

ORDINANCE _____

May 12, 2013

Legal Description

5-93 31-3S-26E 1.44 JACKSONVILLE HEIGHTS PT TRACT 7
RECD O/R 15715-1060 BEING TRACK AA BLK 2 PT PB 43-45 WESTLAND PK

EXHIBIT D

Grayfield Written Description June 3, 2013

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: RPI
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. Real Estate Parcel Nos: 099068-0000

II. SUMMARY DESCRIPTION OF THE PUD

Ghandi Ayoub (the "Applicant") proposes to rezone approximately 1.44± acres of property from Planned Unit Development ("PUD") to PUD. The subject property is located at 0 Collins Road, and is more particularly described in the legal description attached hereto as Exhibit "1" (the "Property"). The surrounding land uses and zoning designations include MDR/RMD-C to the west (apartments), RPI/CRO to the east (single-family residence and commercial surface parking lot), CGC/PUD to the south (business park/warehouse) and MDR/PUD to the northeast (apartments) and CGC/PUD to the northwest (pre-development commercial uses). The Property is designated RPI land use and is located in the Suburban Area.

The Property is zoned PUD pursuant to that certain Ordinance 2007-718-E, which ordinance permits the development of multi-family, town homes, condominiums, clubhouse, swimming pools, car wash and/or up to 16,700 square feet of office uses, including a leasing office (the "Westland Park Apartments PUD"). The Property is the only undeveloped parcel within the Westland Park Apartments PUD and is densely covered by mature trees, shrubs and brush. Applicant seeks to rezone the Property to facilitate the development of a gas station with a retail component (the "Development"). A conceptual site plan depicting the Development is attached hereto as Exhibit E (the "Site Plan").

III. PUD DEVELOPMENT CRITERIA

- A. Permitted Uses. The following uses shall be permitted within the PUD zoning district:
 - 1. Neighborhood retail sales and service establishments, including the sale of cellular phones, hardware and new automobile parts and accessories (but not including rebuilt parts);
 - 2. Banks, including drive-thru tellers, savings and loan institutions, and similar uses;
 - 3. Professional and business offices;
 - 4. Vocational, trade or business schools and similar uses;
 - 5. Day care centers or care centers;
 - 6. Car wash meeting the performance standards and development criteria set forth in Part 4, *Jacksonville Zoning Code*;

7. An establishment of facility that includes the retail sale and service of beer or wine for off-premises consumption or for on-premises consumption in conjunction with a restaurant;
 8. Veterinarians and animal boarding meeting the performance standards and development criteria set forth in Part 4, *Jacksonville Zoning Code*;
 9. Express or parcel delivery offices and similar uses (but not freight or truck terminals);
 10. Essential services, including water, sewer, gas, telephone, radio, television and electric;
 11. Churches, including a rectory or similar use; and
 12. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4, *Jacksonville Zoning Code*;
- B. Uses by Exception. There shall be no permitted uses by exception.
- C. Accessory Uses. Accessory uses and structures shall be permitted as provided in Section 656.403, *Jacksonville Zoning Code*; provided that accessory uses and structures may be located in a required front or side yard.
- D. Minimum Lot and Building Requirements
1. Minimum Lot Requirements (width and area): None
 2. Minimum Yard Requirements and Building Setbacks:
 - a. Front – 10 feet
 - b. Side – 10 feet
 3. Maximum Lot Coverage: None
 4. Maximum Height of Structure: 45 feet
- E. Access. Vehicular access to the Property shall be via Collins Road and Grayfield Road, substantially as depicted on the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.
- F. Pedestrian Circulation. Sidewalks shall be maintained and improved along Collins Road in accordance with the City of Jacksonville 2030 Comprehensive Plan..
- G. Recreational / Open Space. Not applicable.
- H. Signage. Signage shall be installed in accordance with Section 656.1303(c)(2), *Jacksonville Code of Ordinances*.
- I. Stormwater Retention. Stormwater retention/detention shall be in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District, and may include underground detention vaults.

- J. Utilities. Electric, power and sewer shall be provided by the JEA and will be placed underground.
- K. Landscaping. Landscaping shall be installed and maintained in accordance with Part 12, Landscape Regulations of the *Jacksonville Zoning Code*, using as yet undetermined species of plants and trees.
- L. Parking and Loading. The Development will include thirty-three (33) on-site surface parking spaces and one (1) loading space substantially as depicted on the Site Plan.
- M. Conceptual Site Plan. The Site Plan is conceptual and revisions 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.
- N. Lighting. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.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 should not exceed thirty feet (30'-0"). 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. Light fixtures shall be mounted on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. The fuel island canopy shall not exceed fifteen feet in height from the bottom of the canopy.
- O. Temporary Uses. Temporary construction trailer(s) shall be permitted to be placed on the Property and moved throughout the Property as necessary.
- P. Phasing. It is anticipated that construction of the Development will commence on or about January 1, 2014 and will be completed by June 1, 2014.
- Q. Justification for Planned Unit Development. The Development is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations (the "Comprehensive Plan"). Applicant seeks to rezone the Property to PUD to facilitate the development of a gas station with a retail component. The Property is currently zoned PUD pursuant to that certain Ordinance 2002-718-E, which Ordinance restricts development of the Property to multi-family, town homes, condominiums, clubhouse, swimming pools, car wash and/or up to 16,700 square feet of office uses, including a leasing office. Currently, the Property is undeveloped.

