

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-431 TO
PLANNED UNIT DEVELOPMENT

JULY 18, 2019

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 2019-431 to Planned Unit Development.

Location: Northwest quadrant of New Berlin Road and
Dunn Creek Road

Real Estate Number(s): 106509-0100

Current Zoning District(s): Commercial Office (CO)
Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)
Low Density residential (LDR)

Planning District: North, District 6

Applicant/Agent: Robert K. Riley
Riley Planning Services, LLC
7350 Cumbria Boulevard
Jacksonville, Florida 32219

Owner: Baligh Altheeb
2519 Cotillion Road
Jacksonville, Florida 32211

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2019-431 seeks to rezone approximately 2.15 acres of land from CCG-1 to PUD. The rezoning to PUD is being sought to allow for a filling station, convenience store and 9,600 square feet of commercial retail and service establishments.

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.

(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 Low Density Residential (LDR) and Community General Commercial (CGC) functional land use categories 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. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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

Yes/No. This proposed rezoning to Planned Unit Development is in/consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

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.

The PUD removes uses from the CCG-1 Zoning District that may be undesirable to the immediate neighborhood. It also reduces the allowable sign area and height from what is allowed in the Zoning Code and which is more compatible with the area.

Future Land Use Element:

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Per an attached JEA service availability letter, there are points of connection for water and sewer services within 300 feet of the property. Any new commercial development of

the property would be required to utilize these connections, and therefore the proposed rezoning is consistent with the above policy.

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.

This intersection of New Berlin Road and Dunn Creek Road currently has a land use category of CGC. The proposed uses in the PUD are consistent with the land use category and is therefore consistent with the above policy.

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.

The transitional nature of the proposed zoning change will contribute to a well-balanced distribution of uses in the area, and provide for the development of an underutilized parcel of land without detrimentally affecting the character of the surroundings. The proposed zoning change is therefore compatible with the above goal.

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.

The proposed rezoning will sustain the viability of the existing commercial node at the intersection of New Berlin Road and Dunn Creek road, and is therefore consistent with the above objective.

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.

The proposed PUD will support and work in concert with the proposed rezoning north of the subject property. The proposed rezoning is therefore consistent with the above policy.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed rezoning will encourage the development of a bypassed property within the suburban development area using existing public infrastructure. The proposed rezoning is therefore consistent with the above objective.

(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 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): Low Density Residential (LDR) and Community General Commercial (CGC). 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) prior to development approvals. The applicant/agent/owner will need to apply for Mobility and CCAS/CRC applications for review and assessment. If this project is to be built in phases, the applicant may want to apply for Mobility and CCAS/CRC applications for each individual phase or they can submit one Mobility application for the entire project and if it is going to be built in separate phases, they can enter into a Mobility Contract. Once the Mobility fee is assessed and a CRC application(s) is approved, the Mobility will need to be paid prior to permit sign-off by the Concurrency & Mobility Management System Office.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a commercial uses. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

- The streetscape: The site plan shows a conventionally designed commercial center with parking in front of commercial building. It will be similar to other commercial developments in the area.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: There are no specific plazas or common areas. The only open space is the required landscape area.
- The use of existing and proposed landscaping: The property is devoid of any significant vegetation or elevation change. There is a small pocket of wetlands and trees in the northwest corner of the site. The site plan intends to use the northwest corner for a retention pond.
- The treatment of pedestrian ways: A sidewalk will be installed on New Berlin Road and Dunn Creek Road with a connection to the proposed buildings.
- Focal points and vistas: Not applicable.
- The use of topography, physical environment and other natural features: Not applicable.
- Traffic and pedestrian circulation patterns: The site plan shows one access on Dunn Creek Road and two accesses on New Berlin Road.
- The use and variety of building setback lines, separations, and buffering:
- The use and variety of building groupings:
- The use and variety of building sizes and architectural styles: The written description does not propose a specific architectural style.
- The use and variety of materials: The written description does not specify the type of materials to be used. .
- The separation and buffering of vehicular use areas and sections of vehicular use areas: The site plan shows the parking areas will be buffered with the landscaping required in the Zoning Code.
- The variety and design of dwelling types: Not applicable.
- The particular land uses proposed and the conditions and limitations thereon:
- The form of ownership proposed for various uses: Not applicable.
- Compatible relationship between land uses in a mixed use project: The uses proposed are found in the CCG-1 Zoning District, which indicate compatibility.

