

WRITTEN DESCRIPTION
Atlantic-Kernan Shoppes II PUD
March 18, 2019

I. PROJECT DESCRIPTION

The fee simple owner of the real properties identified in the attached Exhibit, RE# 165265-4500, 165265-4200, 165265-4550, 165265-4000 ("The Property"), which contain approximately 17.88+/- acres is currently zoned Planned Unit Development (PUD) via Ordinance 1989-0569-317. Since that filing, the owners of the Property have identified opportunities to facilitate improved services which will enhance future development. It is for that reason the applicant is updating the permitted uses and restrictions as defined in the prior PUD filing.

The Property is located within a concentrated commercial node at the grade elevated intersection of Kernan and Atlantic Boulevards. With an elevated height over 25 feet and carrying six lanes of traffic at speeds of 45 miles per hour, the infrastructure in this immediate area is urban in nature and supportive to the nearby residential community. As would be expected at the confluence of two such roadways, the property on all four corners offers an emergent corridor for commercial and retail services in support of recent growth and significant roadway improvements.

Adjacent and surrounding parcels to the subject Property are utilized for various intensive commercial activities including a Wal-Mart, Academy Sports, restaurants, hotel, and a variety of other commercial retail venues. All totaled, the interchange area is entitled for over a million square feet of retail uses. As such, the Property is envisioned as an integration between these activities and in support of the surrounding population extending out in each direction from the interchange.

The subject Property offers established and integral services to nearby neighborhoods whereby existing retailers have long provided valuable convenience to the community. The applicant has not utilized any outside professional services in preparing this revision, but will engage all required engineers and contractors as required for any future improvements. The PUD proposed is intended to respect the original filing while permitting the ability to enhance future progress of the Property to support extended uses including the boarding and kenneling of animals. The subject property remains an ideal services and retail opportunity, promoting a transitional use between residential and the intense infrastructure at the interchange. Additionally, the PUD permits the continuation of the original development plan and allows for the extended use as desired to be furnished upon this rezoning being approved. This updated effort will offer flexibility to the developers, while providing certainty to the community.

The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as described within this written description and the City's Zoning Code. Further, 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 has been developed, operating primarily as a 136,450 square-foot shopping center. There are as well (3) three surrounding out-parcels comprising the Original PUD (Ord 1989-0569-317), as depicted on the attached site plan (Exhibit E) dated February 14, 2019 (the "Site Plan,") which is incorporated herein by this reference.

A. Permitted Uses:

The Permitted Uses within this PUD, shall be as follows:

- (1) Retail outlets for the sale of food and drugs, wearing apparel, toys, sundries, books and stationery, leather goods, luggage, jewelry (including repair but not pawnshops), cameras or photographic supplies (including camera repair), sporting goods, hobby shops, pet shops, musical instruments, florist or gift shops, delicatessens, bake shops (but not wholesale bakeries), home furnishings and appliances (including repair incident to sales), office equipment or furniture and similar uses. Hardware not requiring outside storage, new automobile parts (including rebuilt parts but not installation, repair or rebuilding of parts) and accessories or similar uses
- (2) Service establishments such as barber or beauty shops, shoe repair shops, restaurants (including drive-in or drive-through restaurants), interior decorators, reducing salons or gymnasiums, self-service laundries or dry cleaners, tailors or dressmakers, laundry or dry cleaning pick-up stations, dry cleaning and laundry package plants in completely enclosed buildings using nonflammable liquids and with no odor, fumes or steam detectable to normal sense from off premises, Radio and television broadcasting offices (but not antenna or transmitting facilities, studios, job printing (but not newspapers), radio and television repair shops, travel agencies, employment offices, animal boarding and kenneling, home equipment rental not requiring outside storage and similar uses.
- (3) Banks, including drive-thru tellers, savings and loan institutions, mortgage brokers, stockbrokers and similar uses.
- (4) Professional and business offices such as accountants, architects, attorneys, engineers, land surveyors, and optometrists. Real estate brokers, insurance agents, manufacturer's agents, buildings trades contractors that do not require outside storage

or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.

- (4) Medical, dental or chiropractic offices and clinics.
- (5) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks and a movie theater not exceeding two cinema screens.
- (6) Art galleries, libraries, theatres, museums, community centers, dance, art, gymnastics, martial arts or music studios. Vocational, trade or business schools and similar uses.
- (7) One or more establishments shall be permitted the retail sale of liquor, beer or wine for on-site consumption in conjunction with the service of food which is for consumption on-premises. In conjunction with such a permissible use, no retail sale of liquor, beer or wine for off-site consumption shall be permitted.
- (8) An establishment or facility which includes the retail sale of alcoholic beverages, including liquors, beer or wine for only off-premises consumption. In conjunction with such use, a drive-through service shall be permitted.
- (9) One establishment shall be permitted as a single automobile service station in accordance with Section 656.414 of the Zoning Code, but no repair or service garage or transmission repair shop shall be permitted. The service station may include a retail outlet for the convenience items including beer and wine in sealed containers for off-premises consumption only. Also included with this establishment will be a self-service car wash facility owned and operated by the services station owner and capable of handling only one car at a time.
- (10) Sale and installation of tires, batteries and accessories (but not repair or service garages or transmission repair shops) subject to the condition that no vehicles be kept or stored on the premises for a period exceeding (12) twelve hours
- (11) Express or parcel delivery offices and similar uses (but not freight or truck terminals)
- (12) Day care centers, care centers or a similar use.
- (13) Any type of wholesale, jobber or distributorship business where the total operation does not require more than 4,000 square feet of floor space, no vehicles in excess of one-ton capacity are used and all merchandise is stored within an enclosed building.

