

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

February 23, 2023

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2023-43 **Application for: Baymeadows Road PUD**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico 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 September 22, 2022**
2. **The original written description dated October 20, 2022**
3. **The original site plan dated October 20, 2022**

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

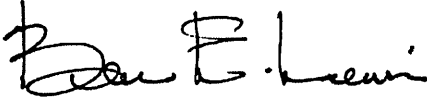
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent

Planning Commission Report
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Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Aye
David Hacker	Absent

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 2023-0043 TO
PLANNED UNIT DEVELOPMENT

February 23, 2023

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 2023-0043 to Planned Unit Development.

Location: 9802 Baymeadows Road,
Between Baymeadows Road and Southside Boulevard

Real Estate Number: 148633-5400

Current Zoning Districts: Planned Unit Development (PUD) 1990-0662

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Neighborhood Commercial (NC)

Planning District: Southeast, District 3

Applicant/Agent: Evin Herzberg
12483 Aladdin Road
Jacksonville, FL 32223

Owner: Baymeadows Village Land Trust
1 Sleiman Parkway
Jacksonville, FL 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development 2023-0043 seeks to rezone approximately 5.60± acres of land from Planned Unit Development (PUD) Ord. #1990-0662 to Planned Unit Development (PUD). The rezoning to a new PUD is being sought to permit the use of a hardware store on the property.

The current PUD, 1990-0662-E, was approved for rezoning from Commercial Neighborhood (CN) District to Planned Unit Development (PUD) District. The PUD allows for commercial use.

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 property is located in the Neighborhood Commercial (NC) functional land use category 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. According to the land use category description, NC land use is primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. New NC land use category designations in the Suburban Development Area are preferred in locations which are supplied with full urban services; which abut a roadway classified as a collector or higher on the Functional Highway Classification Map; and which are compatible with adjacent residential neighborhoods. Sites with two or more property boundaries on transportation rights-of-way will be considered preferred locations.

The new proposed Planned Unit Development (PUD) to allow the additional use of a hardware store is permitted and consistent in the Neighborhood Commercial (NC) land use category provided the store is limited in size with no outside storage and display.

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

Yes. The 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:

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 proposed rezoning at the subject site would allow for another use within this PUD to allow for a hardware store be added while promoting the innovation of the site plan.

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.

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 3.2.6

The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for nonresidential traffic.

The proposed addition of a new use within a commercial area, especially one off a minor arterial roadway, would follow the Future Land Use Element (FLUE) for allowing neighborhood commercial uses within this PUD.

(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): Neighborhood Commercial (NC). 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).

(3) Allocation of residential land use

This proposed Planned Unit Development intends to allow for an additional use of a hardware store. 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 proposal Planned Unit Development shall be based on the following factors:

The use of existing and proposed landscaping: The existing landscape is unchanged from when this property was developed in 1990. This PUD did meet Part 12 requirements of the zoning code, then. All landscaping components are either compliant or non-conforming.

The treatment of pedestrian ways: The property is an existing developed property and sidewalks have already been constructed along Baymeadows Road and Southside Boulevard.

Traffic and pedestrian circulation patterns: The property has several access points along Baymeadows Road and one access point along Southside Boulevard for vehicular traffic, providing alternative routes to and from the site.

(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 proposed development is located in a mixed-use area with commercial properties as the prevailing use ranging from retail sales and service establishments, restaurants, karate studio, fitness center, etc.

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	CGC	CN	Shopping Center
South	LDR	RLD-90	Single-Family Dwellings

East	RPI	PUD 2008-0984	Drug Store
West	RPI	PBF-2	Church

(6) Intensity of Development

The proposed development is consistent with the Neighborhood Commercial (NC) functional land use category as a mixed-use development of commercial uses.

(7) Usable open spaces plazas, recreation areas.

Recreation and open space shall be provided as required by the 2030 Comprehensive Plan.

(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.

(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 property was developed in 1990 and followed Part 6, Zoning Code requirements. There are currently 332 total parking spaces on the property, as stated from the site plan. The parking areas will not be reoriented or relocated. The landowner will maintain security lighting in the rear of the building area. Parking located on the south side of the building will be reserved for employee use with angled parking spaces that are westerly oriented. There is ample parking for the businesses and, again, parking was consistent with Park 6 of the Zoning Code when this property was developed. Therefore, the parking is either compliant or non-conforming.

