

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0430 TO**  
**PLANNED UNIT DEVELOPMENT**

**JULY 18, 2019**

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 2019-0430 to Planned Unit Development.

***Location:*** 12220 Atlantic Boulevard (SR 10)  
Kensington Garden Boulevard and Kernan Boulevard.

***Real Estate Number(s):*** 165265-4000; 165265-4200; 165265-4500;  
165265-4550

***Current Zoning District(s):*** Planned Unit Development (PUD)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community General Commercial (CGC)

***Planning District:*** Greater Arlington/Beaches, District 2

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

***Owner:*** Sleiman Enterprises, Inc. / General Property  
Support Inc.  
1 Sleiman Parkway Suite #270  
Jacksonville, Florida. 32216

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Planned Unit Development 2019-0430 seeks to rezone approximately 18.04 acres of land from PUD to PUD. The rezoning seeks to add additional commercial uses. The additional uses are as follows: Commercial indoor recreational or entertainment facility such as bowling alleys, swimming pools, indoor skating rinks and a movie theater not exceeding two cinema

screens, Day Care Centers, care centers or a similar use, Retail outlets for the sale of used wearing apparel, toys, books, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses, Churches including a rectory or similar use, and removes the restriction of the boarding of animals. Additionally, all uses that are granted by exception in the CCG-1 Zoning District will now be allowed by exception in this PUD.

The current PUD, 1989-0569-E, allows for a restricted number of uses that are generally found in the CCG-1 Zoning District. Some of the uses are but are not limited to: Retail Sales, all service establishments (excluding newspaper printing services and antenna or transmitting facilities), Banks and Financial Institutions, Professional offices, Business Offices, Art Galleries and Similar Uses, One Establishment Located within the entire PUD that can Serve Alcoholic Beverages in Conjunction with a Restaurant, Tire Sales, Parcel or Delivery Offices, and any type of wholesale.

**PUD Ord. 1989-0569-E was approved with the following conditions:**

1. The site plan shall be approved by the Planning Department for design and layout and shall include, but not be limited to, parking area design, number of driveways along Atlantic Boulevard and Kernan Boulevard; the same shall not exceed two (2) driveways on each road and shall not be oriented in a location for a service driveway.
2. There shall be a 30 foot and 25 foot landscape setback along Atlantic and Kernan, respectively. The same shall be composed of existing trees, planting and land berms from 1 foot to 31 feet and a 25 foot green belt with a visual barrier along the eastern and southern property lines, subject to review and approval of the Planning Department.

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

The Planning and Development Department recommends that the existing conditions should remain and move forward with the proposed Planned Unit Development if Enacted.

**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.

***(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 CGC 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. The site is located in the Community General Commercial (CGC) land use category of the Urban Development Area. 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.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map. Principal uses include, but are not limited to: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of TOD.

The proposed addition of use to the existing PUD is consistent with the CGC land use category.

***(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 in/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 site plan will remain the same as the previously approved site plan with the exception of the proposed car wash which has been removed. The previous site plan granted access to the property via multiple ingress and egress points along both Atlantic and Kernan Boulevards. This traffic pattern, along with the provided parking, allows for the growth and sustainability of both the main commercial center and its outparcels. The proposed PUD will be consistent with Policy 1.1.12 of the Future Land Use Element of the 2030 Comprehensive Plan.

**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 entire subject site is serviced by both Centralized Water and Sewer per the JEA Availability Letter Dated May 6<sup>th</sup>, 2019. The proposed PUD will be consistent with Policy 1.2.9 of the Future Land Use Element of the 2030 Comprehensive Plan.

**Objective 3.2**

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The proposed PUD will enhance the viability of an existing commercial shopping plaza and will advance the Commercial Land Use Fabric that exists on all four corners of the intersection of Atlantic Boulevard and Kernan Boulevard. The proposed PUD will be consistent with Objective 3.2 of the 2030 Comprehensive Plan.

***(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 plan of 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 categories as identified in the Future Land Use Map series (FLUMs): CGC. The Planning and Development Department finds that the proposed PUD is in/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) prior to development approvals.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize lands for a variety of general commercial 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The use of existing and proposed landscaping: The existing landscaping shall remain in place, and any further updates to the landscaping will comply with Part 12 of the Zoning Code per the Written Description
- The treatment of pedestrian ways: There are existing pedestrian right-of-ways located along the two external roadways. However, there are no existing or proposed pedestrian walkways located internally between the main commercial center and the outparcels. All internal walking areas are located on the vehicle use areas.
- The use and variety of building groupings: The subject property is comprised of one large commercial center comprised of 148,866 square feet of gross base area, and three out parcels comprised of 1,580; 15,035; and 3,006 square feet of gross base area respectively.
- The variety and design of dwelling types: The proposed project will be 100% commercial and will not allow any type of residential use.
- The form of ownership proposed for various uses: One ownership group will continue to control each of the buildings as is the case under the existing PUD.