- (14) Veterinarian's offices or clinics with animal boarding facilities enclosed within a sound-proof building.
 - (15) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
 - (16) Churches, including a rectory or similar use.
- (b) *Permitted accessory uses and structures.* See Section 656.103.
- (c) *Permissible uses by exception.* Any use listed in Section 656.313(IV)(c) upon the grant of a zoning exception; with exception to those outlined in Section B below.

B. Prohibited Uses:

The Prohibited Uses within this PUD, shall be as follows:

- (1) Adult entertainment establishments.
- (2) Lounges; that is, establishment or facilities which include the retail sale of alcoholic beverages, including liquor, wine and beer, for on-premises consumption not in consumption with the service of food which is ordered from a menu and prepared or served for pay for consumption on-premises.
- (3) Pawn shops.
- (4) Pool halls.

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 – 7,500 square feet

Lot Width – 75 feet

Yards -

Front: 20 feet

Side: None

Rear: 10 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures: 60%*
3. *Maximum height of structures: Shall be limited to fifty (50) feet.*

B. Ingress, Egress and Circulation.

1. Vehicular ingress and egress shall remain substantially as shown on the Site Plan. Whereby there are (5) five driveways permitted, (2) two off of Kernan Blvd. which includes a service access way and (3) three others off of Atlantic Blvd.

C. Signs.

1. Three shared street frontage signs and one Walgreens pylon sign already exist Along Atlantic Boulevard and are intended for use in common by all of the occupants of the combined properties of this PUD. Further, one pylon sign is existing along Kernan, and is currently in use by the gasoline filling operation associated with BJ's. Each are to be allocated and maintained by the owners and occupants of the Property in accordance with their operation agreements. These signs will continue and may be utilized subject to the requirements of Section 656.1303 (c)(3), Zoning Code.
2. Wall signs as existing are permitted in accordance with the City of Jacksonville Land Use Regulations.

D. *Site Design and Landscaping.*

1. Site Design currently promotes the integration of the combined parcels and it is the intent of the PUD to maintain an efficient and cohesive plan. In keeping with that intent such items as roof lines, materials, colors, etc. will be regulated by the developer as much as possible to present a unified look of the Property.
2. Part 12 of the Zoning Code shall be implemented as applicable to all other landscape matters.

E. *Building Orientation*

1. *General:*

The development is situated in a manner that permits an efficient use of the property while locating buildings and their primary entryways toward the north and west, nearest both Atlantic and Kernan Boulevards. Loading and storage areas are located along the southerly and easterly areas in a manner that screens them from the adjacent roadways and maintains service access to the Property.

F. *Parking*

1. Parking shall conform to Part 6, Zoning Code, as it relates to all matters.

IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed revisions to the PUD are consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The PUD allows for a reasonable manner by which to enhance the development with additional services in the PUD, while promoting the viability of the existing center without increasing the intensity of the development.

These changes will act as a vehicle to properly locate uses between supportive residential communities and the intensive commercial development surrounding this interchange.

This updated PUD is designed to protect the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. The project seeks to permit supportive uses consistent with the nature of the corridors and the relationship to the built environment.

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 cannot be subject to generalized site plans;

Represents a valuable opportunity to promote transitional land use, buffering and design standards that act to reduce impacts associated with the infrastructure and development patterns at this intersection. The PUD offers a combination of possible uses, properly designed to promote the integration of several properties in an efficient and effective manner. This development plan represents a sustainable and desirable development pattern at an infill location;

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

1. Goal 3, FLUE, Achieve a well-balanced and organized combination of uses while protecting the neighborhoods and enhancing the viability of non-residential areas.
2. Objective 3.2, FLUE, Promote the viability of emerging commercial areas to achieve an integrated land use fabric, supporting the City's residential areas.
3. Policy 3.2.2, FLUE, promote through the LDR's, infill of existing commercial areas

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. This PUD zoning will promote a logical pattern of Land Use that is both appropriate, given

the nature of this interchange, and promotes reinvestment of underutilized commercial property.

- 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 use is intended for this PUD.
- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Kernan and Atlantic Boulevards via (2) two existing driveways as approached from the south traveling along Kernan Boulevard, as well as from three (3) driveways for travel moving east along Atlantic Boulevard.
- E. *External Compatibility/Intensity of Development.* The intent of the development is to permit infill at an existing intensive, commercial node. The inclusion of the additional use will have no external effect upon the residential uses to the south.
- F. The development will be appropriately screened from adjacent properties and structures and will be oriented in a manner that will continue to reduce impacts to the surrounding uses.
- G. *Recreation/Open Space.* The PUD does not include recreational uses.
- 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 development will continue to operate in accordance with Part 6, Zoning Code.
- K. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.
- L. *Stormwater Retention.* Stormwater shall continue to be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements.

March 18, 2019
Page 9

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

Land Use Table

Total gross acreage	18.04	Acres	100	%
Amount of each Different land use by acreage				
Single family	0	Acres	0.0	%
Total Number of dwelling Units	0	D.U.		
Multiple family	0	Acres	0.0	%
Total number of dwelling units		D..U.		
Commercial	10.82	Acres	60.0	%
Industrial	0	Acres	0.0	%
Other Land use	0	Acres	0.0	%
Active recreation and/or open space	0	Acres	0.0	%
Passive open space	0	Acres	0.0	%
Public and private right-of-way	0	Acres	0.0	%
Maximum coverage of buildings and structures	0	Sq. Ft	0.0	%