(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 area is a mix of large residential lots with several churches in the immediate area. Rezoning 2019-03 which is directly north, was recently approved for 60,000 square feet of commercial uses. The nearest commercial center is 4,000 feet to the east. The scale of this commercial development will provide uses that serve the immediate needs of the community.
- 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	NC	PUD (19-03)	Undeveloped. proposed grocery store, commercial
South	CGC LDR	PUD (09-695) RLD-100A	Undeveloped Single family dwellings
East	CGC	CCG-1	Filling station, convenience store
West	LDR	RR-Acre	Church, cell tower

(6) Intensity of Development

The proposed development is consistent with the LDR and CGC functional land use categories as a commercial use. The PUD is appropriate at this location because it will provide commercial uses which will serve the immediate community.

The existing residential density and intensity of use of surrounding lands: Although the area has large residential lots, the land directly north of the subject property to the north is another proposed commercial center and to the west is a church and cell tower. No residential land is adjacent to the subject property, therefore the intended development is compatible with the surrounding area.

The availability and location of utility services and public facilities and services: JEA indicates that connections to water and sanitary sewer are available from New Berlin Road and Dunn Creek Road.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The Transportation Planning Division the City's Traffic Engineer have provided comments for road improvements. Both Dunn Creek Road and New Berlin Road are each two lanes wide. Road improvements are expected to accommodate PUD 2019-03 and the proposed development. New Berlin is a collector roadway.

- A traffic study shall be provided with the site plan review. The traffic study will be used to determine the need for left and right turn lanes into the site and a traffic impact analysis to the existing signal on New Berlin and Dunn Creek Rd.
- There shall be no driveway on Dunn Creek Rd. It is too close to the traffic signal and will impact the operation of the signal. A cross access is recommended with the parcel to the north. 654.115(f) requires cross access on roads fronting collector or higher roadways, however, Dunn Creek Rd has not been classified.
- Provide and designate on the site plan review the location of a future cross access to the parcel to the west per Subdivision Code 654.115(f)(1)(B). New Berlin Rd is classified as a collector roadway.
- The distance of the eastern driveway on New Berlin Rd from Dunn Creek Rd shall be determined by the traffic study. The driveway shall not be located within the 95th Percentile queue length from the signal as determined by the study.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. Recreation area is not required for commercial uses.

(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. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements

(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 site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

There are no sidewalks along New Berlin Road or Dunn Creek Road fronting the subject property. There is a sidewalk along the east side of Dunn Creek Road. The project is required to provide a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on June 28, 2019, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-431** be **APPROVED** with the following exhibits:

1. The original legal description dated May 3, 2019.
2. The original written description dated May 21, 2019.
3. The original site plan dated May 3, 2019.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-431** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. A traffic study, as requested by Traffic Engineering, must be provided to the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study, which will also analyze impacts to adjacent roadways, will be used to determine the need for left and right turn lanes into the site and a traffic impact analysis to the existing signal on New Berlin and Dunn Creek Rd., will be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division, FDOT, and the City Traffic Engineer prior to the commencement of the study. The traffic study will include existing volumes increased by a growth factor calculated to represent background traffic growth.