***(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 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/RPI	CCG-1/CO	Vacant / Hotel / Church
South	CGC	PUD	Single Family Neighborhood
East	MDR	PUD	Multi Family Residences
West	CGC	PUD	Warehouse Discount Store / Shopping Center

#### ***(6) Intensity of Development***

The proposed development is consistent with the CGC functional land use category and provides a variety of different commercial uses with an innovative site plan design. The PUD is appropriate at this location because of the existing commercial character area at the intersection of a Major and Minor Arterial Roadway.

- The existing residential density and intensity of use of surrounding lands: To the east of the subject property is a developed Multi-Family apartment complex that is part of an approved Planned Unit Development in 1989. The PUD is comprised of 477 acres with an approved total of 2,283 Single and Multi-Family Units, or 4.79 units per acre. To the south of the property is an approved 52 home Single Family Neighborhood that was developed as part of a Planned Unit Development in 2014 under the CGC Land Use Category. There is also approval for 120 Multi-Family Dwelling Units within this PUD, however the multi-family dwellings have not been developed. The density for the PUD to the south is approved at 14.71 units per acre.
- The availability and location of utility services and public facilities and services: Both centralized water and sewer have been provided to the property by JEA, and will continue to be the utility provider under the proposed PUD.
- The amount and size of open spaces, plazas, common areas and recreation areas: The proposed project is strictly commercial and will not be providing any open spaces or recreation areas.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed site plan has multiple ingress and egress points located along both Kernan Boulevard (a minor arterial roadway) and Atlantic Boulevard (a major arterial roadway).

#### ***(7) Usable open spaces, plazas, recreation areas.***

Not required for commercial use.

*(8) Impact on wetlands*

There are no reported wetlands on the subject property which will ensure there is no direct impact on any wetland areas.

*(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 site will be developed in accordance with Part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan per the provided written description.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on July 2, 2019 the required 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 2019-0430 be **APPROVED with the following exhibits:**

1. The original legal description dated: **May 6, 2019**
2. The revised written description dated: **March 18, 2019**
3. The revised site plan dated: **May 7, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0430 be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

- 1) Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.
- 2) There shall be a 30 foot and 25 foot landscape setback along Atlantic and Kernan, respectively. The same shall be composed of existing trees, planting and land berms from 1 foot to 31 feet and a 25 foot green belt with a visual barrier along the eastern and southern property lines, subject to review and approval of the Planning Department.



Aerial View





View of the subject property looking south from the intersection of Kernan and Atlantic Boulevards.

*Source: Planning and Development Department  
Date: July 2, 2019*



View of the subject property looking east from the intersection of Kernan and Atlantic Boulevards.

*Source: Planning and Development Department  
Date: July 2, 2019*



View of the large commercial center looking south.

*Source: Planning and Development Department*

*Date: July 2, 2019*



View of the commercial center looking east.

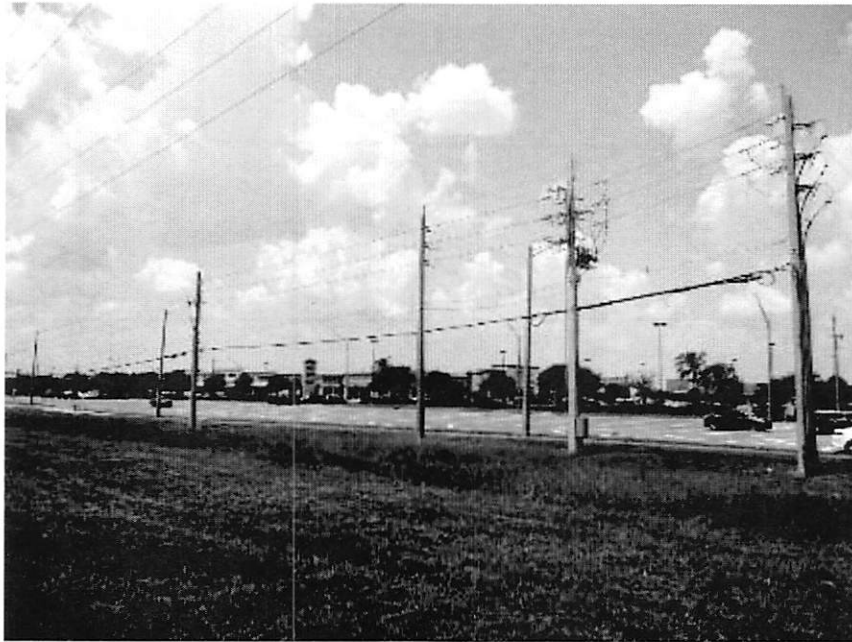
*Source: Planning and Development Department*

