



May 19, 2016

The Honorable Greg Anderson, President  
The Honorable Scott Wilson, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2016-294** **Application for: Atlantic Blvd Commercial Park PUD**

Dear Honorable Council President Anderson, Honorable Council Member and LUZ Chairperson Wilson and Honorable Members of the City Council:

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

● Recommendation by JPDD:  Approve  Approve with Conditions  Deny

● Recommendation by PC to LUZ:  Approve  Approve with Conditions  Deny

● This rezoning is subject to the following exhibits:

1. The original legal description dated March 3, 2106.
2. The original written description dated March 29, 2016.
3. The original site plan dated April 13, 2016.

● Recommended Planning Commission Conditions\* to the Ordinance:

1. There shall be not more than 64 boats stored on the property.
2. There shall be no outside speakers.
3. All work shall be performed inside the work area.

\*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~strikethrough~~.

● Recommended PC Conditions that can be incorporated into the Written Description: None

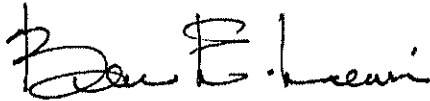
● PC Vote: 5-0

- PC Commentary: There were no speakers in opposition. There was concern among the commissioner if the boat storage would be screened. The written description required an uncomplementary buffer along the west property line. It would be difficult to see boats from Atlantic Boulevard as the parcel is narrow and the existing building screens a majority of the storage area.

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chris Hagan, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Blanchard, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abel Harding, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marshall Adkison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Friley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dawn Motes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nicole Padgett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Sincerely,



Bruce E. Lewis, City Planner Supervisor  
 Planning and Development Department

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2016-294 TO**

**PLANNED UNIT DEVELOPMENT**

**MAY 19, 2016**

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 **2016-294** to Planned Unit Development.

***Location:*** 13751 Atlantic Boulevard between the Intracoastal Waterway and San Pablo Road

***Real Estate Number(s):*** 167138-0000

***Current Zoning District:*** Planned Unit Development (PUD 1994-314)

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

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

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

***Planning Commissioner:*** Chris Hagan

***City Council District:*** The Honorable Aaron L. Bowman, District 3

***Applicant/Agent:*** L. Charles Mann  
165 Arlington Road  
Jacksonville, Florida 32211

***Owners:*** Louis Leidecker  
13751 Atlantic Boulevard  
Jacksonville, Florida 32225

John Quinlan  
13751 Atlantic Boulevard  
Jacksonville, Florida 32225

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

### GENERAL INFORMATION

Application for Planned Unit Development **2016-294** seeks to rezone approximately 0.77 acres of land from PUD to PUD. The rezoning to PUD is being sought to a service garage for minor and major repairs as a permitted use. The current PUD allows permitted uses in the CCG-1 Zoning District and the sale of new and used boats, repair and modification of boats including painting and rigging and the outside storage of boats. The written description includes a provision that permissible uses by exception in CCG-1 shall only be allowed through a new rezoning, which initiated this application.

### 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.

*(1) 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 Community General Commercial (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. Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner

compatible with adjacent areas to serve as a visual buffering element.

The uses provided herein shall be applicable to all CGC sites within the Urban Area.

**Principal Uses:** 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.

**Secondary Uses:** Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma centers; Building trade contractors; Rescue missions; and Day labor pools.

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

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

*(3) 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 category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

FLUE Policy 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

FLUE 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.

FLUE 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.

FLUE Policy 3.2.2 The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

*(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 commercial development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

*(4) Internal compatibility*

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The use of existing and proposed landscaping: The proposed written description indicates the development will comply with the landscape regulation contained in Part 12 of the Zoning Code.

The treatment of pedestrian ways: There is an existing sidewalk along Atlantic Boulevard and a walk which connects to the business.

The use and variety of building setback lines, separations, and buffering: The proposed PUD provides greater setbacks than are found in a conventional commercial zoning district.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The proposed written description includes restrictions and limitations which will protect the privacy, safety and welfare of surrounding lands.

*(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 an area where residential, office, commercial and institutional uses function as a mixed-use development. Multi-family development at this location complements the existing hospital, various office and commercial uses by increasing the housing options for those that are employed in the immediate area.