2. There shall be no driveway on Dunn Creek Rd. as it will impact the operation of the signal.
3. Provide and designate during the site plan review, the location of a future cross access to the parcel to the west per Subdivision Code 654.115(f)(1)(B). New Berlin Rd is classified as a collector roadway.
4. The distance of the eastern driveway on New Berlin Rd from Dunn Creek Rd shall be determined by the traffic study. The driveway shall not be located within the 95th Percentile queue length from the signal as determined by the study.
5. Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant shall provide for the convenient and safe access by and securing of bicycles on site. Bicycle parking shall be consistent with the requirements in Part 6 of the Zoning Code.
6. The property owner shall provide interconnectivity with the parcel to the north (RE# 106509-0010).
7. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Aerial view of subject property.



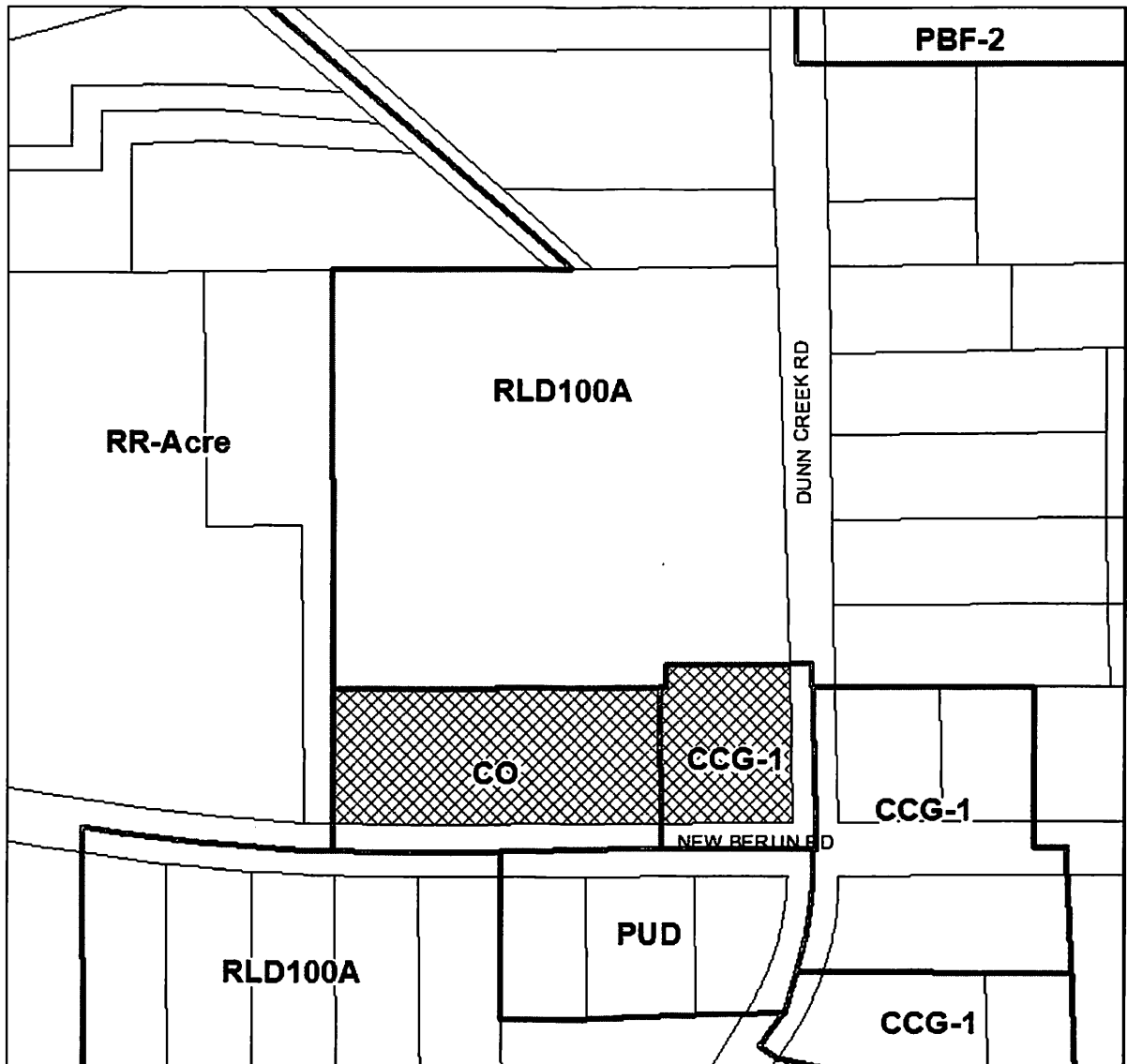
View of subject property looking west on New Berlin Road