(11) Sidewalks, trails, and bikeways

The development will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 7, 2023** by the Planning and Development Department, the Notice of Public Hearing signs were posted.

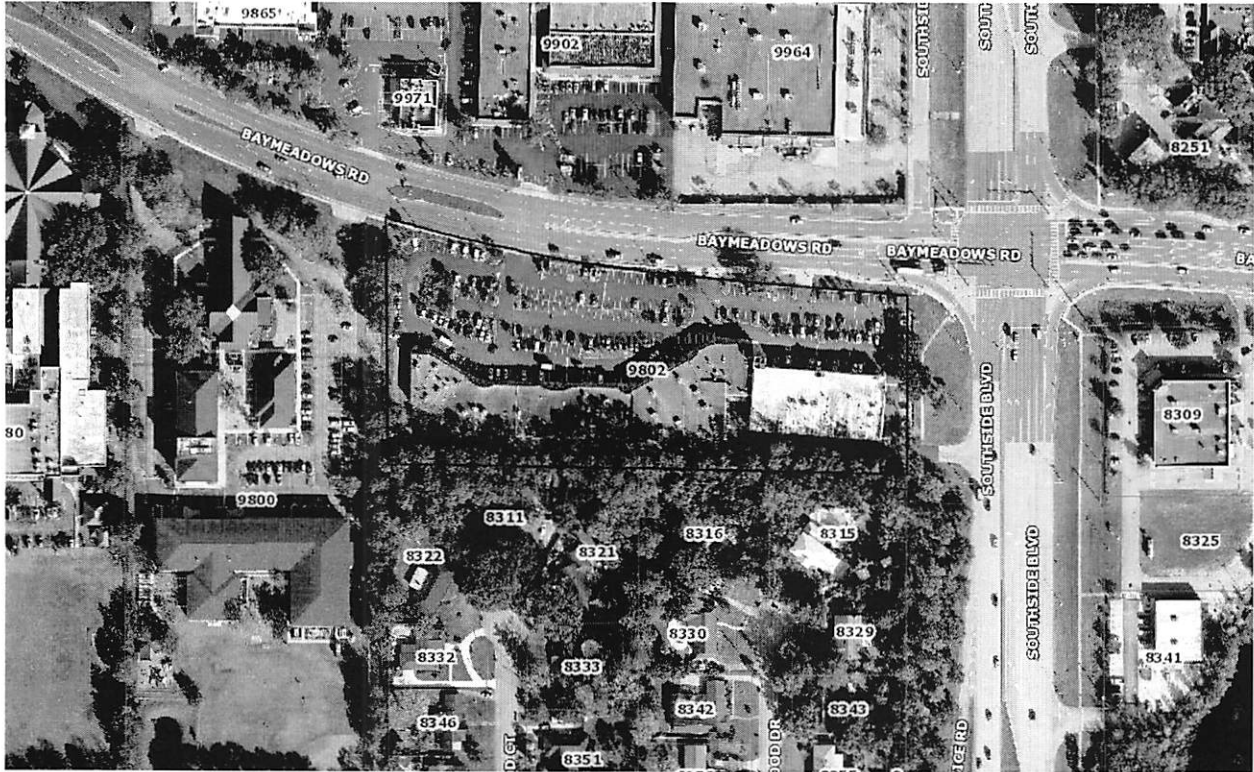


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0043** be **APPROVED** with the following exhibits:

1. The original legal description dated September 22, 2022
2. The original written description dated October 20, 2022
3. The original site plan dated October 20, 2022

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-0043** be **APPROVED**.



Aerial View

Source: JaxGIS



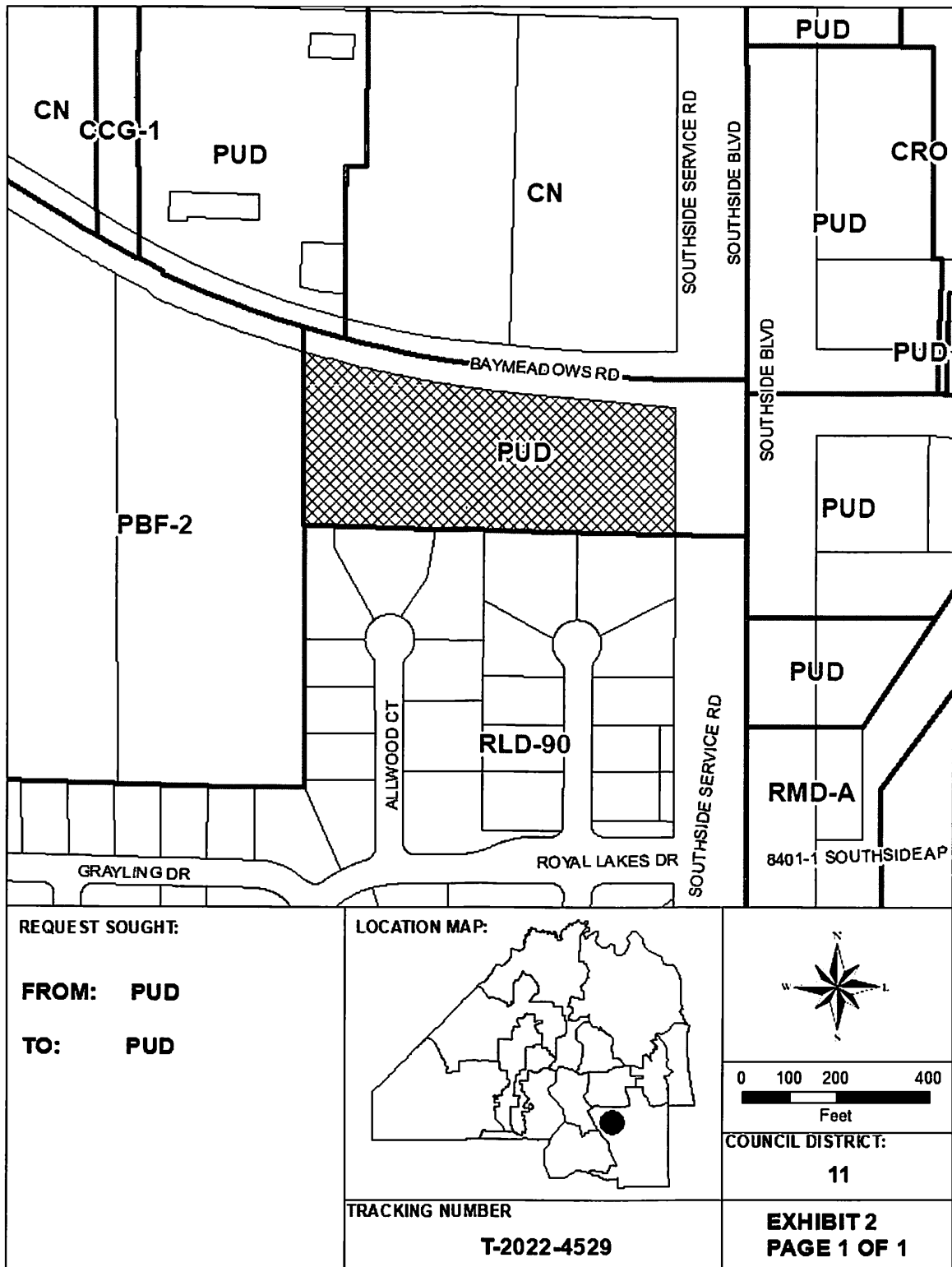
View of Property from Baymeadows Road

Source: JaxGIS



View of Property from Southside Boulevard

Source: JaxGIS



Legal Map

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2023-0043 **Staff Sign-Off/Date** BMF / 12/12/2022

Filing Date 12/21/2022 **Number of Signs to Post** 4

Hearing Dates:

1st City Council 02/28/2023 **Planning Commission** 02/23/2023

Land Use & Zoning 03/07/2023 **2nd City Council** N/A

Neighborhood Association BAYMEADOWS COMMUNITY COUNCIL, BETTER BAYMEADOWS, INC.