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	CCG-1	Undeveloped, marsh
	LDR	RR-Acre	Undeveloped
South	CGC	PUD (06-911)	Atlantic Coast Marine - Boat sales
	CGC	CCG-1	Tattoo shop
East	CGC	CCG-2	Custom Marine Components
West	CGC	CCG-1	Undeveloped

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: At the time the PUD was approved, there was an existing trailer park west of the property. The current PUD included a section which required a landscape hedge along the west boundary as long as the trailer park remained. The mobile homes have been removed. The proposed PUD includes a section which will require an uncomplementary buffer along the west boundary when the adjacent property is developed. The property is owned by the Neptune Baptist Church.

The current written description induced a provision which set the maximum building height at 25 feet. The proposed PUD requests 35 feet. The staff has no objection to the increased height. It is below the standard maximum height in the CCG-1 Zoning District.

The current limited the number of boats in storage to 64, restricted no outside speakers and restricted all work to be performed in the shop area. The proposed PUD does not include those restrictions or limitations and the staff recommends they be included as conditions.

The current PUD limits the sign to 75 square feet and 20 feet in height. The proposed written description has increased the sign area to 100 square feet. The property has approximately 150 linear feet of frontage on Atlantic Boulevard that if conventionally zoned would allow for a 150 square foot sign 50 feet in height. Staff has no objection to the increased sign area.

*(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category as a commercial development. The PUD is appropriate at this location because it will support the existing residential and commercial service establishments in the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The property has a right in/right out access to Atlantic Boulevard

Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety:

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

The project will be developed with the required amount of open space. A recreation area is not required.

*(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. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

No wildlife survey was required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

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

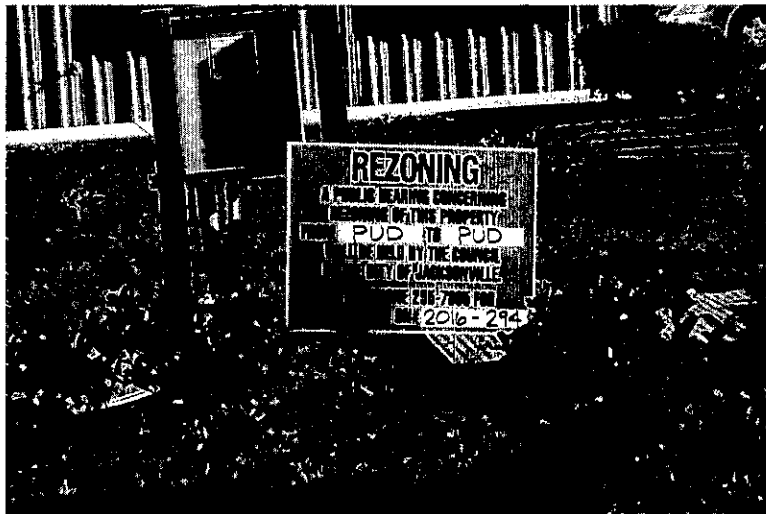


*(11) Sidewalks, trails, and bikeways*

There is an existing sidewalk in front of the property along Atlantic Boulevard.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on May 10, 2016, the required Notice of Public Hearing sign was posted.