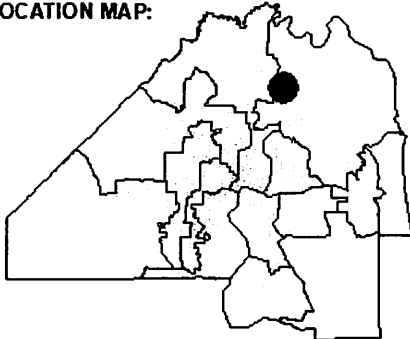
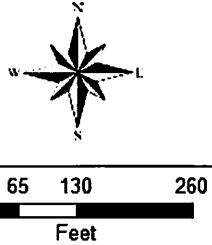


Existing filling station across from subject property.



Existing service garage across from subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CO & CCG-1</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>2</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0431</p>	<p>TRACKING NUMBER</p> <p>T-2019-2373</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2019-0431 **Staff Sign-Off/Date** BEL / 05/22/2019

Filing Date 06/05/2019 **Number of Signs to Post** 3

Hearing Dates:

1st City Council 07/23/2019 **Planning Comission** 07/18/2019

Land Use & Zoning 08/06/2019 **2nd City Council** N/A

Neighborhood Association THE EDEN GROUP, INC., M&M DAIRY, INC., BCM SERVICES

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 2373

Application Status PENDING

Date Started 05/07/2019

Date Submitted 05/07/2019

General Information On Applicant

Last Name RILEY **First Name** ROBERT **Middle Name** KEITH

Company Name RILEY PLANNING SERVICES LLC

Mailing Address 7350 CUMBRIA BOULEVARD

City JACKSONVILLE **State** FL **Zip Code** 32219

Phone 9046991050 **Fax** 904 **Email** RILEYPLANNINGSERVICES@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name ALTHEEB **First Name** BALIGH **Middle Name**

Company/Trust Name AL CENTURY LLC

Mailing Address 2519 COTILLION ROAD

City JACKSONVILLE **State** FL **Zip Code** 32211

Phone 9045029571 **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	106509 0100	2	6	CCG-1	PUD
Map	106509 0100	2	6	CO	PUD

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

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

Development Number

Proposed PUD Name

Justification For Rezoning Application

THE PROPERTY OWNER WISHES TO INCORPORATE VARIOUS COMMERCIAL USES INTO ONE MASTER PLANNED COMMERCIAL DEVELOPMENT ON NEW BERLIN ROAD AT DUNN CREEK ROAD. THE SITE HAS 2.05 ACRES IN THE CGC LAND USE CATEGORY AND COMMERCIAL OFFICE ZONING AND THE NORTHEASTERN .10 OF AN ACRE OF THE SITE LIES WITHIN THE LDR LAND USE CATEGORY AND COMMERCIAL COMMUNITY/GENERAL-1 ZONING WHICH WILL BE USED FOR A RETENTION POND. THE SITE HAS TWO MAJOR USES - A CONVENIENCE STORE/GAS STATION AND SHOPPING CENTER.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
<input type="text" value="2465"/>	<input type="text" value="NEW BERLIN RD"/>	<input type="text" value="32211"/>

Between Streets

 and

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**
2.15 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
23 Notifications @ \$7.00 /each: \$161.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,460.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