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4529

Application Status PAID

Date Started 09/16/2022

Date Submitted 09/22/2022

General Information On Applicant

Last Name

HERZBERG

First Name

MICHAEL

Middle Name

Company Name

Mailing Address

12483 ALADDIN ROAD

City

JACKSONVILLE

State

FL

Zip Code 32223

Phone

9047318806

Fax

9047311109

Email

MHERZBERG@SLEIMAN.COM

General Information On Owner(s)

☐ Check to fill first Owner with Applicant Info

Last Name

TRUST

First Name

BAYMEADOWS

Middle Name

VILLAGE LAND

Company/Trust Name

BAYMEADOWS VILLAGE LAND TRUST

Mailing Address

1 SLEIMAN PARKWAY, JACKSONVILLE, FL. 32223, #270

City

JACKSONVILLE

State

FL

Zip Code

32216

Phone

9046736336

Fax

Email

MHERZBERG@SLEIMAN.COM

Property Information

Previous Zoning Application Filed For Site? ☐

If Yes, State Application No(s) 1990-662-374

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 148633 5400	11	3	PUD	PUD

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

Existing Land Use Category

NC

Land Use Category Proposed?**If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre)** 5.60**Development Number****Proposed PUD Name** BAYMEADOWS VILLAGE PUD**Justification For Rezoning Application**

TO PERMIT ONE ADDITIONAL USE TO THE PREVIOUSLY APPROVED PUD (ORD 1990-662-374) AND TO RECOGNIZE AND LEGITIMIZE ALL EXISTING PARKING AND LANDSCAPE MATTERS.

Location Of Property**General Location**

SW QUADRANT OF BAYMEADOWS ROAD AND SOUTHSIDE BOULEVARD

House #	Street Name, Type and Direction	Zip Code
9802	BAYMEADOWS RD	32256

Between Streets

SOUTHSIDE BOULEVARD and OLD BAYMEADOWS ROAD

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

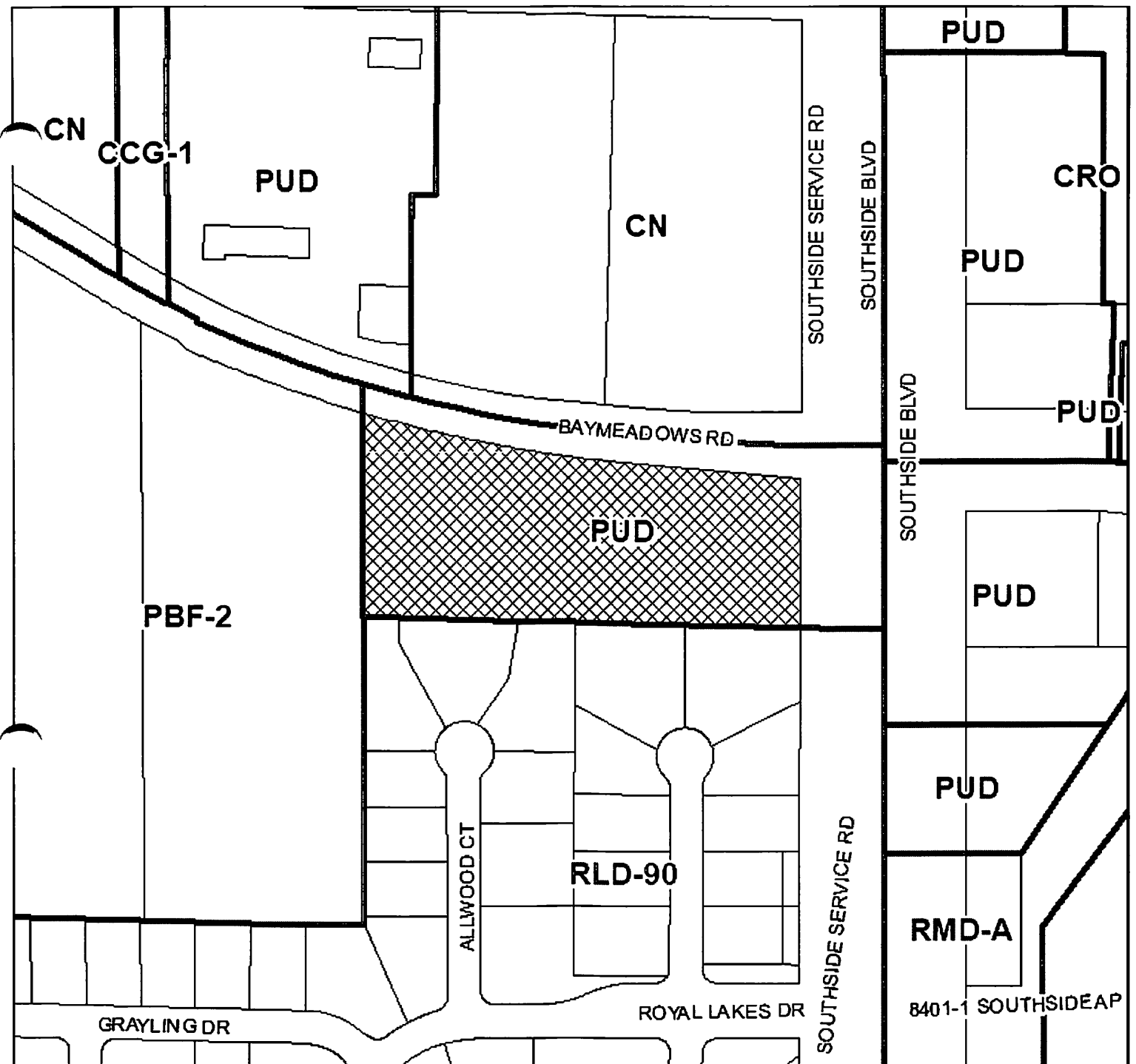
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**
5.60 Acres @ \$10.00 /acre: \$60.00
- 3) Plus Notification Costs Per Addressee**
22 Notifications @ \$7.00 /each: \$154.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,483.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

