Code.

H. Parking and Loading Requirements

Parking will be provided in accordance with Part 6 of the City’s Zoning Code, as it may be amended, with the following additional and superseding provisions:

1. For filling or gas stations, parking will be provided pursuant to Part 6 of the Zoning Code, except that vehicle fueling positions under any fueling canopies located on the Property shall count towards required parking.
2. For other commercial uses, other than hotel/motel uses, a minimum of one parking space shall be provided per 300 square feet of gross floor area.

3. Up to thirty-five percent (35%) of the parking spaces may be compact spaces.
4. For all uses, parking standards shall be applied taking into consideration the entire use or development at issue. There shall be no limit or maximum number of parking spaces for any use within the PUD.

I. Lighting

Lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (0.5) foot candles (“f.c.”) when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas shall not exceed thirty (30) feet. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department. All filling station light fixtures on canopies shall be mounted so that the lens covers are recessed or flush with the bottom surface (ceiling) of the canopy.

J. Stormwater Retention

Stormwater facilities will be constructed to serve the PUD in accordance with applicable regulations.

K. Utilities

The Property is served by JEA.

V. PRE-APPLICATION CONFERENCE

A pre-application conference was held regarding this application on June 12, 2024.

VI. JUSTIFICATION FOR THE PUD REZONING

The proposed PUD will provide for the development of the Property with commercial uses permitted in the NC land use category. The PUD will allow the Applicant to maximize the potential of the Property in order to continue positive growth in this area and take advantage of an underutilized site in a prime location. The PUD provides for flexibility in site design and configuration that could otherwise not be accomplished through conventional zoning.

VII. PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE

The PUD differs from the usual application of the Zoning Code in the following respects:

1. It binds the Applicant and successors to the PUD Written Description and Site Plan.

2. It includes limitations on uses to ensure compliance with the NC land use category. And it adds certain uses that were previously permitted by zoning exception in the Original PUD, including: filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in Part 4.
3. It sets forth minimum lot width, maximum lot coverage, minimum yard requirements, and maximum height of structures, which are unique to the design and character of this PUD and therefore vary from the otherwise applicable Zoning Code provisions.
4. It provides for signage tailored to the uses proposed in the PUD.
5. It includes variations from the parking standards otherwise applicable to accommodate the design of this PUD and satisfy the actual needs of the proposed uses.

VIII. NAMES OF DEVELOPMENT TEAM

- Developer/Applicant: GATE Petroleum Company
- Planner/Engineer: Prosser | PRIME AE Group
- Agent: Rogers Towers, P.A.

IX. LAND USE TABLE

A Land Use Table is attached hereto as **Exhibit “F.”** Acreages, percentages and square footage estimates in Exhibit F are approximate and subject to change.

X. PUD REVIEW CRITERIA

- A. Consistency with the Comprehensive Plan:** As described above, the uses proposed herein are consistent with the NC Suburban Area land use category.
- B. Consistency with the Concurrency Management System:** The PUD will comply with the Concurrency and Mobility Management System regulations.
- C. Internal Compatibility:** The PUD provides for integrated design and compatible uses within the PUD.
- D. External Compatibility/Intensity of Development:** The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.
- E. Maintenance of Common Areas and Infrastructure:** All common areas and infrastructure will be maintained by the owner, maintenance company and/or one or more owners’ association(s).
- F. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

G. Listed Species Regulations: The Property is less than fifty (50) acres in size, so a listed species survey is not required.

H. Sidewalks: The PUD will provide for pedestrian sidewalks consistent with the City of Jacksonville Ordinance Code and the 2045 Comprehensive Plan.