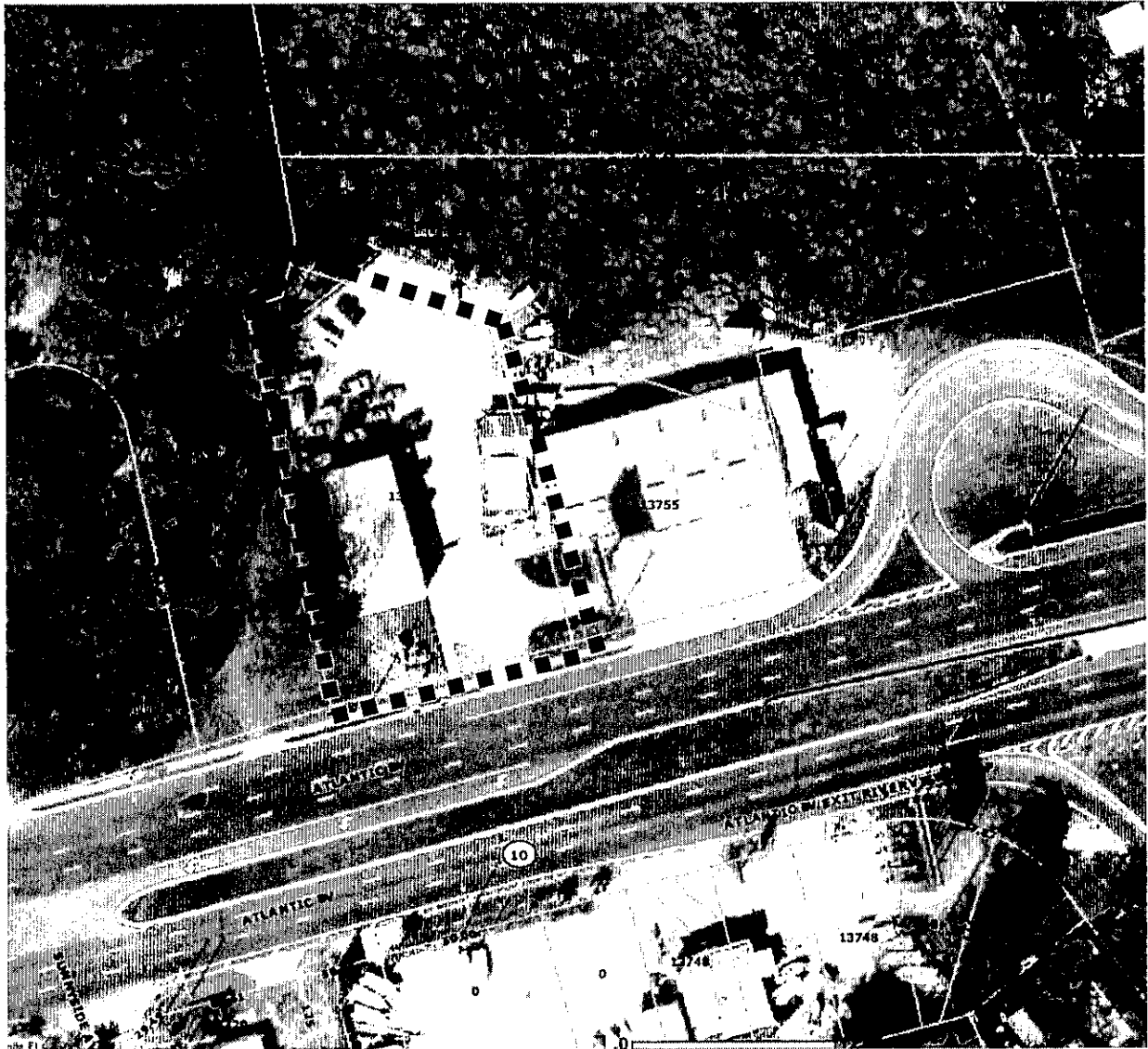
**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2016-294 be **APPROVED with the following exhibits:**

1. The original legal description dated March 3, 2016.
2. The original written description dated March 29, 2016.
3. The original site plan dated April 13, 2016.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2016-294 be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. There shall be not more than 64 boats stored on the property.
2. There shall be no outside speakers.
3. All work shall be performed inside the work area.



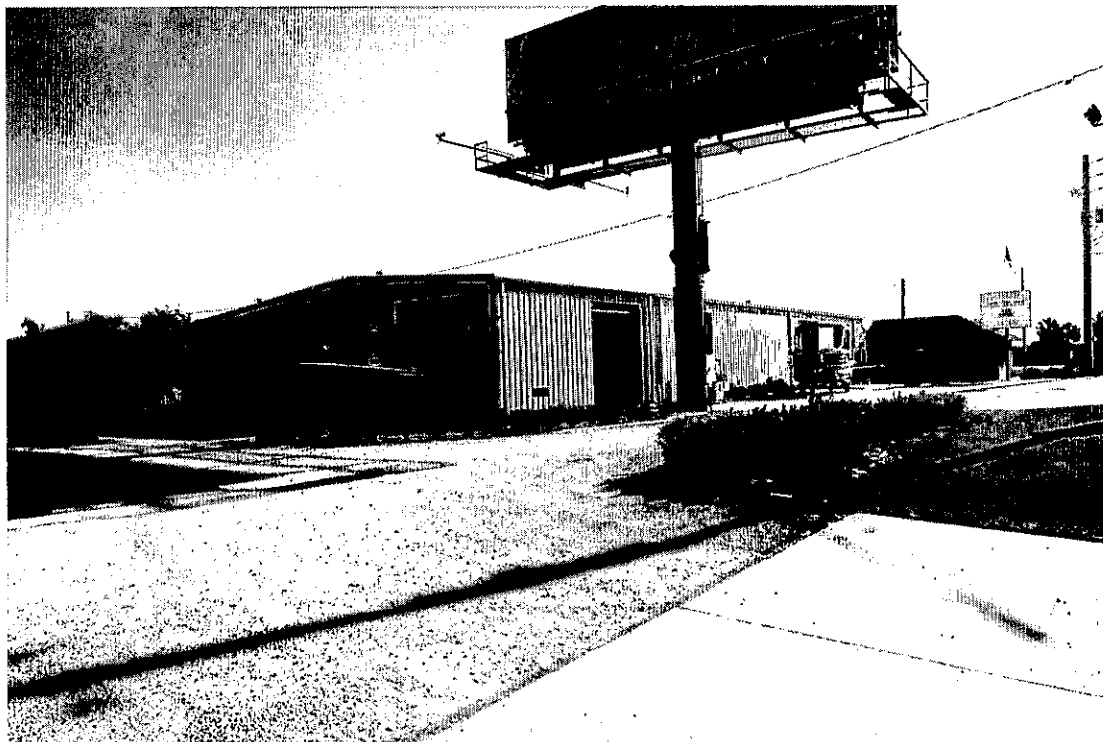
Aerial view of parcel.