Exhibit 1 - Legal Description

Legal Dated May 3, 2019 for 2465 New Berlin Road – RE# 106509-0100

A PORTION OF THE NW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA (LESS ROAD RIGHTS-OF-WAY) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN UN-NUMBERED 1/2" IRON PIPE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF NEW BERLIN ROAD (A 66-FOOT RIGHT-OF-WAY AS CURRENTLY ESTABLISHED) AND THE WEST RIGHT-OF-WAY LINE OF DUNN CREEK ROAD (A 66-FOOT RIGHT-OF-WAY AS CURRENTLY ESTABLISHED), SAID POINT BEING THE POINT OF BEGINNING; THENCE WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF NEW BERLIN ROAD, A DISTANCE OF 555.61 FEET TO AN UN-NUMBERED 1/2" IRON PIPE MARKING THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE WEST LINE OF THE NW 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 34; THENCE NORTH 00° 01' 00" WEST, ALONG SAID WEST LINE A DISTANCE OF 162.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN EAST, PARALLEL TO SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 403.44 FEET; THENCE NORTH 01° 15' 41" WEST, A DISTANCE OF 27.96 FEET; THENCE EAST, A DISTANCE OF 148.65 FEET TO A POINT ON SAID RIGHT-OF-WAY OF DUNN CREEK ROAD; THENCE SOUTH 01° 15' 41" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 93,879.34 SQUARE FEET OR 2.1552 ACRES MORE OR LESS.

May 3, 2019

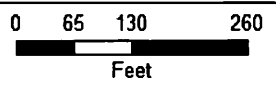
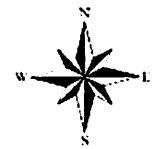
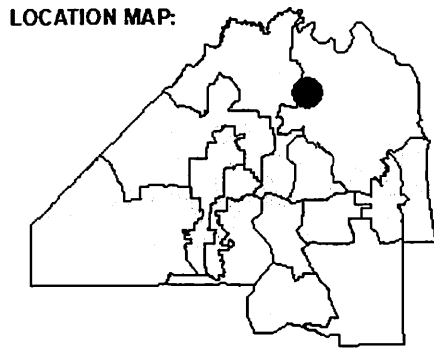
EXHIBIT 1



REQUEST SOUGHT:

FROM: CO & CCG-1

TO: PUD



COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2019-2373

EXHIBIT 2

PAGE 1 OF 1

Exhibit D

REVISED WRITTEN DESCRIPTION

NEW BERLIN ROAD @ DUNN CREEK ROAD COMMERCIAL PUD **Revised May 21, 2019**

I. PROJECT DESCRIPTION

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

The site contains 2.15 acres on northwest corner of New Berlin Road and Dunn Creek Road and is owned by AL Century LLC. The site has a small commercial building near the corner of the site with New Berlin Road and Dunn Creek Road and vacant land on the remaining approximately two-thirds of the site along New Berlin Road to the west. A concrete building exists on the subject site near the intersection of New Berlin Road and Dunn Creek Road with an Internet Café as its current use within the CCG-1 zoning district. 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 is currently in the process of having a commercial rezoning application for Planned Unit Development (PUD) to go through the public hearings.

The requested development proposes a convenience store and 8 gas pumps at the corner of New Berlin Road and Dunn Creek with a moderately impacting commercial uses to the west of the convenience store as shown on the attached Exhibit E Site Plan. The convenience store will have 2,800 square feet with 4 gas pumps beneath two separate canopied structures with one pump island each. A total of 9 parking spaces (7 regular and 2 handicapped) are shown on the site plan serving the convenience store. (Nine parking spaces are required). A small 20'

X 130' retention pond to the north of the convenience store on the Low-Density Residential portion of the site is proposed. The dumpster site and truck loading zone are shown on the site plan immediately south of the retention pond. The underground fuel tanks serving the fuel pump islands are located in the southeast portion of the proposed convenience store site.