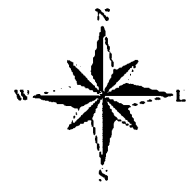
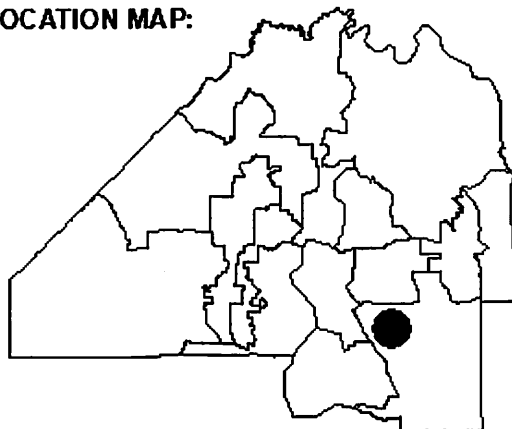


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



0 100 200 400
Feet

COUNCIL DISTRICT:

11

TRACKING NUMBER

T-2022-4529

**EXHIBIT 2
PAGE 1 OF 1**

LEGAL DESCRIPTION

September 22, 2022

A portion of Section 25, Township 3 South, Range 27 East, Duval County, Florida, and being more particularly described as follows:

Commence at the northeast corner of Tract "A" of Royal Lakes Unit 1 as shown on plat thereof recorded in Plat Book 34, pages 15 and 15A of the current public records of said County, said point lying on the westerly right-of-way line of Southside Boulevard (U.S. Highway No. 1, State Road No. 115, a 300 foot right-of-way as now established); thence North 00°01'50" West along said westerly right-of-way line 50.02 feet to the point of beginning; thence continue North 00°01'50" West along said westerly right-of-way line 264.95 feet to the southerly right-of-way line of Baymeadows By-pass Road (as described and recorded in Official Records Volume 8040, page 1804, Parcel No. 103, of the current public records of said County); thence North 85°28'12" West along said southerly-right-of-way line 75.79 feet; thence North 74°09'37" West along said southerly right-of-way line 50.99 feet to the southerly right-of-way line of said Baymeadows By-pass Road (as described and recorded in Official Records Volume 4105, page 349 of the current public records of said County); thence North 85°28'12" West along said southerly right-of-way line 224.53 feet to the point of curvature of a curve to the right; thence continue along said southerly right-of-way line and along and around the arc of a curve concave northeasterly and having a radius of 1,959.86 feet, an arc distance of 452.45 feet, said arc being subtended by a chord bearing and distance of North 80°23'01" West 451.45 feet to a point on said curve; thence South 00°01'50" East 358.19 feet to the northerly line of those lands as described and recorded in Official Records Volume 4797, page 634 of the current public records of said County; thence South 88°34'20" East along last said line 793.16 feet to the point of beginning.