*Date: July 2, 2019*



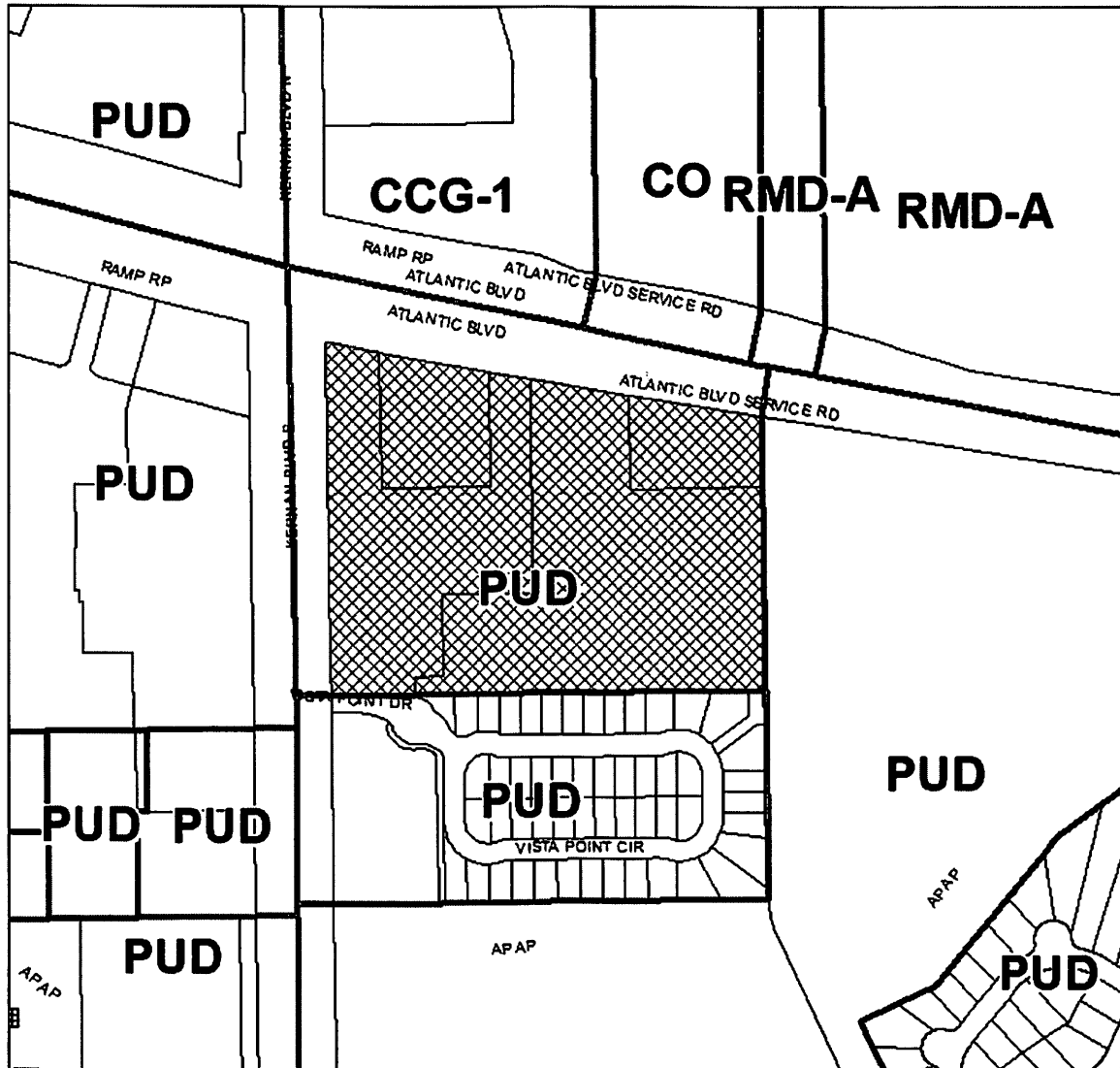
View looking south toward the single family subdivision from the south western portion of the subject site.