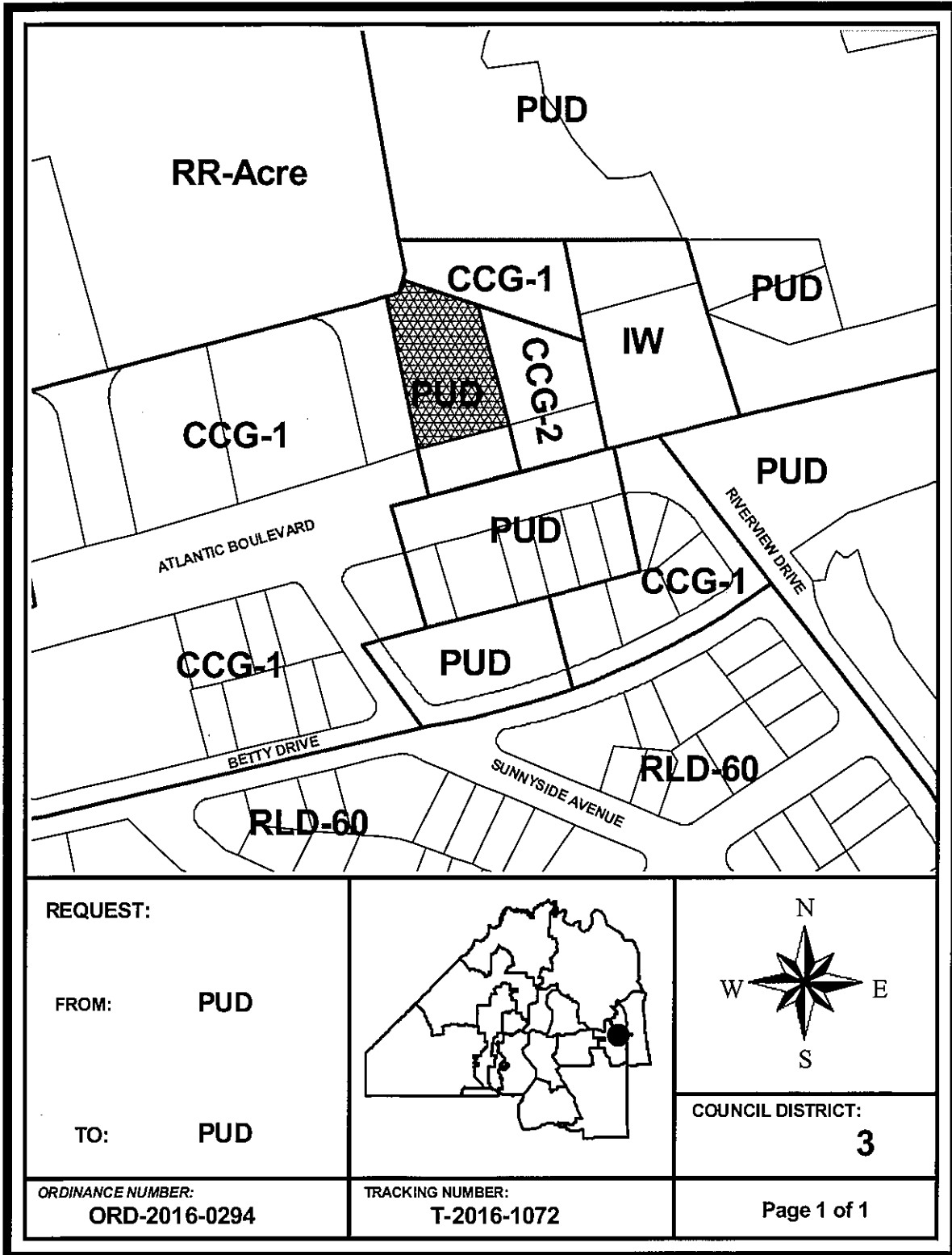
View of subject property and existing building.