RE Parcel No. 148633-5400

WRITTEN DESCRIPTION
Baymeadows Village PUD
October 20, 2022
Exhibit D

I. PROJECT DESCRIPTION

The fee simple owner of the real property identified in the attached Exhibit A, RE# 148633-5400 (the "Property"), which contains approximately 5.6 acres, is currently zoned PUD (Ord. 1990-662-374) and designated Neighborhood Commercial (NC) and was originally intended for commercial purposes. Buildout to date has primarily mirrored the original PUD, permitting the development of an unanchored retail shopping center providing for the daily needs of the community. The continued development of lands lying to the east and south has prompted additional interest and demand in this area of the city, and the owner now seeks to amend the PUD, permitting only one additional use and clarifying elements pertaining to the site plan, as depicted on the Site Plan, attached as Exhibit E.

The Property is located along the south side of Baymeadows Road, lying just west of the intersection with Southside Boulevard. These roadways form a large commercial node, encompassing approximately 36 acres of land around this convergence. The uses in proximity include extensive retail and commercial uses to the north, and east. Surrounding developments contain two grocery stores (Deerwood Village Shopping Center), dozens of restaurants, shops, auto parts stores and a gasoline filling station over approximately 30 acres of land. Most of that area is designated CGC, with portions to the east and west being NC and RPI respectively. The subject Property accounts for the smallest portion of the commercial node at only 5.6 acres. The land to the west of the Property is developed as a church (RPI), being built in 1979. Similarly, the land to the south of the Property is developed as a residential subdivision (LDR), being accessed from Royal Lakes Drive and the 5 homes abutting the Property appear to have been constructed in 1968.

A great deal has changed in this area and even at this intersection since these developments were originally constructed. Baymeadows Road continues to see increases in traffic and is scheduled for significant additional modifications in the coming years. Similarly, the Better Jacksonville Plan called for a grade separated interchange at this node, but that never materialized. The largest driving force here has been the continued expansion of Southside Boulevard, a Major Arterial Roadway according to the City's Comprehensive Plan. This corridor was once considered to be the route for SR-9A (I-295) which was later developed about two miles to the east. That route only served to increase traffic at this intersection as the commuters sought commercial services that were existing to the west, prompting an additional (third right turn lane) at Baymeadows Road westbound approach to Southside Boulevard. Suffice to say this is a highly congested area of Jacksonville and the commercial node serves the demands of a larger area of the Baymeadows region.

The applicant has not utilized any design professionals for the preparation of this application. The property is completely developed and no major revisions to the existing buildings are

contemplated. The balance of the site includes established parking, service, and existing landscape areas. There do exist unique characteristics, on the property, primarily related to the location of the buildings and the limited area for buffering to the adjacent residential owners. For this reason, in 2020, the owner of the shopping center provided fencing for the adjacent parcels, at the Property owners expense, but on the property of the adjacent residential owners. This agreement was negotiated and executed by Mrs. Nancy P. McLeish, President of the Royal Lakes Civic Association on May 29, 2020.

The revised PUD will amend the list of Permitted Uses only (adding one use) and clarify existing Site Plan related matters such as landscaping nonconformities. The revised written narrative contained herein will outline the additional use and update the Site Plan.

The Property is to be operated and used in accordance with the terms and limitations of the original PUD ordinance (1990-662-374) and its supporting exhibits, with the sole exception of specific details outlined in this written narrative and the revised Site Plan (Exhibit E), dated 10/20/2022. It is the intent of the developer to permit the additional use and provide required drawings and permits to the city as soon as possible after zoning approval. Similarly, construction would also be intended to commence immediately upon approval of the zoning 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.

(3) PROPOSED LAND USE AND RESTRICTIONS.

- a) All Uses Permitted by Right in the CN Zoning Classification, plus those uses Permitted by Zoning Exception, as approved through the City's Zoning Exception process.*
- b) Veterinarian Clinic, where the same is limited to one user and shall be soundproofed, but prohibiting boarding of animals, unless incidental to treatment. This use may also occur as a component of a pet food store/ animal grooming center.*
- c) Sit Down Restaurants including the sale, service, and consumption of all alcoholic beverages, including liquor, beer, or wine for on-premises consumption in conjunction with the service of food which is ordered from a menu. Such uses must coincide with the sale of food being a minimum of 51% of total sales. (Such uses shall be limited to two demised premises within the center and shall not exceed a total of 16,000 square feet of the total building*

area. Bar or lounge areas which are a component of such uses are limited to a maximum of 18% of the individual restaurant tenant space and kitchens within such restaurants shall be a minimum of 35% of the same. The bar or lounge areas may not operate without the restaurant being operating concurrent with such activity. Such uses may not be operated prior to 6 a.m. regardless of the day of week. All seating, sales and service is to occur indoors, and dance floors/live music are prohibited.