*Source: Planning and Development Department*  
*Date: July 2, 2019*



View of the neighboring commercial plaza to the west across Kernan Boulevard.

*Source: Planning and Development Department*  
*Date: July 2, 2019*



<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM:</b> PUD</p> <p><b>TO:</b> PUD</p>	<p><b>LOCATION MAP:</b></p>	<p><b>COUNCIL DISTRICT:</b></p> <p>3</p>
<p><b>ORDINANCE NUMBER</b></p> <p>ORD-2019-0430</p>	<p><b>TRACKING NUMBER</b></p> <p>T-2019-2324</p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>

Legal Map

**Application For Rezoning To PUD**

**Planning and Development Department Info**

Ordinance # 2019-0430 Staff Sign-Off/Date CMC / 05/29/2019  
 Filing Date 06/06/2019 Number of Signs to Post 10  
 Hearing Dates:  
 1st City Council 07/23/2019 Planning Commission 07/18/2019  
 Land Use & Zoning 08/06/2019 2nd City Council 08/13/2019  
 Neighborhood Association WEST BEACHES COMMUNITY ASSOCIATION; KENSINGTON ASSOCIATION, INC.  
 Neighborhood Action Plan/Corridor Study N/A

**Application Info**

Tracking # 2324 Application Status PAID  
 Date Started 03/27/2019 Date Submitted 04/08/2019

**General Information On Applicant**

Last Name First Name Middle Name  
 SLOAN ERIC  
 Company Name  
 SLEIMAN ENTERPRISES, INC  
 Mailing Address  
 1 SLEIMAN PARKWAY SUITE #100  
 City State Zip Code  
 JACKSONVILLE FL 32216  
 Phone Fax Email  
 9047314875 9047312411 ESLOAN@TCICONSTRUCTION.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name  
 HERZBERG MICHAEL W  
 Company/Trust Name  
 SLEIMAN ENTERPRISES, INC / GENERAL PROPERTY SUPPORT INC  
 Mailing Address  
 1 SLEIMAN PARKWAY SUITE #270  
 City State Zip Code  
 JACKSONVILLE FL 32216  
 Phone Fax Email  
 9047318806 9047311109 MHERZBERG@SLEIMAN.COM

**Property Information**

Previous Zoning Application Filed For Site?   
 If Yes, State Application No(s) 1989 0569

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 165265 4000	3	2	PUD	PUD
Map 165265 4200	3	2	PUD	PUD
Map 165265 4500	3	2	PUD	PUD
Map 165265 4550	3	2	PUD	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) 18.04  
 Development Number

Proposed PUD Name ATLANTIC-KERNAN SHOPPES II

**Justification For Rezoning Application**

SINCE THE PRIOR PUD FILING APPROVAL, OWNERS HAVE IDENTIFIED NEW OPPORTUNITIES TO FACILITATE IMPROVED SERVICES WHICH WILL ENHANCE FUTURE DEVELOPMENT. THIS UPDATE IS TO CAPTURE THOSE USES AND IMPROVE UPON THE DEVELOPMENT POTENTIALS OF THE PARCELS.

**Location Of Property****General Location**

SOUTHWEST QUADRANT OF THE INTERCHANGE AT ATLANTIC BLVD AND KERNAN BLVD

House #	Street Name, Type and Direction	Zip Code
12220	ATLANTIC BLVD	32225

**Between Streets**

KENSINGTON GARDEN BLVD and KERNAN BLVD

**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 Bail 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**

- |  |                   |
|--|-------------------|
| <b>1) Rezoning Application's General Base Fee:</b>                     | \$2,269.00        |
| <b>2) Plus Cost Per Acre or Portion Thereof</b>                        |                   |
| <b>18.04 Acres @ \$10.00 /acre:</b>                                    | \$190.00          |
| <b>3) Plus Notification Costs Per Addressee</b>                        |                   |
| <b>55 Notifications @ \$7.00 /each:</b>                                | \$385.00          |
| <b>4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):</b> | <b>\$2,844.00</b> |