The proposed Commercial/Office Shopping center with 9,600 square feet is located on the site west of the convenience store and 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 .2 of an acre) to provide water retention for the shopping center part of the proposed development. The retention pond 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) and Low Density Residential (LDR)

G. Proposed Land Use Description: Community/General Commercial (CGC) and Low Density Residential (LDR)

H. Current Zoning District: Commercial Community/General-1 (CCG-1) and Commercial Office (CO)

I. Requested Zoning District: Planned Unit Development (PUD)

J. Real Estate Number(s): 106509-0100

II. QUANTITATIVE DATA

A. Total Acreage: 2.15 acres

B. Total number of dwelling units: 0

C. Total amount of non-residential floor area: 12,400 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: 15,200 square feet (office and commercial units and convenience store/gas pump uses).

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 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.

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) Personal property storage establishments meeting the performance development criteria set forth in Part 4.**

- 12) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances and similar uses.
- 13) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- 14) Churches, including a rectory or similar use.
- 15) 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.
- 16) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- 17) 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.
- 18) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

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

- 1) Blood donor stations, plasma centers and similar uses.
- 2) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer, or wine for off-premises consumption.
- 3)
- 4) Auto laundry or manual car wash.
- 5) Schools meeting the performance standards and development criteria set forth in Part 4.
- 6) Service and repair of general appliances and small engines.

C. 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.

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

E. 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 midway along New Berlin Road site frontage, a 25-foot driveway near the western end of the New Berlin Road site frontage, and a 30-foot driveway near the northern boundary of the site along the west side of Dunn Creek Road, substantially as shown on the Site Plan. 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; One (1) double-sided identification sign per road frontage of New Berlin Road and Dunn Creek Road not to exceed forty (40) square feet in area and twenty (20) feet in height. 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). A small, northeastern portion of the site (approximately 27 feet by 148.65 feet) is within the LDR land use category which will be utilized as buffering and retention pond as shown on the site plan. This commercial site is one of four corners at this intersection 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 CN for office and commercial uses has been 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.

EXHIBIT E – PUD SITE PLAN

New Berlin Road @ Dunn Creek Road Commercial PUD

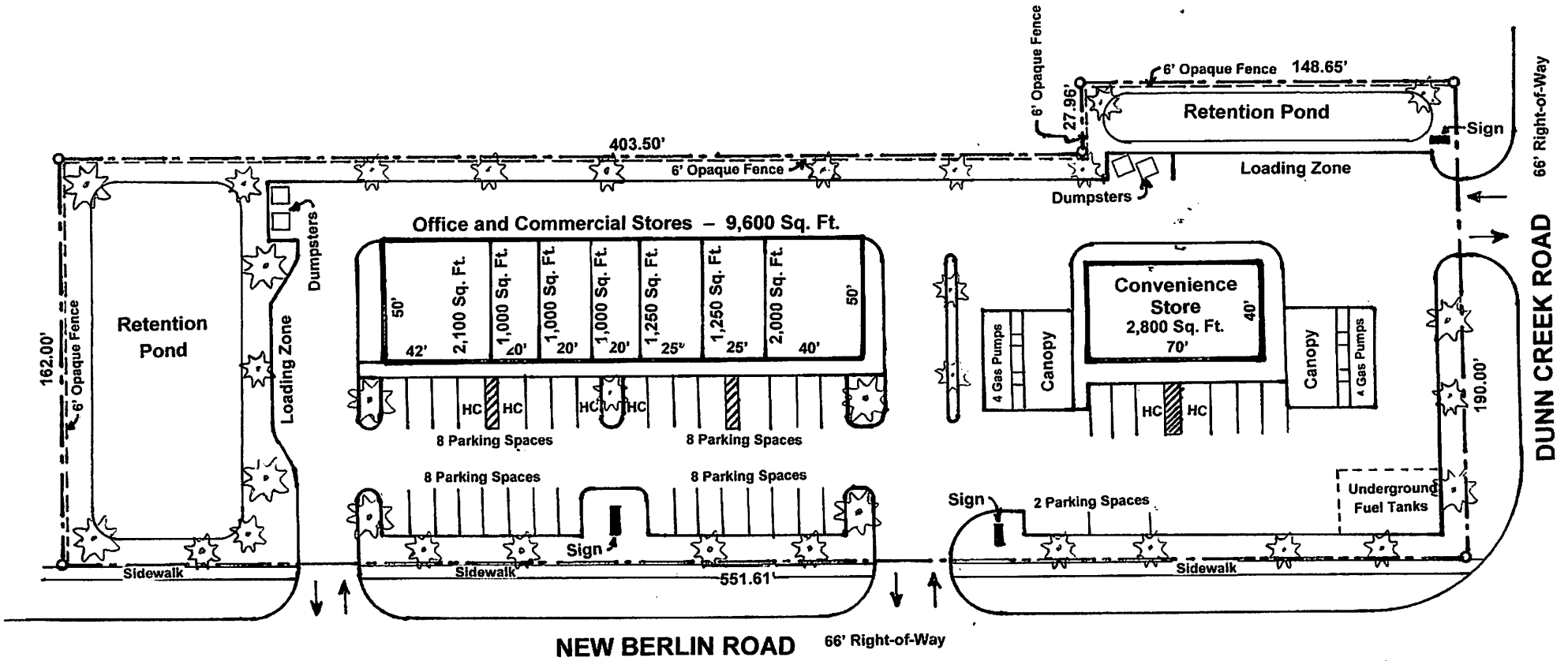
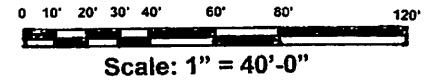