- d) Restaurants offering beer and wine only (No Sales or Service prior to 6 a.m. and no new patrons may be seated after 2 a.m., regardless of the day of week. All seating, sales and service is to occur indoors, and dance floors/ live music are prohibited.*
- e) All such Restaurant Uses, regardless of alcoholic beverage service are limited to a maximum of 20,000 square feet of the total shopping center.*
- f) Drive Thru Yogurt Store, limited to the west end of the center, and utilizing a turn around at the end of the building.*
- g) Automobile and Leasing establishments, limited to a maximum of 14 vehicles on the property. No incidental work on the vehicles is to occur on the property (cleaning or servicing). This provision shall not include rental of box trucks or commercial vans.*
- h) Hardware store, however, no outdoor storage shall be permitted in the rear of the buildings and accessory uses associated with such principal use must occur north or east of any existing structure.*

(4) SIGNAGE

The shopping center shall be permitted one monument sign every two hundred feet along Baymeadows Road. Such signs shall be limited to 45 square feet and be illuminated from the interior of the sign structure. One sign along this frontage shall be permitted to be 65 square feet in area, subject to the same lighting standard.

The shopping center shall also be permitted one monument sign along Southside Boulevard, located north of the entry driveway located there, being limited to 65 square feet in area and internally illuminated.

Signs shall complement the architecture of the shopping center, using tones and materials used in the shopping center.

Wall signs shall also be permitted. However, awning signs are prohibited. No illuminated tenant signage shall be permitted on the southerly side of the buildings located in the shopping center.

Projecting signs are prohibited

(5) *LANDSCAPING*

The Property was developed in 1990 and was deemed to be compliant with the provisions of Part 12, Zoning Code upon completion. However, there may be existing deficiencies in relation to various amendments to the provisions of the Zoning Code since the date of original construction. It is intended that all components are either compliant or lawfully non-conforming as it relates to landscaping and parking for this PUD. This PUD does not act to permit any revisions to the parking field or landscape/ buffer areas, and the provisions of the current Zoning Code shall be applicable to any future square footage expansion or reconfigurations of buildings or parking areas.

Further, the landowner and adjacent property owners have agreed, via private agreement, to deem the existing fencing, as paid for by the subject property owners, as being sufficient to meet or exceed the requirements of Section 656.1216, Zoning Code.

(6) *MISCELLANEOUS*

Sound Attenuation

There shall be no windows on the south side of the building
All Restaurant uses shall utilize appropriate soundproofing to assure that no music within such establishments shall be an unreasonable nuisance to any of the residential homes adjacent to the subject property. Uses including music or a veterinary office shall achieve a 55 S.T.C. Rating for exterior walls and adjacent tenant walls.

Rear Parking Lot Lighting

The landowner shall maintain security lighting in the rear of the building area, assuring that such lighting does not trespass beyond the fencing outlined in Section 5 above.

Parking Limitations

Parking of vehicles on the south side of the buildings shall be designated for employees only and shall be angled parking spaces (westerly orientation).

Speed Bumps

Two speed bumps or similar shall be included in the rear driveway (south side) of the buildings.

Dumpsters and Operations

All restaurant and any veterinarian user shall utilize trash compactors in lieu of conventional dumpsters other uses may utilize dumpsters. Dumpster pads and compactors shall be maintained in a neat and orderly condition. The owner shall make every effort to eliminate any odors. Tipping of either refuse container types shall only occur as follows:

Monday – Friday 8am to 7pm
Saturday and Sunday – Noon to 7pm

General:

The subject property is to be utilized as a commercial retail and service development, subject to the provisions of the original PUD (Ord. 1990-662-374) or, as applicable, this amended written narrative and its corresponding Site Plan, Exhibit “E”, dated 10/20/2022.