View toward service area.



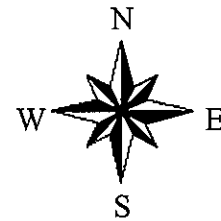
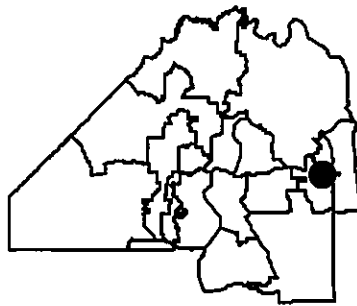
View of adjacent facility.



REQUEST:

FROM: PUD

TO: PUD



COUNCIL DISTRICT:  
**3**

ORDINANCE NUMBER:  
**ORD-2016-0294**

TRACKING NUMBER:  
**T-2016-1072**

Page 1 of 1

DEVELOPMENT SERVICES



April 28, 2016

**MEMORANDUM**

TO: Bruce Lewis, City Planner Supervisor  
Planning and Development Department

FROM: Lisa King  
Traffic Technician Senior

Subject: **Atlantic Boulevard Commercial Park PUD  
R-2016-294 fka R-1994-314**

Upon review of the referenced application and based on the information provided to date, the Development Services Division has the following comment:

Atlantic Boulevard is a FDOT maintained roadway. Number, design and location of access requires FDOT permit approval.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

## Application For Rezoning To PUD

### Planning and Development Department Info

**Ordinance #** 2016-0294 **Staff Sign-Off/Date** BEL / 03/30/2016

**Filing Date** 04/25/2016 **Number of Signs to Post** 1

#### Hearing Dates:

**1st City Council** 05/24/2016 **Planning Commission** 05/19/2016

**Land Use & Zoning** 06/07/2016 **2nd City Council** N/A

**Neighborhood Association** COMMUNITIES OF EAST ARLINGTON, PABLO POINT CIVIC ASSOCIATION

**Neighborhood Action Plan/Corridor Study** NONE

### Application Info

**Tracking #** 1072

**Application Status** PENDING

**Date Started** 03/03/2016

**Date Submitted** 03/03/2016

### General Information On Applicant

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
MANN	L	CHARLES
<b>Company Name</b>		
MANN-PELLICER		
<b>Mailing Address</b>		
165 ARLINGTON ROAD		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32211
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9047211546	9047211582	CHARLIEMANN1@COMCAST.NET

### General Information On Owner(s)

Check to fill first Owner with Applicant Info

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
LEIDECKER	LOUIS	E
<b>Company/Trust Name</b>		
<b>Mailing Address</b>		
13751 ATLANTIC BLVD		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32225
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9047211546	9047211583	CHARLIEMANN1@COMCAST.NET

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
QUINLAN	JOHN	
<b>Company/Trust Name</b>		
<b>Mailing Address</b>		
13751 ATLANTIC BLVD		

<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32225
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9047211546	9047211583	CHARLIEMANN1@COMCAST.NET

### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) R94-314

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	167138 0000	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) 0.77

Development Number

Proposed PUD Name ATLANTIC BLVD COMMERCIAL PARK

### Justification For Rezoning Application

SO THAT THE SITE MAY BE DEVELOPED FOR AUTOMOTIVE TYPE USES.

