

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

20 August 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2020-308 **Application for: Kernan Boulevard PUD**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan
and Honorable Members of the City Council:

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

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

This rezoning is subject to the following exhibits:

1. The original legal description dated April 30, 2020
2. The revised written description dated July 7, 2020
3. The original site plan dated February 8, 2019

Recommended Planning Commission Conditions to the Ordinance: **None**

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

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

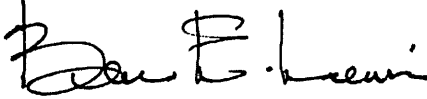
Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Absent

Planning Commission Report
Page 2

Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Aye
Jason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0308 TO
PLANNED UNIT DEVELOPMENT

AUGUST 20, 2020

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 **2020-0308** to Planned Unit Development.

Location: 1795 Kernan Boulevard South
Between 1801-1 Kernan AP and Vista Point Drive

Real Estate Numbers: 165265 0405

Current Zoning Districts: Planned Unit Development (PUD) 2014-0490

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: 2 – Greater Arlington/Beaches

Applicant/Agent: Eric Sloan
Sleiman Enterprises, Inc.
1 Sleiman Parkway, Suite #100
Jacksonville, FL 32216

Owner: Michael Herzberg
Property Management Support, Inc. / Southeast Atlantic
Land Trust
1 Sleiman Parkway #270
Jacksonville, FL 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2020-0308** seeks to rezone approximately 2.34± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning to a PUD is being sought to allow for automotive service uses including tire stores, oil change stations, and light auto repairs. The subject property is currently zoned under PUD, **2014-0490-E**, which spans an overall 11.69± acres of land and generally allows for a mix of

commercial and institutional uses, or a mix of retail and residential. The intent of the current PUD is to act as a transitional zone between the more intensive commercial uses to the north and the residential area to the south and east of the subject property. The current PUD does not permit automotive services or repairs.

PUD **2014-0490-E** was enacted on January 27, 2015 with the following conditions:

- (a) The Subject Property shall be developed in accordance with the revised written description dated January 21, 2015.
- (b) The subject property is legally described in the original legal description dated October 1, 2014.
- (c) The subject property shall be developed in accordance with the original site plan date October 10, 2014.
- (d) The subject property shall be developed in accordance with the Development Services Division Memorandum dated December 12, 2014 at attached hereto as Exhibit 3, or as otherwise approved by the Planning and Development Department.
- (e) Public, private or charter school use is prohibited.

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

Condition (a) is not recommended by Staff for this report as the applicant has submitted a new written description with this PUD application.

Condition (b) is not recommended by Staff for this report as a new legal description has been submitted due to this PUD being applicable to only a portion of PUD 2014-0490.

Condition (c) is not recommended by Staff for this report as a new site plan has been submitted with this application.

Condition (d) is not recommended by Staff for this report as the Development Services Division will review any new development prior to permitting and construction.

Condition (e) is not recommended by Staff for this report due to the applicant removing all institutional uses from the list of permitted uses in the written description.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject site is currently located with the Community/General Commercial (CGC) land use category with the Urban Development Area as identified within the Future Land Use Map series (FLUMS) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Auto repair and sales are considered principal uses. The maximum gross density in the Urban Area for the CGC land use category shall be 40 units/acre and there shall be no minimum density; except as provided herein.

The site has access to Kernan Boulevard South, which is classified as a minor arterial roadway.

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

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

Future Land Use Element (FLUE):

Policy 1.2.9

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

The proposed PUD will be required to be served by centralized services including water and sewage. The applicant provided JEA availability letter 2020-1282.

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 would all the applicant to utilize a currently vacant parcel of land that has access to centralize utilities and infrastructure.

(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 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 category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC.) The Planning and Development Department finds that the proposed PUD is inconsistent 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.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcels for automotive services including tire stores, oil change stations, and light auto repair 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 with specific reference to the following:

Compatible relationship between land uses in a mixed use project: The proposed automotive service uses is located on the eastern portion of the parcel and will have its own parking separate from the other uses on the property. All uses on the property have ingress and egress via Kernan Boulevard South and Vista Point.

(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: There are residential dwellings located to the east and south of the subject property. To the west and north of the property are commercial uses including banks and a shopping center.

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 Property Use
North	CGC	PUD 2019-0430	Shopping Center
South	MDR	PUD 1989-1065	Multi-Family Dwellings
East	CGC	PUD 2014-0490	Single-Family Dwellings
West	RPI	PUD 2003-0131	Banks

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as automotive services are considered principal uses in the CGC land use category.

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: There are multiple commercial uses located on the subject property including a restaurant, medical office, and financial office. Located to the east of the property is a single family residential neighborhood. Other surrounding properties include banks, and shopping centers with multiple commercial uses.

The amount and type of protection provided for the safety, habitability, and privacy of land uses both internal and external to the proposed PUD: The site plan submitted shows a 15 foot buffer along the east property line that abuts the single family residential neighborhood. The applicant also states in the written description that the bay doors of any auto related building will be oriented away from both the residential properties to the east and Kernan Boulevard.

(7) Usable open spaces plazas, recreation areas.

Open space and 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 the presence of any wetlands or flood zones on site. However, the written description states, "Any development activity which would impact wetlands will be permitted in accordance with local, state, and federal 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 off-street parking standards will developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The parcel currently contains sidewalks along Kernan Boulevard and Vista Point Drive meeting the 2030 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 6, 2020** by the Planning and Development Department, the Notice of Public Hearing signs were posted.

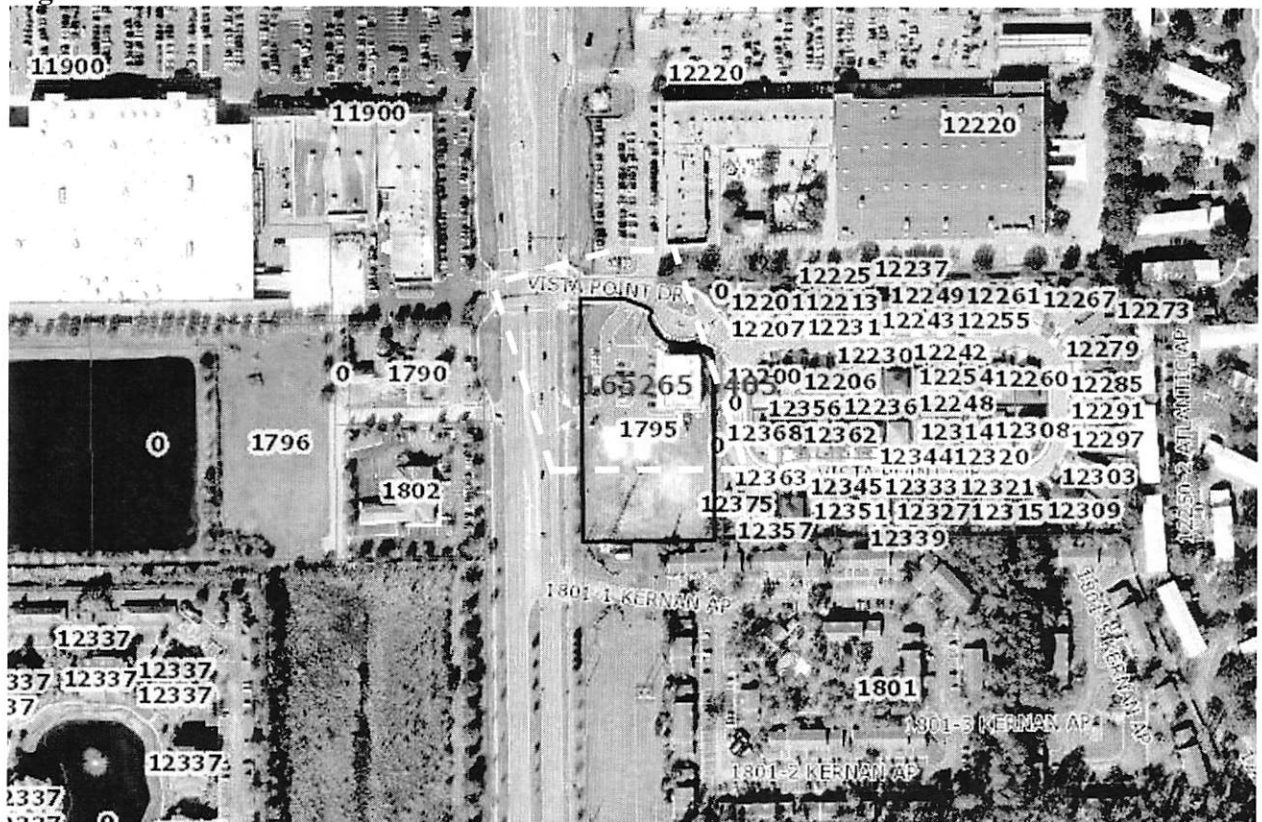


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0308 be **APPROVED** with the following exhibits:

- The original legal description dated April 30, 2020
- The revised written description dated July 7, 2020
- The original site plan dated February 8, 2019

Figure A:



Source: Planning & Development Dept, 07/15/20

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 07/02/20

View of subject property from Kernan Boulevard South.

Figure C:



Source: Planning & Development Dept, 07/02/20

View of subject property from Kernan Boulevard South.

Figure D:



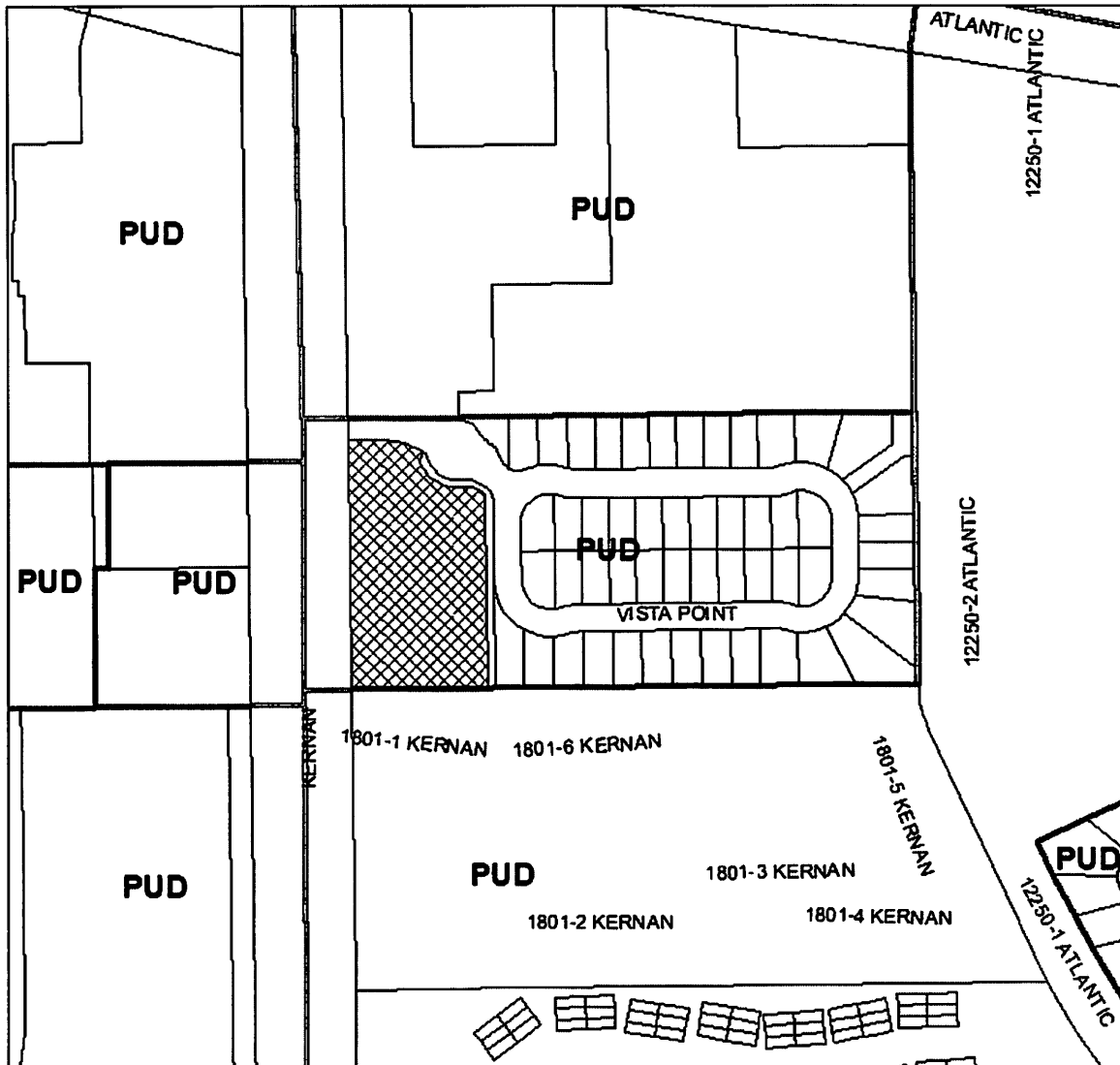
Source: Planning & Development Dept, 07/02/20

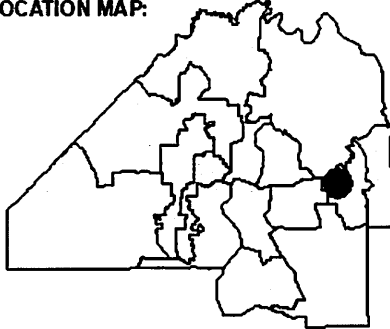

View of single family dwellings (PUD 2014-0490) east of the subject property.



Source: Planning & Development Dept, 07/02/20

View of multi-family dwellings (PUD 1989-1065) located south of the subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 3</p>
<p>ORDINANCE NUMBER ORD-2020-0308</p>	<p>TRACKING NUMBER T-2020-2732</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2020-0308 **Staff Sign-Off/Date** KPC / 03/31/2020

Filing Date 05/27/2020 **Number of Signs to Post** 4

Hearing Dates:

1st City Council 07/28/2020 **Planning Commission** 07/23/2020

Land Use & Zoning 08/04/2020 **2nd City Council** N/A

Neighborhood Association KENSINGTON ASSOCIATION, INC.; WEST BEACHES COMMUNITY ASSOCIATION

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 2732

Application Status PENDING

Date Started 01/23/2020

Date Submitted 01/28/2020

General Information On Applicant

Last Name

SLOAN

First Name

ERIC

Middle Name

Company Name

SLEIMAN ENTERPRISES, INC

Mailing Address

1 SLEIMAN PARKWAY SUITE #100

City

JACKSONVILLE

State

FL

Zip Code 32216

Phone

9047314875

Fax

9047312411

Email

ESLOAN@TCICONSTRUCTION.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name

HERZBERG

First Name

MICHAEL

Middle Name

W

Company/Trust Name

PROPERTY MANAGEMENT SUPPORT, INC. / SOUTHEAST ATLANTIC LAND TRUST

Mailing Address

1 SLEIMAN PARKWAY #270

City

JACKSONVILLE

State

FL

Zip Code

32216

Phone

9047318806

Fax

9047311109

Email

MHERZBERG@SLEIMAN.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2014-490-E PUD

Map RE#

Map 165265 0405

Council District

3

Planning From Zoning District District(s)

2

PUD

To Zoning District

PUD

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 2.42

Development Number

Proposed PUD Name 2020 KERNAN BOULEVARD III PUD

Justification For Rezoning Application

THE DEMAND FOR CERTAIN COMMERCIAL ACTIVITIES HAS INCREASED IN THIS AREA AND THE DEVELOPER NOW SEEKS TO AMEND THE PUD, APPLICABLE ONLY TO THE 2.42-ACRE COMMERCIAL PORTION WHEREBY TO PERMIT ADDITIONAL USES TO INCLUDE AUTOMOTIVE SERVICE TYPE FACILITIES SUCH AS TIRE STORES, OIL CHANGE STATIONS AND LIGHT AUTO REPAIR USES.

Location Of Property

General Location

INTERSECTION OF KERNAN BLVD SOUTH AND VISTA POINT DRIVE

House #	Street Name, Type and Direction	Zip Code
1795	KERNAN BLVD S	32246

Between Streets

1801-1 KERNAN AP **and** VISTA POINT DRIVE

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**
2.42 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
33 Notifications @ \$7.00 /each: \$231.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,530.00

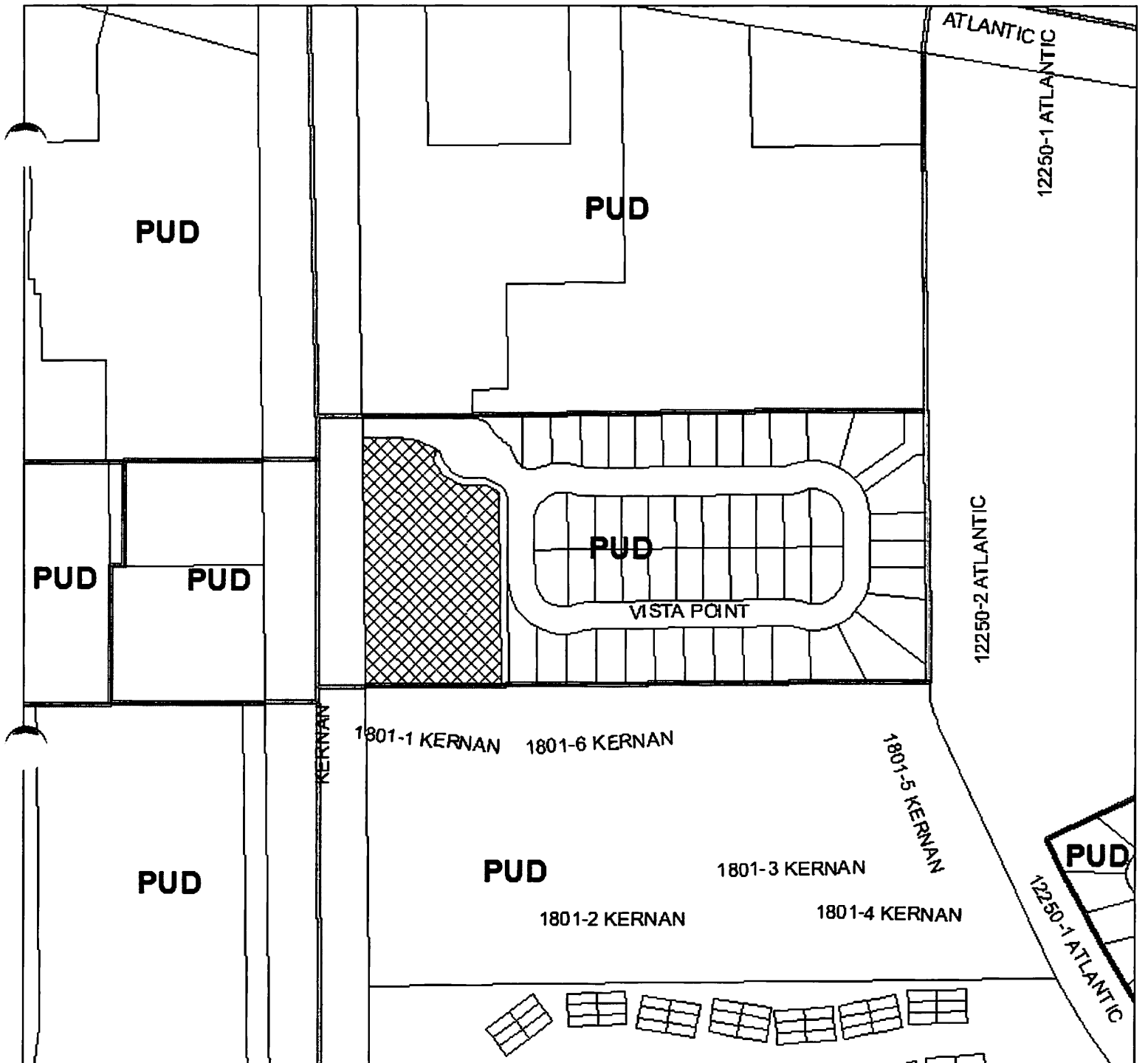
NOTE: Advertising Costs To Be Billed to Owner/Agent

Kernan Pointe Overall

A portion of Section 22, Township 2 South, Range 28 East, Jacksonville, Duval County, Florida and being more particularly described as follows: For a point of reference commence at the Southwesterly corner of said Section 22, the same being the Easterly right-of-way line of Kernan Boulevard South (a 200 foot right-of-way as now established), thence North $00^{\circ}44'44''$ West, along said Easterly right-of-way line, same being the Westerly line of Section 22, 1948.65 feet to the Point of Beginning.

From the Point of Beginning thus described, thence continue North $00^{\circ}44'44''$ West, along last said right-of-way line, 453.33 feet; thence North $89^{\circ}15'16''$ East, departing said right of way line, 25.94 feet; thence South $89^{\circ}25'44''$ East, 37.05 feet to the point of curvature of a curve concave Southwesterly having a radius of 147.47 feet; thence Easterly along the arc of said curve an arc distance of 76.39 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $72^{\circ}23'40''$ East, 75.54 feet; thence South $18^{\circ}49'03''$ West, 17.57 feet to a point on a curve concave Northeasterly having a radius of 71.00 feet; thence Southeasterly along the arc of said curve an arc distance of 100.04 feet to a point of reverse curvature of a curve concave Southerly having a radius of 45.00 feet, said arc being subtended by a chord bearing and distance of South $58^{\circ}20'01''$ East, 91.97 feet; thence Easterly along the arc of said curve an arc distance of 23.91 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $83^{\circ}28'39''$ East, 23.63 feet; thence South $68^{\circ}15'16''$ East, 10.25 feet to the point of curvature of a curve concave Southwesterly having a radius of 15.00 feet; thence Southeasterly along the arc of said curve an arc distance of 17.67 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South $34^{\circ}30'00''$ East, 16.67 feet; thence South $00^{\circ}44'44''$ East, 342.08 feet; thence South $89^{\circ}15'16''$ West, along the Northerly line of Official Records Volume 14036, page 672, 248.61 feet to the Point of Beginning.

The land thus described contains 2.34 acres, more or less.

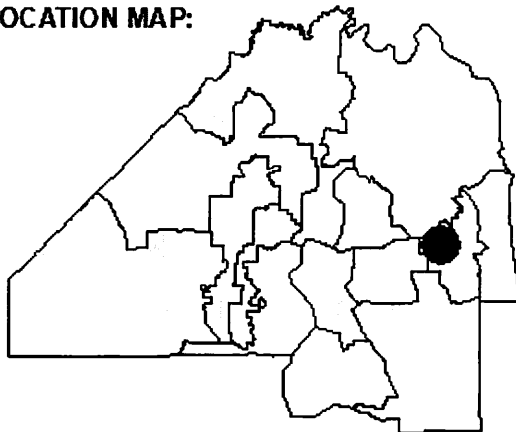


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



0 100 200 400



Feet

COUNCIL DISTRICT:

3

TRACKING NUMBER

T-2020-2732

**EXHIBIT 2
PAGE 1 OF 1**

WRITTEN DESCRIPTION
Kernan Boulevard III PUD
July 7, 2020
Exhibit D

I. PROJECT DESCRIPTION

The fee simple owner of the real property identified in the attached Exhibit A, RE# 165265-0405 (the "Property"), which contains approximately 2.34 acres, is currently zoned PUD (Ord. 2014-490-E) and designated CGC (Ord. 2005-544-E) and was originally intended for commercial purposes. The original PUD was a multi-use PUD, permitting the development of the front as commercial and the remainder, approximately 9.27 acres as a single-family subdivision. The subdivision is complete and is not a component of this new PUD. Rather, the demand for certain commercial activities has increased in this area and the developer now seeks to amend the PUD, applicable only to the 2.34-acre commercial portion, to permit additional uses.

The Property is located along the east side of Kernan Boulevard and is bounded by a regional shopping center on the west and north sides. On the east side a newly developed single-family residential community, which was a part of this original PUD has been completed. To the south and wrapping the original PUD boundary is a multi-family residential development, encompassing about 118 acres and having been developed with approximately 3,000 units.

The applicant has not utilized any design professionals for the preparation of this application. The parcel is partially developed with a multi-tenant retail center on the northern one-third of the property. The balance of the site does not include significant or unique characteristics, variation of elevations or natural features.

The revised PUD will permit the list of Permitted Uses to be expanded to include automotive service type facilities such as tire stores, oil change stations and light auto repair uses. The additional potential users of the property would be required to locate their buildings in a manner that prohibits the bay doors from being oriented toward the adjacent right-of-way, or toward the residential development to the east. In this manner, the activities would be contained indoors and not directly visible from the east/west orientation. The site is encumbered with a 150 foot powerline easement that prohibits buildings being located forward of the line as established to the north and south of the property. Therefore, the available land for commercial development is curtailed and a Void Analysis of the area demonstrates a deficiency in these types of uses with the closest being about two miles away in either direction along Atlantic Boulevard.

The site is an infill location, being surrounded by densely developed residential activity to the south and east and intensive community commercial to the north and west. Thus, these proposed additional uses would offer convenience to the more than Twelve-Thousand residents who live in a one-mile radius, while reducing Vehicle Miles Traveled (VMT) along the Atlantic and Kernan Boulevard corridors. In exchange for these additional uses, all references to residential or institutional uses are stricken from this PUD Rezoning Application.

The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as a retail development limited to not more than 21,000 square feet of enclosed area and occupying not more than 2.42 acres, to be developed in consonance with the goals and objectives of the Community General Commercial land use category of the City of Jacksonville 2030 Comprehensive Plan Future Land Use Element. It is the intent of the developer to commence design as soon as possible after zoning approval. Similarly, construction would also be intended to commence immediately upon approval of the zoning and engineering entitlements. All future maintenance and operations will be the sole responsibility of the land owner(s), in compliance with the Municipal Ordinance for the City of Jacksonville and this PUD.

II. USES AND RESTRICTIONS

The Property currently consists of one parcel but may be further divided as depicted on the attached site plan (Exhibit E) dated January 6, 2020 (the “Site Plan,” which is incorporated herein by this reference.

A. Permitted Uses:

1. Commercial retail uses such as
 - i. Commercial retail sales and service establishments
 - ii. Banks, including drive thru tellers, savings and loan institutions and similar uses
 - iii. Professional and business offices and clinics
 - iv. Art galleries, museums, gymnasiums, community centers, dance, art or music studios
 - v. Vocation, trade or business schools and similar uses
 - vi. Day care centers
 - vii. An establishment or facility which includes the retail sale and service of beer or wine for on-premises conjunction with a restaurant
 - viii. Express or parcel delivery offices and similar uses, without terminals
 - ix. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4 of the Zoning Code.
 - x. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses

- x. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- xi. Automotive related service activities such as tire replacement and repair, oil changes and light automotive repairs, conducted indoors only and buildings must orient any bay doors to the north or south only.

All above uses consistent with the site development standards established herein and as depicted on the Site Plan attached to this application (Exhibit “E”).

B. Permissible uses – Commercial uses permissible by exception shall include the following:

- i. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
- ii. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
- iii. Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.
- iv. Billiard parlors.

C. Accessory uses shall be as outlined in the Zoning Code and consistent Section 656.403 of the Zoning Code.

III. DEVELOPMENT STANDARDS

A. Dimensional Standards.

1. *Minimum parcel area and yard areas:* The minimum lot size, lot width and yard areas for structures shall be as follows:

Lot Size – minimum of 10,000 square feet

Lot Width – minimum of 70 feet

Yards –

Front: 100 feet

Side: 0 feet; except that any development on the southerly portion of the site shall provide a 60-foot southerly side yard area.

Rear: 30 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures: 40%*
3. *Maximum height of structures: thirty (30) feet.*

B. Ingress, Egress and Circulation.

1. Vehicular ingress and egress shall be substantially as shown on the Site Plan.

C. Signs.

1. The number, location and height of signage to be located on the property shall be as follows:

One double faced monument sign not to exceed (100) one-hundred square feet in area and (20) twenty feet in height may be permitted along Kernan Boulevard.

Illumination: Internal or indirect lighting, will be permitted as appropriate.

D. Site Design and Landscaping.

Development of any building that is to be utilized for permitted auto related uses shall be oriented in a manner that prohibits bay doors from being located on the east or west side of any structure.

1. As the intent of the PUD is to promote the capture of area residents, providing necessary services to the immediate population and reducing VMT for such services, it is imperative that adequate signage be afforded to the various uses in effort to appropriately direct the patrons to their destinations. Similarly, as the immediately adjacent uses are not typically complimentary, the structures are to be located in such a way as to promote natural attenuation of noise and activity away from one another. While the typical commercial activity will be oriented toward Kernan Boulevard, away from the other uses, any automotive related use shall be oriented from north to south, with no bay doors facing east or west. Additionally, a screen wall has been erected and will continue to be utilized in lieu of the standard uncomplimentary buffer provisions of Part 12 of the Zoning Code.
2. Lighting associated with any use of this PUD will be of a design that does not permit trespass lighting onto adjacent properties. Furthermore, all lighting will utilize either appropriate lenses or cutoffs as required.

E. Building Orientation

1. General:

The subject property is to be utilized as a commercial retail and service development, permitting both commercial and automotive service uses. The primary structures in the commercial portion of the site are situated to block noise associated with Kernan Boulevard as well as the more intensive uses currently developed to the West.

More specifically, any automotive related use to be operated on this property shall be designed and constructed in such a manner as to prohibit bay doors from facing the residential development to the east or the right-of-way to the west. Yard areas have been significantly increased to reduce impacts to all adjacent uses.

IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION 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 rezoning is a reasonable manner by which to permit the infill of an undeveloped property for a variety of uses that will provide convenience to the area residents, while acting as a transition

between the commercial node located at Atlantic Boulevard and Kernan Boulevard and the varying types of residential which extend to the south and east of the Property. This PUD is designed to increase the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. Further, the development promotes a more marketable mix of uses that will act to reduce Vehicle Miles Traveled (VMT) for the residents in the vicinity. This PUD:

Is more efficient and effective than would be possible through strict application of the City of Jacksonville Land Use Regulations or a conventional zoning district which are suburban based, do not convey a sense of place, and which do not act to promote such a mix of uses;

Represents and appropriate combination of possible uses, properly designed to promote a logical transition between the established uses and a sustainable and desirable development pattern or an infill location;

Will promote the purposes of the 2030 Comprehensive Plan, including the following:

1. Objective 2.10
2. Goal 3
3. Objective 3.1
4. Objective 3.2
5. Policy 3.2.2
6. Policy 3.2.4
7. Policy 3.2.14
8. Policy 4.1.2

V. SUCCESSORS IN TITLE

All successors in title to the Property, or any portion of the Property, shall be bound to the conditions of this PUD.

VI. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* The Property is designated CGC pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. The uses and amounts (intensity) proposed in the PUD would be consistent with this designation.

- B. *Consistency with the Concurrency Management System.* The development of the Property will comply with the requirements of the Concurrency Management/Mobility System.
- C. *Allocation of Residential Land Use.* The proposed revision to the PUD is intended to separate it from the previous mixed-use development, being the previous PUD, and solely regulate the commercial development of the 2.42 acres.
- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Kernan Boulevard as well as from the connection road that is shared with the property to the north. All access points will be reviewed and approved by the City of Jacksonville.
- E. *External Compatibility/Intensity of Development.* The intent of the development is to permit additional uses, which would offer convenience and reduce VMT for the residents in the immediate vicinity, while seeking to reduce impacts to the residential developments to the south and east.
- F. The various uses will be appropriately screened from one another and structures will be oriented in a manner that will foster an appropriate transition as well as reduce externalities otherwise associated with such uses.
- G. *Recreation/Open Space.* The revised PUD does not include any recreation or open space areas.
- H. *Impact on Wetlands.* Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- I. *Listed Species Regulations.* Not Applicable.
- J. *Off-Street Parking & Loading Requirements.* The parking areas shall be developed as required in Part 6. It being the intent that the areas and locations depicted on the attached plan are sufficient to meet any or all of the required parking and landscape provisions.
- K. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.

- L. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements to an already approved off-site location.

- M. *Utilities.* Electric power, water and sewer services are currently furnished to the Property by the Jacksonville Electric Authority.

EXHIBIT F

PUD Name

Kernan Point - Oil Change Service Store

Land Use Table

Total gross acreage	0.33 Acres	100 %
Amount of each different land use by acreage		
Single family	0 Acres	0 %
Total number of dwelling units	0 D.U.	
Multiple family	0 Acres	0 %
Total number of dwelling units	0 D.U.	
Commercial	0.33 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	0.05 Acres	15.2 %
Maximum coverage of buildings and structures	1,710 Sq. Ft.	12 %



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Mike W Herzberg
Property Management Support, Inc.
1 Sleiman Parkway
Jacksonville, FL, 32216

April 02, 2020

Project Name: 1795 Kernan Boulevard S. - Kernan Boulevard III
Availability#: 2020-1282

Attn: Mike W Herzberg,

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 two years 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. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement from the third party owner providing applicant with the right to construct the utilities.

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, https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2020-1282
Request Received On: 3/31/2020
Availability Response: 4/2/2020
Prepared by: Roderick Jackson

Project Information

Name: 1795 Kernan Boulevard S. - Kernan Boulevard III
Type: Retail Store
Requested Flow: 3,150 gpd
Location: 1795 Kernan Boulevard S. Intersection of Kernan Boulevard South and Vista Point Drive
Parcel ID No.: 165265 0405
Description: Rezoning to permit additional uses never to exceed 21,000 square feet of retail

Potable Water Connection

Water Treatment Grid: SOUTH GRID
Connection Point #1: Existing service can be used if in good condition and does not conflict with construction
Connection Point #2: NA
Special Conditions: To start new service use the following link: https://www.jea.com/My_Account/New_Customer_Information/ . Contact the water sewer pre service counter to apply for service – (904) 665 -5260 or email at waterpreservice@jea.com.

Sewer Connection

Sewer Treatment Plant: ARLINGTON EAST
Connection Point #1: Existing service can be used if in good condition and no conflict with proposed construction.
Connection Point #2: NA
Special Conditions: Lateral may require televising for current integrity due to age. A sewer locate can be requested from the Water Pre-Service counter. If gravity flow cannot be achieved, then Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

Reclaimed Water Connection

Sewer Region/Plant: N/A
Connection Point #1: Existing 30-inch reclaim main within the Kernan Blvd ROW, adjacent to this property.
Connection Point #2: NA
Special Conditions: Reclaim for irrigation purposes only.