EXHIBIT F

PUD Name **New Berlin Rd @ Dunn Creek Rd Commercial PUD**

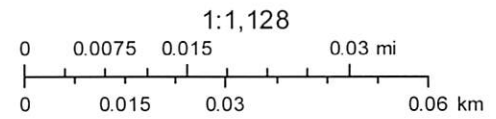
Land Use Table

Total gross acreage	2.15 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	2.15 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	15,200 Sq. Ft.	16 %

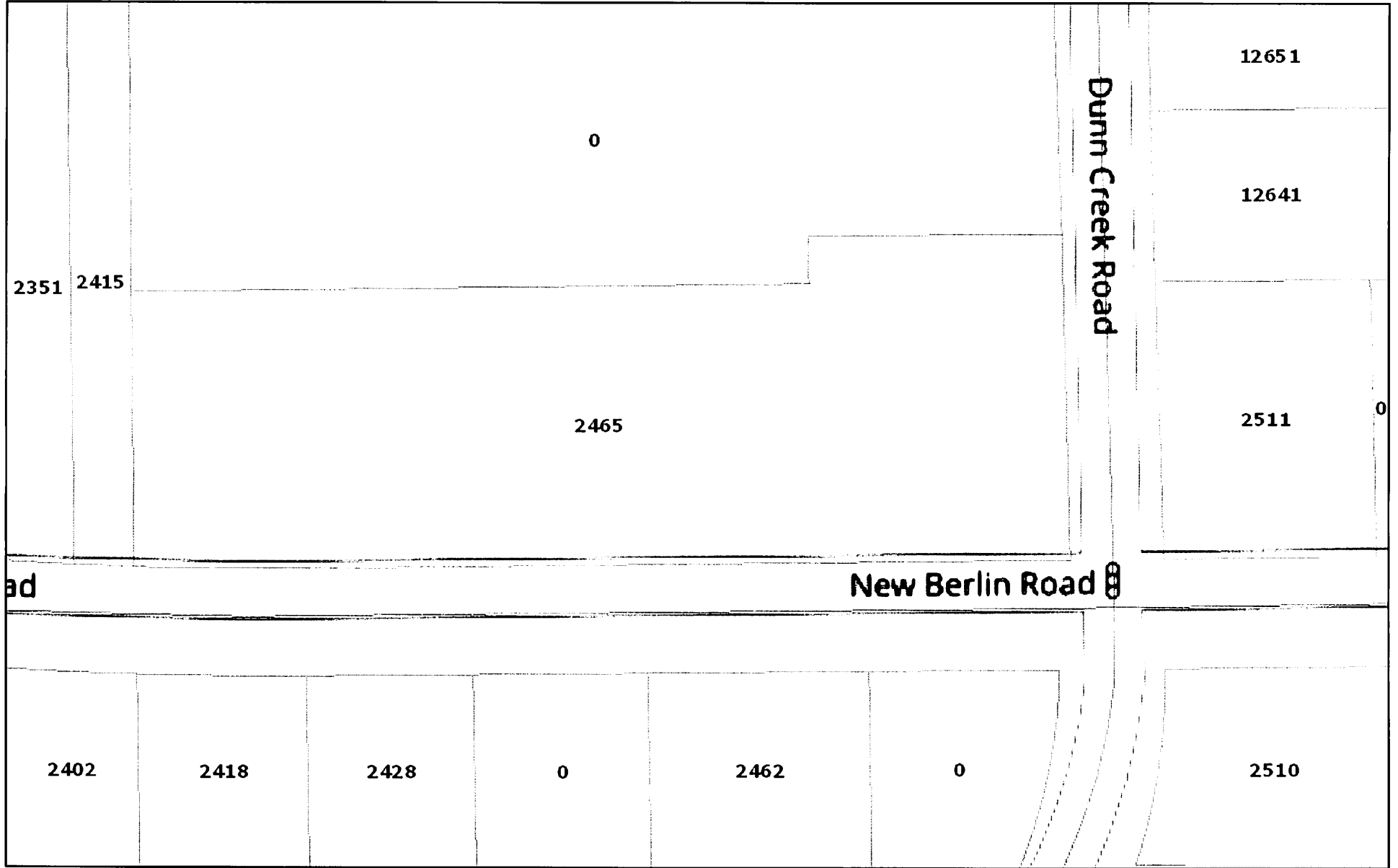
EXHIBIT H - AERIAL MAP



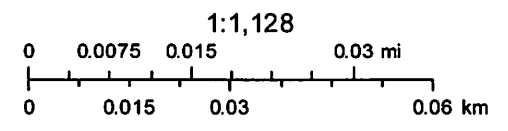
May 2, 2019



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



May 3, 2019





21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Wesley McKey Hughes
Danhour Group, LLC
2762 Vernon Terrace
Jacksonville, Florida, 32205

August 28, 2017

Project Name: Commercial Retail and Residential (2016-1635)
Availability#: 2017-1673

Attn: Wesley McKey Hughes,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

Point of Connection:

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on jea.com.

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit www.jea.com
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2017-1673
 Request Received On: 8/23/2017
 Availability Response: 8/28/2017
 Prepared by: Roderick Jackson

Project Information

Name: Commercial Retail and Residential (2016-1635)
 Type: OTHER
 Requested Flow: 4,350 gpd
 Location: 2465 New Berlin Road, Jacksonville, FL 32218
 Parcel ID No.: 106509-0000
 Description: Commercial Retail in currently commercial zoned area on New Berlin. Residential lots behind.

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Existing 16-in water main within the New Berlin Rd ROW, adjacent to this property.
 Connection Point #2: Existing 16-in water main stub-out within the intersection of New Berlin and Dunn Creek Rd
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. For the estimated cost of connecting to the JEA system, please email estimate@jea.com with project address, availability number and approved plans showing where the proposed connections will be installed.

Sewer Connection

Sewer Treatment Plant: DISTRICT 2/CEDAR BAY
 Connection Point #1: Existing 12-in force main within the New Berlin Rd ROW, adjacent to this property.
 Connection Point #2: NA
 Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

Reclaimed Water Connection

Sewer Region/Plant: N/A
 Connection Point #1: No reclaim in the foreseeable future
 Connection Point #2: NA
 Special Conditions: No reclaim in the foreseeable future.

General Comments: