

CURRENT CODE FOR USE	CCG-1	CCG-2	PUD
Liquor for off-premises consumption: LIQUOR STORE	EXCEPTION AT PC NOW	REQUIRE EXCEPTION FOR SOME	CUSTOMIZED
Liquor for on-premises consumption: RESTAURANT	EXCEPTION AT PC NOW	PERMITTED BY RIGHT	CUSTOMIZED
Liquor for on-premises consumption: BAR	EXCEPTION AT PC NOW	EXCEPTION AT PC NOW	CUSTOMIZED

CURRENT CODE FOR DISTANCE LIMITS	DISTANCE	WAIVERS
Church (except CN, CCG-1 or CCG-2 if with an unrelated principal use)	Liquor Store: 500 FEET Restaurant: 500 FEET Bar: 1500 FEET	AT PC NOW
School (except CN, CCG-1 or CCG-2 if with an unrelated principal use)	Liquor Store: 500 FEET Restaurant: 500 FEET Bar: 1500 FEET	AT PC NOW
Adult Entertainment	Liquor Store: 500 FEET	AT PC NOW

↓PROPOSED CODE CHANGES↓

1. Remove review of EXCEPTIONS and WAIVERS for liquor uses from the Planning Commission so all EXCEPTIONS and WAIVERS for liquor uses are heard by the City Council.
2. Require EXCEPTIONS for LIQUOR STORES in CCG-2, instead of permitting by right, if they do not meet certain site criteria. See criteria discussion below.

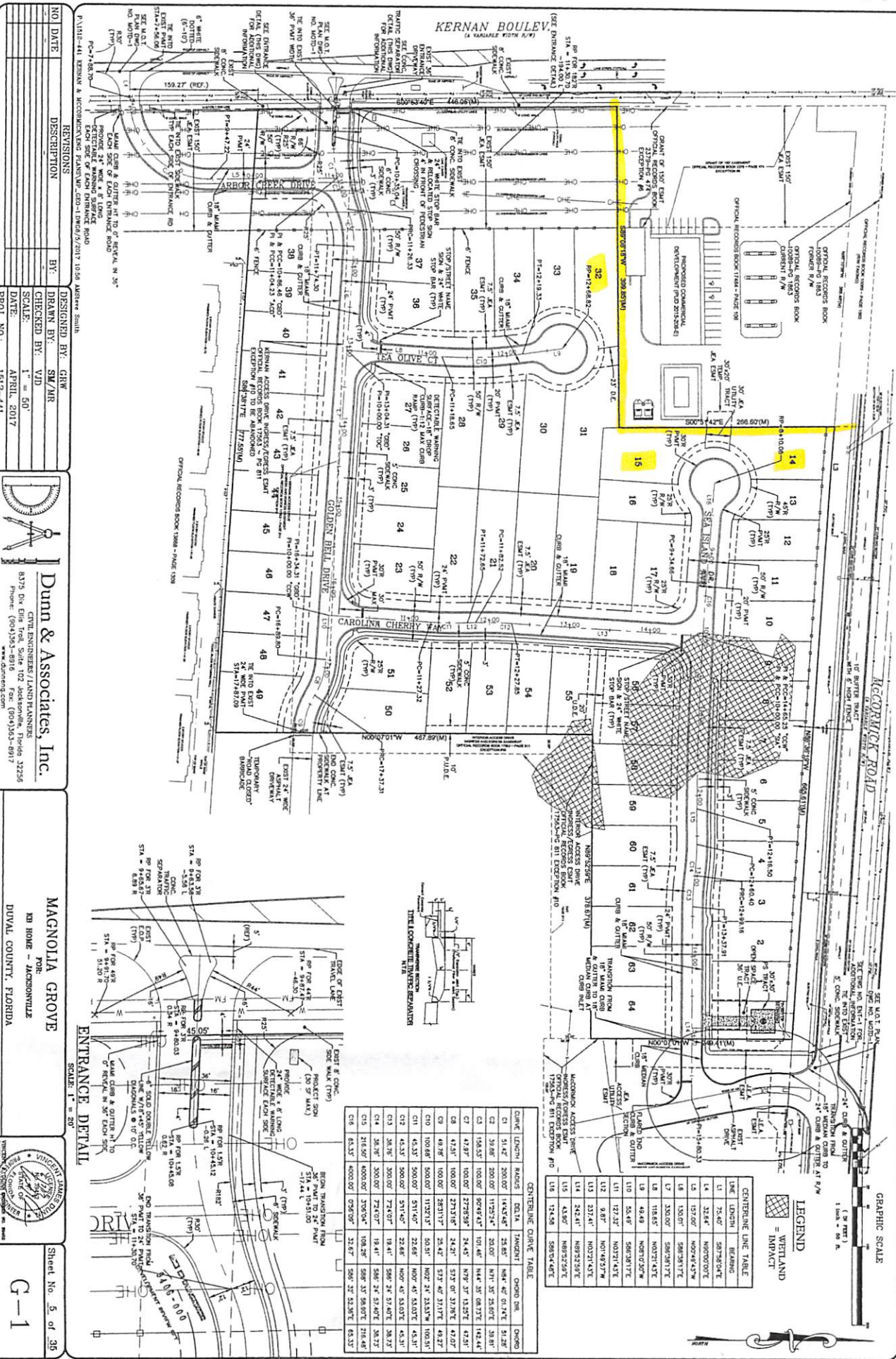
This approach makes fewer existing stores nonconforming thus reducing potential objections, while providing an opportunity for case-by-case review of future stores. See #3 below for addressing distance from existing liquor stores as part of the review process (case-by-case analysis), as opposed to using it as the reason for requiring the exception (subject to certain legal challenges).

LIQUOR STORE IN CCG-2 THAT WOULD REQUIRE AN EXCEPTION HEARD BY THE CITY COUNCIL	LIQUOR STORE IN CCG-2 THAT WOULD CONTINUE TO BE PERMITTED BY RIGHT
ONE ACRE OR LESS	OVER ONE ACRE
7000 SQUARE FEET OR LESS	OVER 7000 SQUARE FEET
Issues that we CAN NOT use as criteria: specific owners of the liquor store; whether it is franchised (like an ABC) or independently operated; City Council District (must apply same rules in whole City)	

3. Amend the EXCEPTION criteria to allow consideration of "proximity to similar uses".
4. Provide some timeframe for free applications for EXCEPTIONS so existing liquor stores can come into compliance. A "legal nonconforming" status means no bank loans, no expansion, no repairs over a certain dollar amount, etc.

EXCEPTION CRITERIA

1. Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;
2. Will be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values, and existing similar uses or zoning, and the impact of the proximity to similar uses;
3. Will not have an environmental impact inconsistent with the health, safety and welfare of the community;
4. Will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community;
5. Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent amendment to the plan adopted by the Council;
6. Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity;
7. Will not overburden existing public services and facilities;
8. Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services; and
9. Will be consistent with the definition of a zoning exception and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such particular use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission.

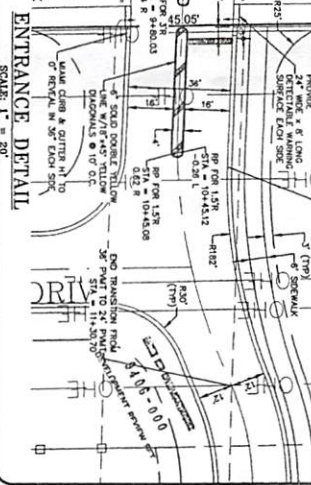


NO.	DATE	REVISIONS	BY	DESIGNED BY	CHECKED BY	DATE	PROJ. NO.
1				SM/MR	VD		1512-441
2							
3							
4							
5							
6							
7							
8							
9							
10							

Dunn & Associates, Inc.
 CIVIL ENGINEERS / LAND PLANNERS
 8375 D.W. ELLERSON BLVD., SUITE 200
 FORT MYERS, FL 33907
 PHONE: (813) 353-8911 FAX: (813) 353-8917
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MAGNOLIA GROVE
 FOR:
 KD HOME - JACKSONVILLE
 DUVAL COUNTY, FLORIDA
 GEOMETRY PLAN

Sheet No. 5 of 36
G-1
 DWG. NO.