The Development as proposed includes clearing the Property and constructing a 6,500 square foot gas station with a retail component and eight (8) pumps located under a

canopy. The closest gas stations are located approximately 1.49 miles North (Hess) and 1.59 miles South (Shell).

IV. ADDITIONAL INFORMATION

- A. Professional Consultants.
 - 1. Architect: To be determined.
 - 2. Developer: To be determined.
 - 3. Engineer: To be determined.
- B. Land Coverage of All Buildings and Structures: 6,500 square feet
- C. Rights of Way: None; the internal circulation consists of private drives and parking areas.
- D. Operation and Maintenance of Property: Applicant plans to retain ownership of the Property and will operate and maintain the Property at Applicant's sole expense.
- E. Differences from Application of Conventional Zoning District: The Property is zoned PUD pursuant to Ordinance 2007-718-E, which ordinance deviates from the regulations of the underlying Commercial, Residential and Office ("CRO") zoning district as follows:

Conventional Zoning District	PUD Zoning District
Minimum Lot Requirements (width and area): Width – 70 feet Area – 7,000 square feet 656.311(2)(e)	Minimum Lots Requirements (width and area): none
Maximum Lot Coverage – 50% 656.311(2)(f)	Maximum Lot Coverage – none
Minimum Yard Requirements: Front – 20 feet Side – 10 feet Rear – 20 feet 656.311(2)(g)	Minimum Yard Requirements: Front – 10 feet Side – 10 feet
Maximum Height of Structures: 45 feet 656.311(2)(i)	Maximum Height of Structures: 45 feet

It should be noted that the PUD zoning district is a secondary zoning district in the RPI land use category and is subject to the additional criteria and standards set forth in Section 656.350(h), *Jacksonville Ordinance Code*. In particular, Section 656.350(h)(1) requires that the Property must be located at the intersection of two streets classified as Principal Arterial, Minor Arterial or Collector per the Functional Highway Classification Map of the Comprehensive Plan. The Property does not technically meet this requirement, only because Grayfield Drive is not a road that is classified on the Road Links Status Report. However, it is Applicant's position that, while the road may not be classified, its sole purpose is to serve nonresidential traffic. Grayfield Drive should be considered at least a nonresidential road as commercial and warehouse uses exist along the extent of the road. Collins Road is

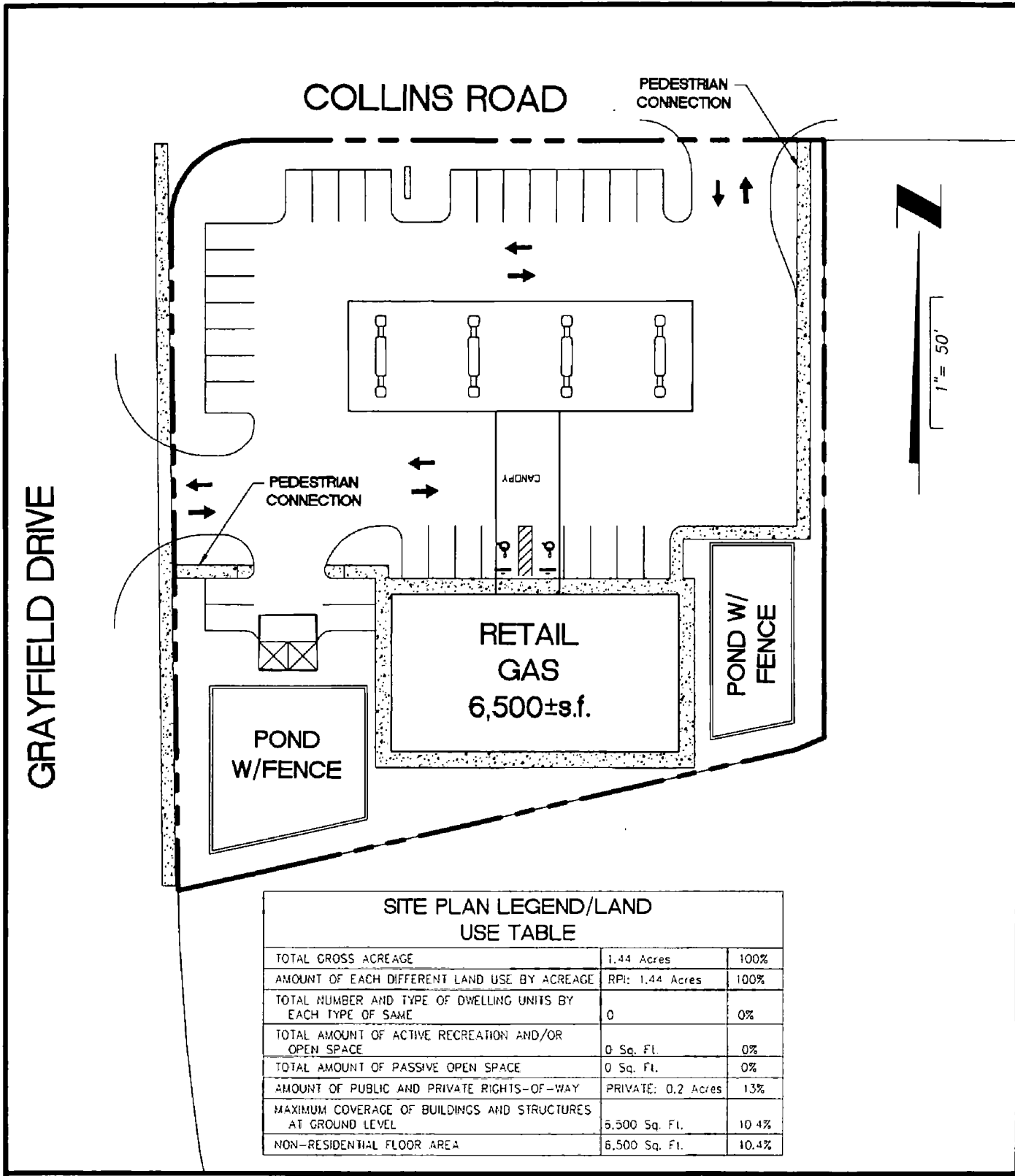
classified as a Collector Road. Applicant believes the uses proposed in this rezoning to PUD district are the only viable uses that may be developed at the Property and submits that the Property location meets the spirit and intent of Section 656.350(p).

V. SITE PLAN LEGEND / LAND USE TABLE

Total gross acreage	1.44 Acres	100%
Amount of each different land use by acreage	RPI: 1.44 Acres	100%
Total number and type of dwelling units by each type of same	0	0%
Total amount of active recreation and/or open space	0 Sq. Ft.	0%
Total amount of passive open space	0 Sq. Ft.	0%
Amount of public and private rights-of-way	Private: 0.2Acres Public: 0.0 Acres	13% 0%
Maximum coverage of buildings and structures at ground level	6,500 Sq. Ft.	10.4%
Non-residential floor area	6,500 Sq. Ft.	10.4%

VI. SUCCESSORS IN TITLE

All successors in title to the Property shall be bound by the conditions of this PUD zoning district.



SITE PLAN LEGEND/LAND USE TABLE		
TOTAL GROSS ACREAGE	1.44 Acres	100%
AMOUNT OF EACH DIFFERENT LAND USE BY ACREAGE	RPI: 1.44 Acres	100%
TOTAL NUMBER AND TYPE OF DWELLING UNITS BY EACH TYPE OF SAME	0	0%
TOTAL AMOUNT OF ACTIVE RECREATION AND/OR OPEN SPACE	0 Sq. Ft.	0%
TOTAL AMOUNT OF PASSIVE OPEN SPACE	0 Sq. Ft.	0%
AMOUNT OF PUBLIC AND PRIVATE RIGHTS-OF-WAY	PRIVATE: 0.2 Acres	13%
MAXIMUM COVERAGE OF BUILDINGS AND STRUCTURES AT GROUND LEVEL	6,500 Sq. Ft.	10.4%
NON-RESIDENTIAL FLOOR AREA	6,500 Sq. Ft.	10.4%

ETM
 VISION - EXPERIENCE - RESULTS
 ENGLAND - THIMS & MILLER, INC.
 14775 Old St. Augustine Road, Jacksonville, FL 32258
 TEL: (904) 642-8990, FAX: (904) 646-9485
 CA - 00002584 LC - 0000315

PRELIMINARY SITE PLAN

**COLLINS ROAD SITE
 JACKSONVILLE, FLORIDA**

ETM NO.
DRAWN BY: LJP
DATE: 05/03/2013
DRAWING NO.

C:\Peter\Ghandi_Ayoub\Prelim_Ghandi_Site.dwg
 PLOTTED: June 4, 2013 - 10:29 AM, BY: Lionel Perez

EXHIBIT F

LAND USE TABLE

Acreage	Land Use Designation
1.44	RPI