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

ATLANTIC KERNAN SHOPPING CENTER  
PUD ORD. NO. 89-569-317/DEVELOPMENT NO. 1495 . 5  
LEGAL DESCRIPTION  
~~JUNE 18, 1999~~

PARCEL "A"

A portion of Section 22, Township 2 South, Range 28 East, Duval County, Florida, being more particularly described as follows: Commence at the Southwest corner of said Section 22; thence North 00°44'44" West, along the Westerly line of said Section 22, said line also being the Easterly right-of-way line of Kernan Boulevard South (a 200 foot right-of-way as now established), 2440.63 feet, thence North 89°15'16" East, departing from last said line, 150.00 feet to the Point of Beginning; thence North 00°44'44" West, 821.29 feet to a point situate on a curve leading Southeasterly and lying on the Southerly right-of-way line of Atlantic Boulevard (a variable right-of-way), thence along and around the arc of the curve and said Southerly right-of-way line, concave Northerly and having a radius of 11549.49 feet and a chord bearing and distance of South 79°52'10" East, 423.75 feet to the point of tangency of said curve, thence South 80°55'14" East, continuing along said Southerly right-of-way line, 476.25 feet, thence South 00°44'44" East, departing from said Southerly right-of-way line, 660.07 feet; thence South 89°15'16" West, 885.40 feet to the Point of Beginning.

Lands thus described contain 15.0 acres, more or less.

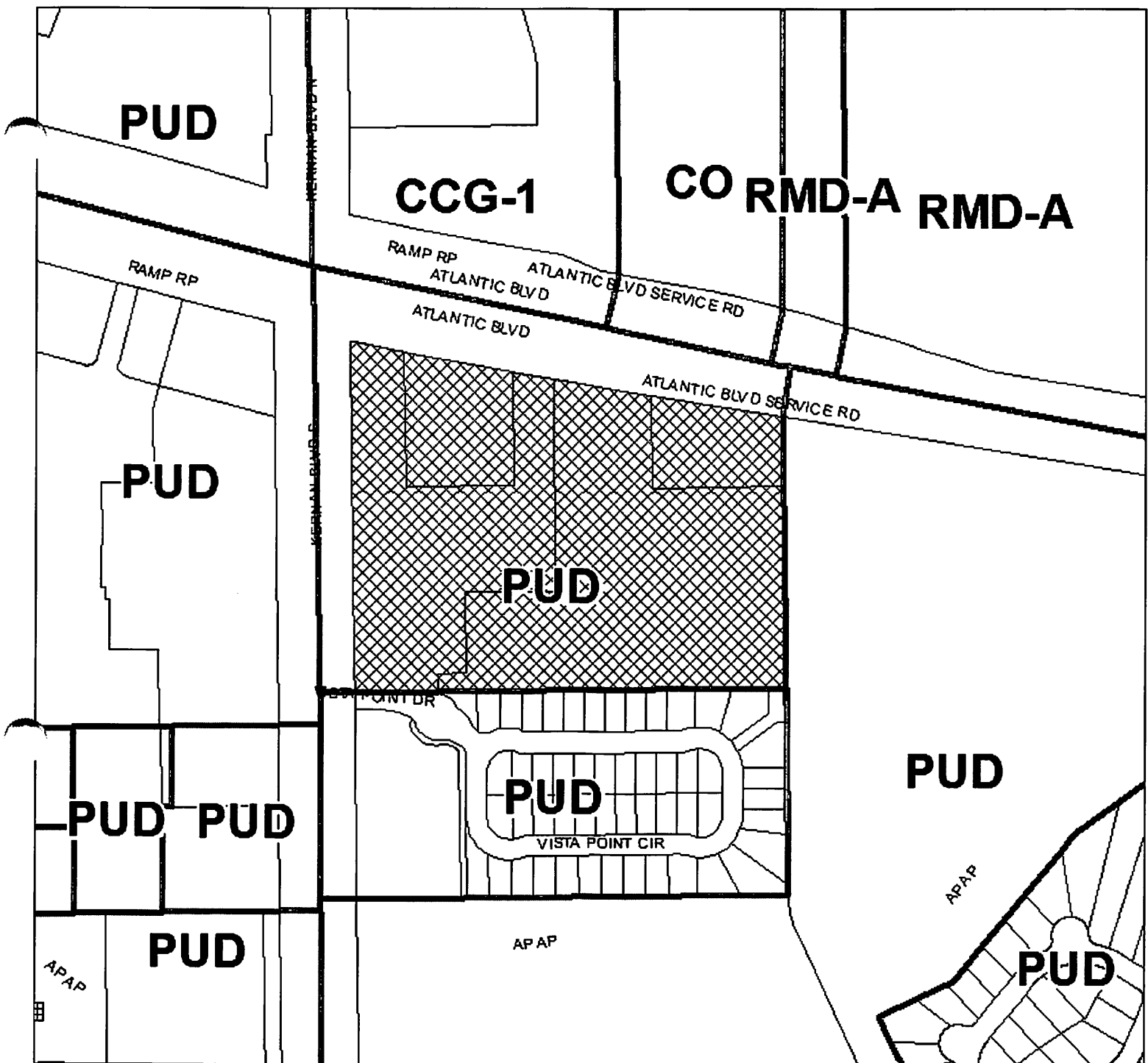
TOGETHER WITH:

PARCEL "B"

A portion of Section 22, Township 2 South, Range 28 East, Duval County, Florida, being more particularly described as follows: Commence at the Southwest corner of said Section 22, thence North 00°44'44" West, along the Westerly line of said Section 22, said line also being the Easterly right-of-way line of Kernan Boulevard South (a 200 foot right-of-way as now established), 2440.63 feet to the Point of Beginning, thence continue North 00°44'44" West, along last said line, 854.02 feet to its intersection with the Southerly right-of-way line of Atlantic Boulevard (a variable right-of-way), said point lying on a curve leading Southeasterly, thence along and around the arc of the curve and said Southerly right-of-way line, concave Northerly and having a radius of 11549.49 feet and a chord bearing and distance of South 78°26'15" East, 153.53 feet to a point on said curve, thence South 00°44'44" East, departing from said curve and said Southerly right-of-way line, 821.29 feet; thence South 89°15'16" West, 150.00 feet to the Point of Beginning.

Lands thus described contain 2.88 acres, more or less.



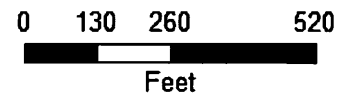
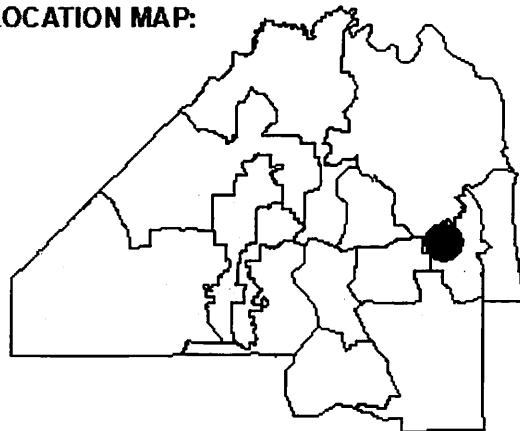


**REQUEST SOUGHT:**

**FROM: PUD**

**TO: PUD**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**3**

**ORDINANCE NUMBER**

**ORD-2019-0430**

**TRACKING NUMBER**

**T-2019-2324**

**EXHIBIT 2  
PAGE 1 OF 1**

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

**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 656.403.*
- (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.

Atlantic-Kernan Shops II  
Kernan Boulevard/Atlantic Boulevard PUD.  
Exhibit D – Written Description  
March 18, 2019  
Page 9