CENTRELINE CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD LENGTH	DELTA	TANGENT
1+00.00	144°48'48"	23.85	94°42'01.14"	51.28	144°48'48"	23.85	94°42'01.14"	51.28
1+23.85	115°52'24"	25.00	81°35'26.07"	39.87	115°52'24"	25.00	81°35'26.07"	39.87
1+48.85	100°00'00"	90.94543	101.46°	144.47°30'08.13"	142.46°	90.94543	101.46°	144.47°30'08.13"
1+148.85	100°00'00"	272.9583	24.46°	87°37'12.57"	42.26°	272.9583	24.46°	87°37'12.57"
1+421.81	100°00'00"	273.116°	24.26°	57°07'37.97"	42.07°	273.116°	24.26°	57°07'37.97"
1+694.92	100°00'00"	283.117°	25.46°	57°46'31.77"	42.27°	283.117°	25.46°	57°46'31.77"
1+978.03	100°00'00"	112.213°	30.57°	102°24'33.57"	102.31°	112.213°	30.57°	102°24'33.57"
1+1100.24	50°00'00"	57.146°	22.66°	102°46'53.07"	45.37°	57.146°	22.66°	102°46'53.07"
1+167.16	50°00'00"	77.410°	19.41°	58°24'51.07"	38.73°	77.410°	19.41°	58°24'51.07"
1+244.57	50°00'00"	77.410°	19.41°	58°24'51.07"	38.73°	77.410°	19.41°	58°24'51.07"
1+321.98	400°00'00"	339.04°	108.38°	58°24'51.07"	216.48°	339.04°	108.38°	58°24'51.07"
1+661.02	400°00'00"	339.04°	108.38°	58°24'51.07"	216.48°	339.04°	108.38°	58°24'51.07"

CENTRELINE CURVE TABLE

LINE	LENGTH	BEARING
1	32.64'	297°36'47"
2	157.00'	400°49'43"
3	150.00'	268°38'17"
4	330.00'	268°38'17"
5	118.65'	102°17'43"
6	49.49'	102°17'43"
7	55.44'	268°38'17"
8	172.32'	102°17'43"
9	9.87'	102°17'43"
10	231.41'	102°17'43"
11	242.41'	102°17'43"
12	43.80'	102°17'43"
13	174.58'	268°38'17"

LEGEND

WETLAND
 IMPACT

GRAPHIC SCALE
 1" = 80.0'

222 Handout
 102-1169

Michael Herzberg

From: R.E.U. <ushertime@gmail.com>
Sent: Monday, April 5, 2021 4:37 PM
To: Michael Herzberg
Subject: Re: FW: Ord-2021-0169 Rezoning

*** External Email ***

Thank you for your response.

My phone number is 904-418-2179

I must say, your insight and concern for our community is refreshing to hear.

I will be in touch with you shortly.

On Mon, Apr 5, 2021 at 2:17 PM Michael Herzberg <mherzberg@sleiman.com> wrote:

Dr. Usher,

Hello and allow me to introduce myself. My name is Michael Herzberg, and I am a land planner for the company seeking to rezone the property at McCormick and Kernan. I have received your email from the City, advising me of your concerns. I share those concerns and that is one of the reasons we have filed this application. I am the one who rezoned the property where your community now exists. That was originally zoned for Rural Residential, and had to be rezoned to permit the dwellings that you and your neighbors now live in.

Even prior to that rezoning, we purchased the corner from a previous landowner who had the property zoned for a gasoline filling station with a car-wash and convenience store, zoning it PUD 2015-208. I have attached a copy of the current PUD for your review. You will see that the principal use that the current PUD identifies is a filling station with a car wash.

Typical gas stations have about 12 to 15 pumps, around 5,000 square foot of convenience store and an outdoor car wash. We figured that such use would not be in the best interest of the new community we helped to create, and as such we are seeking a new PUD to eliminate that specific use. While we do seek an increase in the overall floor area, still seeing the value of the property for retail use, we want to work with yourself and your neighbors to permit reasonable commercial development, while protecting the value and use of your homes as well.

I received a phone message at my office stating that you had called, but the number must have gotten transposed as my repeated calls and messages were returned with "you have the wrong number". The number I was provided was 904-418-2170.

My cell number is 904-673-6336 and I would appreciate an opportunity to discuss this rezoning and the concerns of your neighborhood.

Thank you.

From: R.E.U. <ushertime@gmail.com>

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

The community residents of Magnolia Grove have received notification of a request to change PUD on 0 McCormick Rd @ Kernan Blvd Ord-2021-0169 T-2021-3335.

I have personally reached out to Mr. Herzberg (to no avail) and have inquired about the specifics of the commercial entity that is going to be built there. Based on the plans shown, it looks to be a convenience store of some sort. Just know that no one in our community wants a convenience store near our neighbourhood because such stores attract crime, litter, traffic, and lower property values. You will have my full opposition if the use of the land is for a convenience store. I would recommend that the land be used for office space. No liquor.

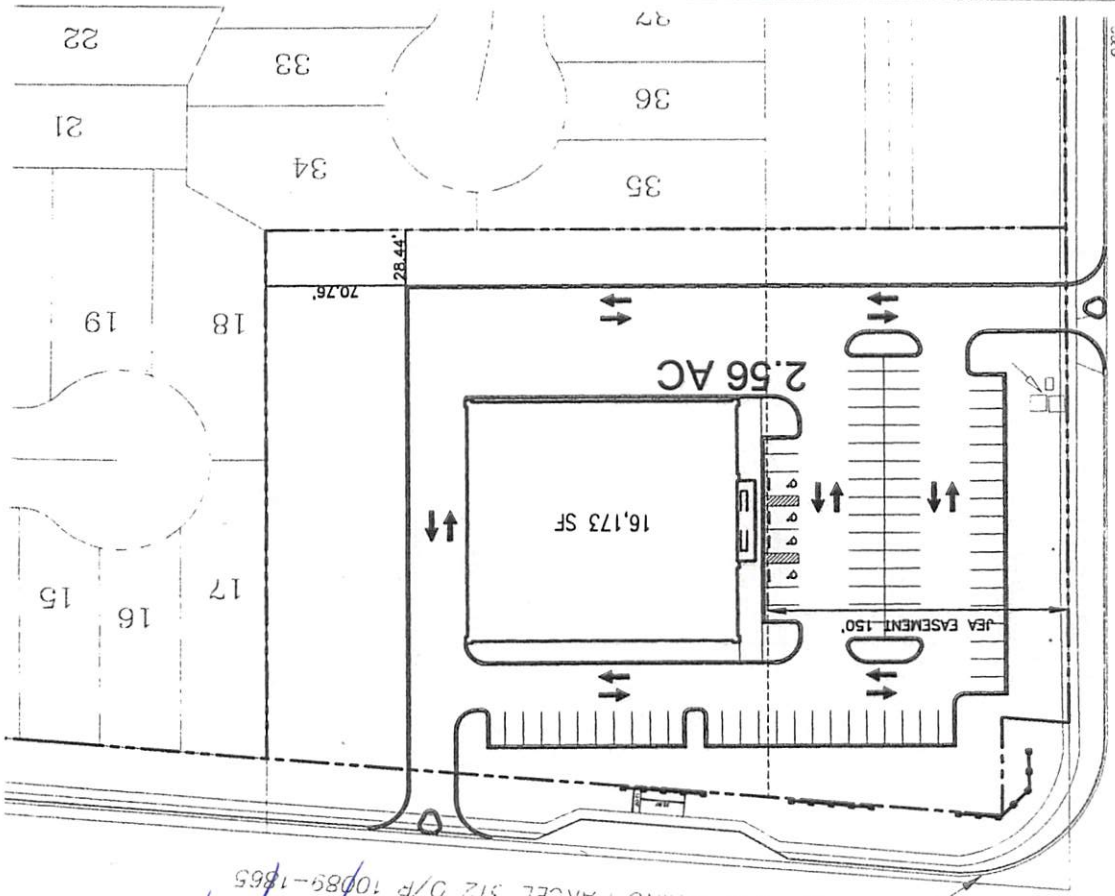
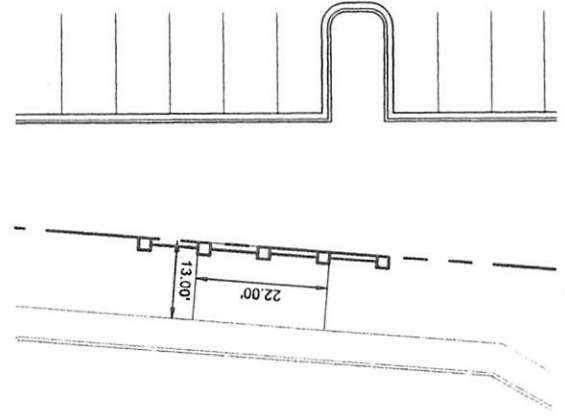
I await your response.

Dr. Usher
Magnolia Grove Resident.

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KERNAN BOULEVARD
(A VARIABLE WIDTH R/W)



CORNER R/W TAKING PARCEL 312 O/P 10089-1865



MCCORMICK ROAD
(A VARIABLE WIDTH R/W)

SCALE

1"=60' HORIZ.

4/22/21