General Comments:

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations. POC location to be field verified by developer during project design. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If needed pre-design meeting may be scheduled prior to submitting a plan set. Send pre-design meeting requests, with availability number, to wsedevprojrequests@jea.com. Copies of reference drawings may be requested from the JEA Record online at https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/.

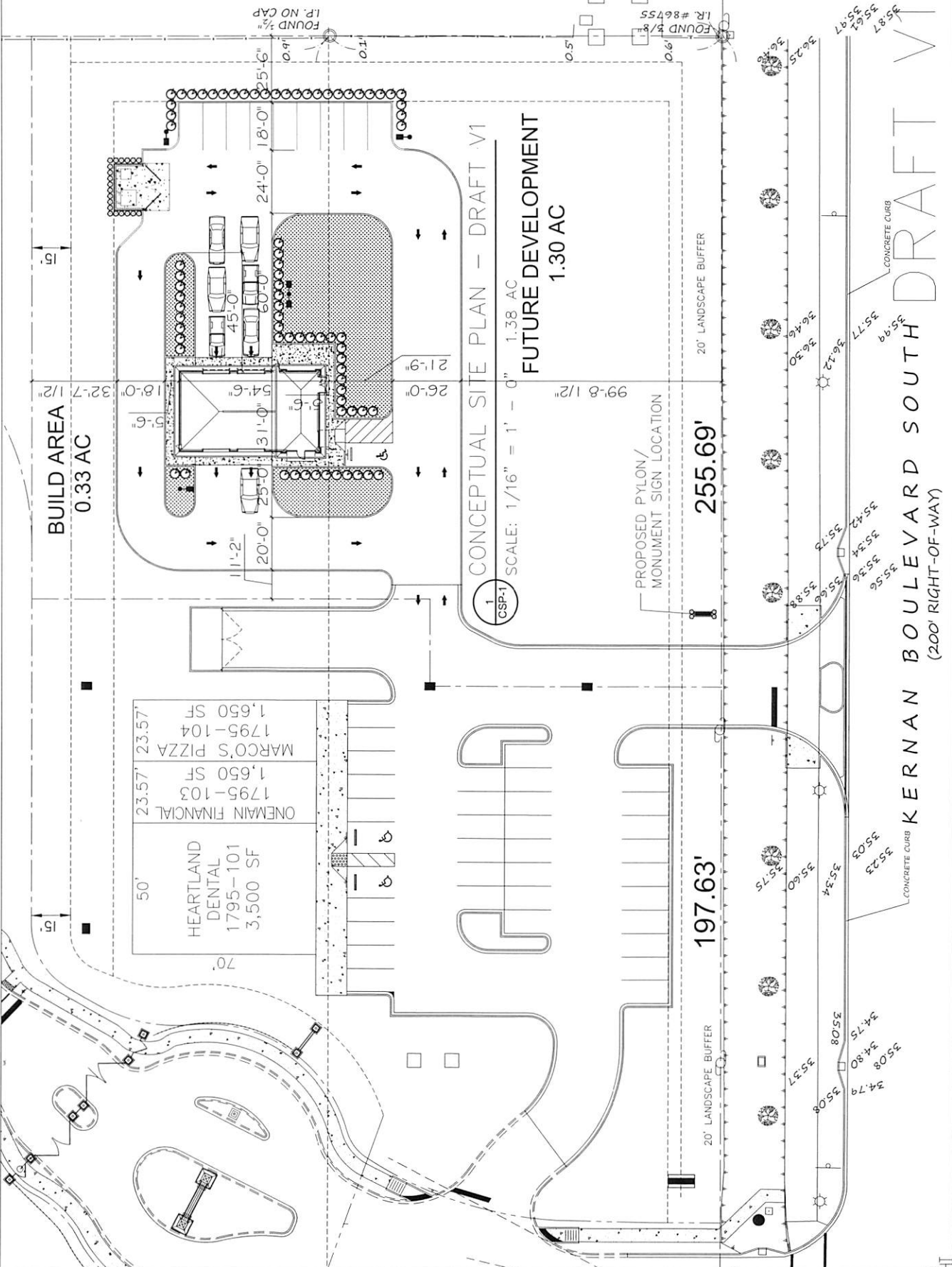


VALVOLINE INSTANT OIL CHANGE
1795 KERNAN BOULEVARD
JACKSONVILLE, FL 32246

Project No.	AS NOTED
Date	
Drawn	
Checked	
Scale	VIOC
Sheet	2.8 TB
Date	
Drawn By	

CONCEPTUAL
SITE PLAN

CSP-1



CONCEPTUAL SITE PLAN - DRAFT V1
SCALE: 1/16" = 1' - 0"
1.38 AC
FUTURE DEVELOPMENT
1.30 AC

BUILD AREA
0.33 AC

255.69'

197.63'

KERNAN BOULEVARD SOUTH
(200' RIGHT-OF-WAY)