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

# EXHIBIT F

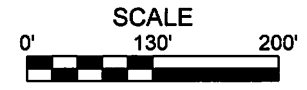
## Land Use Table

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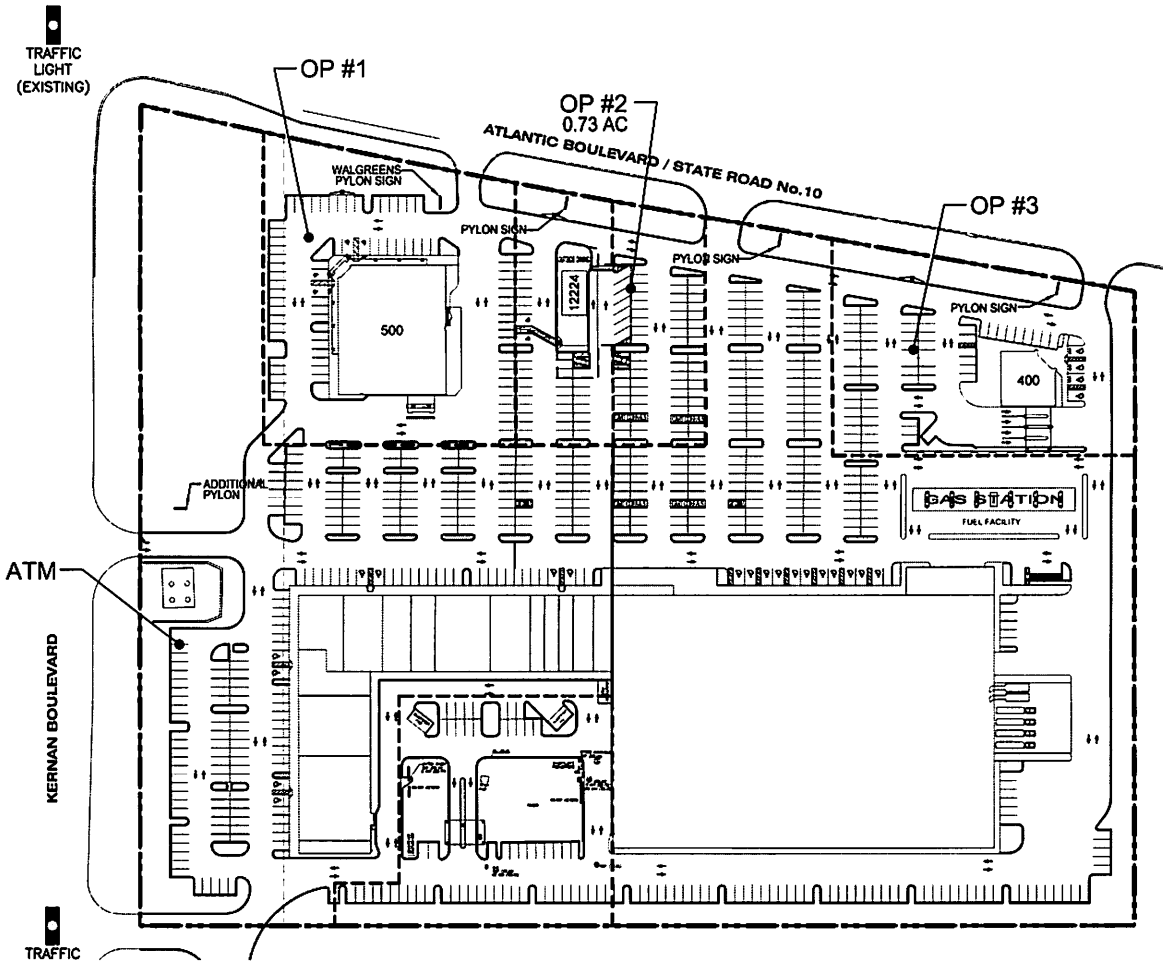
Total gross acreage	18.04	Acres	100	%
Amount of each Different land use by acreage				
Single family	0	Acres	0.0	%
Total Number of dwelling Units	0	D.U.		
Multiple family	0	Acres	0.0	%
Total number of dwelling units		D..U.		
Commercial	10.82	Acres	60.0	%
Industrial	0	Acres	0.0	%
Other Land use	0	Acres	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	%