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 additional use to a fully developed commercial property for a use that will provide convenience to the area residents, while promoting the viability of the commercial node located at Baymeadows Road and Southside Boulevard. 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 internal capture of trips and clustering of retail activities;

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

1. Goal 3 – enhancing the viability of non-residential areas
2. Objective 3.2 -sustain the viability of existing commercial
3. Policy 3.2.1 – promote development of commercial in nodes
4. Policy 3.2.2 – promote infill of existing commercial in lieu of new
5. Policy 3.2.4 – permit commercial where existing residential character is maintained.

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 NC 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.* No residential was or is intended for this development.
- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from within the existing development, located at several entryways to the center along Baymeadows Road and Southside Boulevard. No new access points are being proposed.
- E. *External Compatibility/Intensity of Development.* The intent of the development is to permit an additional use within the developed retail plaza, which would offer convenience and reduce VMT for the residents in the immediate vicinity.

The various uses are 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. Yes, the developer has negotiated with the adjacent community to provide requisite screening and buffering.
- F. *Recreation/Open Space.* The revised PUD does not include any recreation or open space areas.
- G. *Impact on Wetlands.* None.
- H. *Listed Species Regulations.* Not Applicable.
- I. *Off-Street Parking & Loading Requirements.* The parking areas are existing and are not intended to be reoriented or relocated. It being the intent that the areas and locations depicted on the attached plan, and if lawfully non-conforming, may be continued unless inconsistent with the Zoning Code.
- J. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.

- K. *Stormwater Retention.* While no additional retention is required, 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 location.
- L. *Utilities.* Electric power, water and sewer services are currently furnished to the Property by the Jacksonville Electric Authority.

PARCELLA 14

[illegible][illegible][illegible]

BAYMEADOWS BY-PASS
(FORMERLY DESIGNATED R/W) **ROAD**

CERTIFIED FOR: SHOPPING CENTER DEVELOPERS OF FLORIDA, INC. FEDERAL HOME LIFE INSURANCE CO. & FIRST AMERICAN TITLE CO. ANNIS, MITCHELL, COCKEY, EDWARDS & ROEHM, P.A.

SOUTHSIDE BOULEVARD

POINT OF REFERENCE
NORTHEAST CORNER OF TRACT "A"
SECTION 1, T4S, R3E, S4E

POINT OF REFERENCE
NORTHEAST CORNER OF TRACT "A"
SECTION 1, T4S, R3E, S4E

1

- 1.) PROPERTY SUBJECT TO COVENANTS & RESTRICTIONS AS RECORDED IN OFFICIAL RECORDS VOLUME 5748-1300
- 2.) PROPERTY SUBJECT TO UTILITY AGREEMENT AS RECORDED IN OFFICIAL RECORDS VOLUME 5871-1582
- 3.) PROPERTY SUBJECT TO A "WARRANTY EASEMENT" AS RECORDED IN OFFICIAL RECORDS VOLUME 5871-1584
- 4.) PROPERTY SUBJECT TO EASEMENTS AS RECORDED IN OFFICIAL RECORDS VOLUME 5820-2417
- 5.) TOTAL PARCELS SPACES = 131
- 6.) THERE ARE NO POWER POLLS OR OVERHEAD POWERLINES
- 7.) THERE ARE NO BUILDING RESTRICTION LINES

Site Plan Dated:
10/20/2022

TRI-STATE LAND SURVEYORS, INC.
6411 BAYMEADOWS WAY SUITE B, JACKSONVILLE FLORIDA 32256 (904) 731-7235

I HEREBY CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY PERSONAL SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN, AND THAT THE SURVEY SHOWN HEREON MEETS THE MARIANAS TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPMAKERS.

DO NOT WRITE IN THESE SPACES

6102-23 01 0000

EXHIBIT F

PUD Name

Baymeadows Village PUD

Land Use Table

Total gross acreage	5.6	Acres	100 %
Amount of each different land use by acreage			
Single family		Acres	%
Total number of dwelling units		D.U.	
Multiple family		Acres	%
Total number of dwelling units		D.U.	
Commercial	5.6	Acres	100 %
Industrial		Acres	%
Other land use		Acres	%
Active recreation and/or open space	0	Acres	%
Passive open space	0	Acres	%
Public and private right-of-way	0	Acres	%
Maximum coverage of buildings and structures	60,000	Sq. Ft.	25 %