# ATLANTIC - KERNAN SHOPS

12220 ATLANTIC BOULEVARD, JACKSONVILLE, FLORIDA 32225



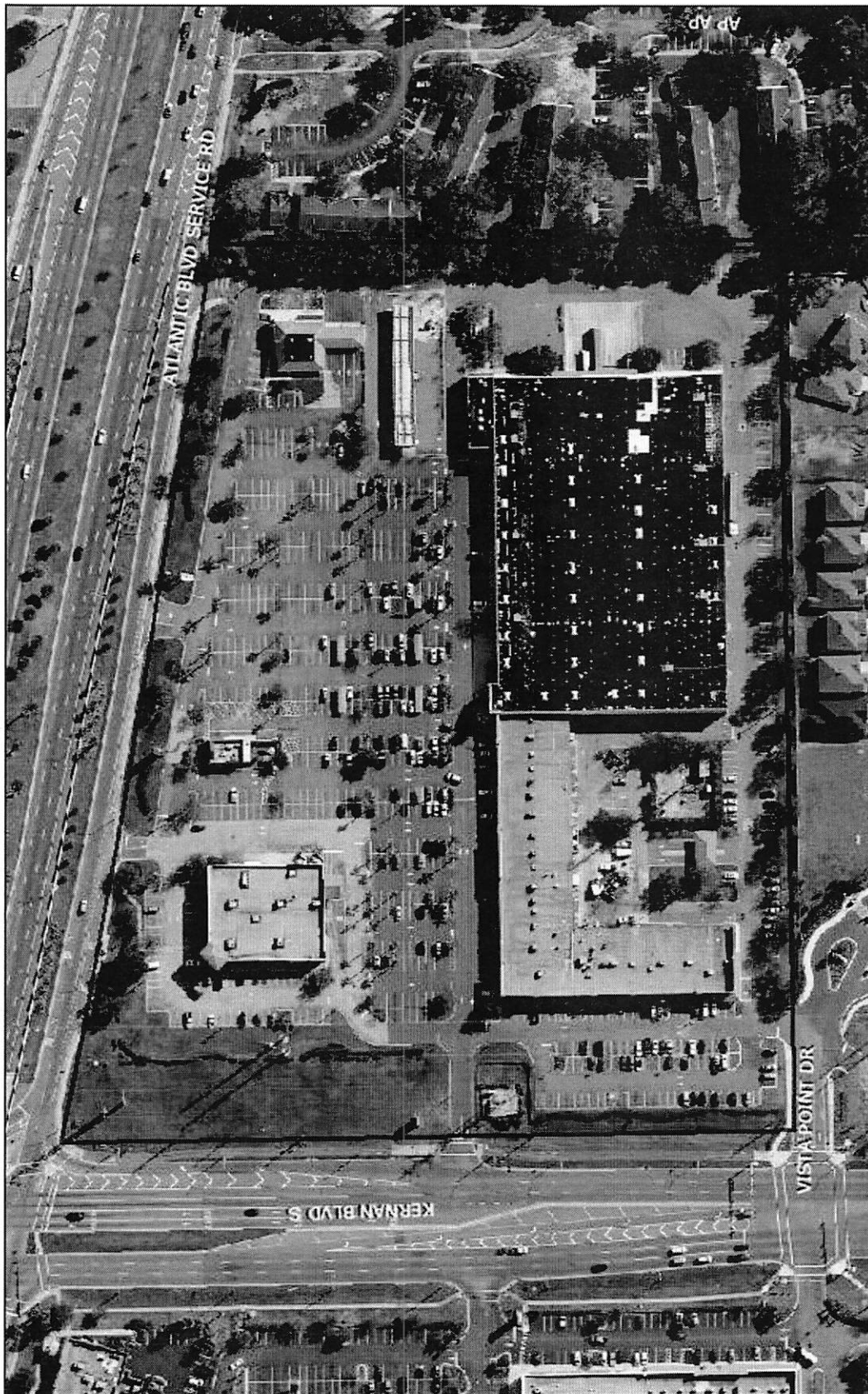
1"=130' HORIZ.



E X H I B I T E

05/07/2019

SLEIMAN ENTERPRISES - WWW.SLEIMAN.COM - PHONE: 904.731.8806





21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Michael Herzberg  
Sleiman Enterprises  
1 Sleiman Parkway #270  
Jacksonville, FL, 32216

May 06, 2019

Project Name: Atlantic Kernan Shops  
Availability#: 2019-1462

Attn: Michael 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 one year 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.

**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](http://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](http://JEA.com). This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2019-1462  
Request Received On: 5/1/2019  
Availability Response: 5/6/2019  
Prepared by: Susan West

**Project Information**

Name: Atlantic Kernan Shops  
Type: Single Family  
Requested Flow: 25,441 gpd  
Location: 12220 Atlantic Boulevard  
Parcel ID No.: 165265 4500  
Description: Adding animal boarding to allowable uses

**Potable Water Connection**

Water Treatment Grid: SOUTH GRID  
Connection Point #1: Existing 16 inch water main within the Kernan Blvd ROW adjacent to property  
Connection Point #2: Existing 8 inch water main along the north property boundary  
Special Conditions: Fire protection needs to be addressed.

**Sewer Connection**

Sewer Treatment Plant: ARLINGTON EAST  
Connection Point #1: Existing 8 inch force main within the Kernan Blvd ROW at the southwest property corner  
Connection Point #2: NA  
Special Conditions: 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.). Send force main connection condition requests, with availability number, to [fmconnections@jea.com](mailto:fmconnections@jea.com).

**Reclaimed Water Connection**

Sewer Region/Plant: N/A  
Connection Point #1:  
Connection Point #2: NA  
Special Conditions:

**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.