### Location Of Property

#### General Location

NORTHSIDE OF ATLANTIC BLVD EAST OF SUNNYSIDE AVE

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
13751	ATLANTIC BV	32225

#### Between Streets

SAN PABLO RD and INTRA COASTAL WATERWAY

### 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:** \$2,000.00

**2) Plus Cost Per Acre or Portion Thereof**

**0.77 Acres @ \$10.00 /acre: \$10.00**

**3) Plus Notification Costs Per Addressee**

**17 Notifications @ \$7.00 /each: \$119.00**

**4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,129.00**

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

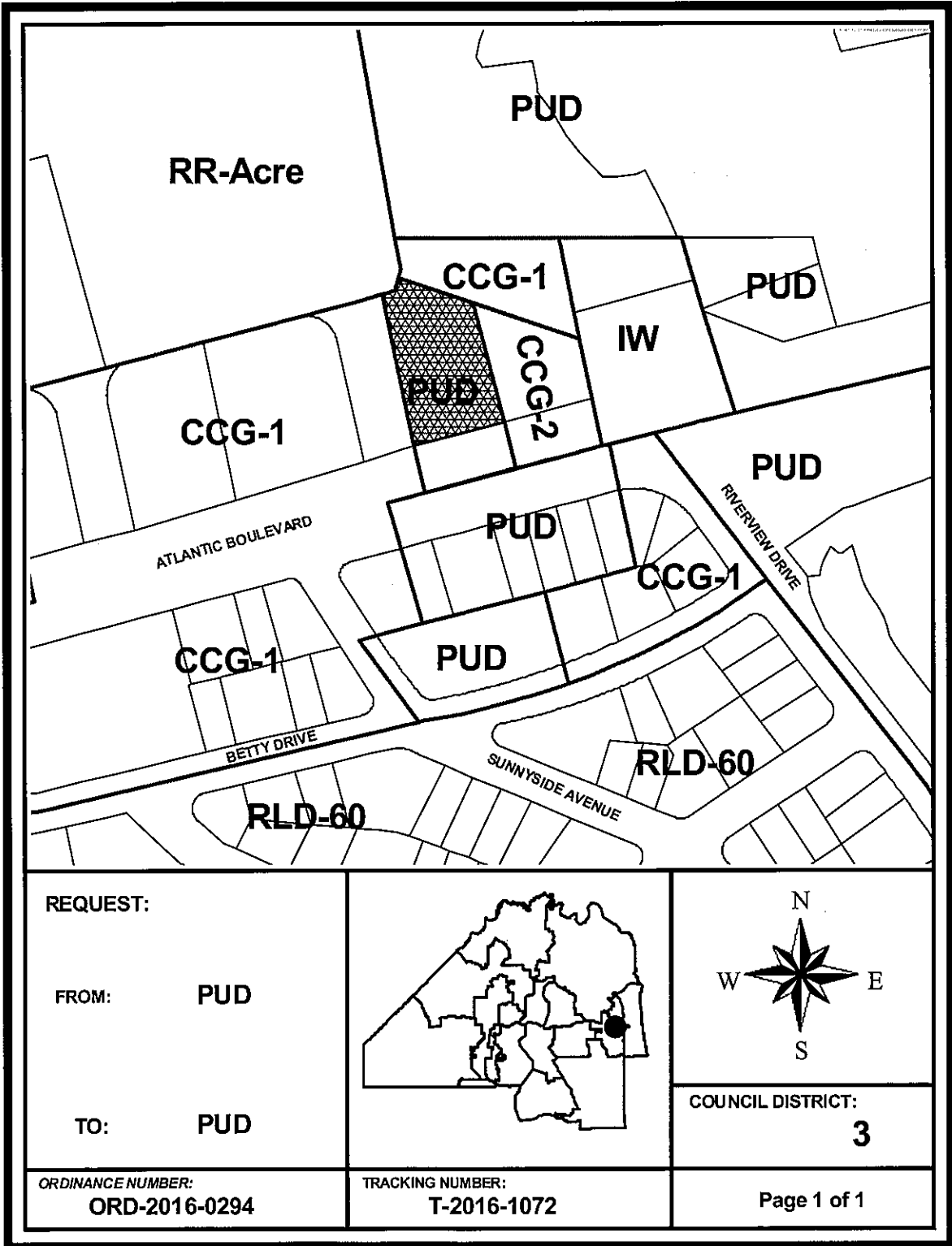


# ORDINANCE

## Legal Description

### EXHIBIT 'A'

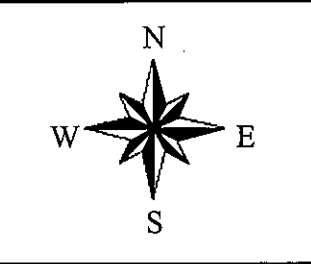
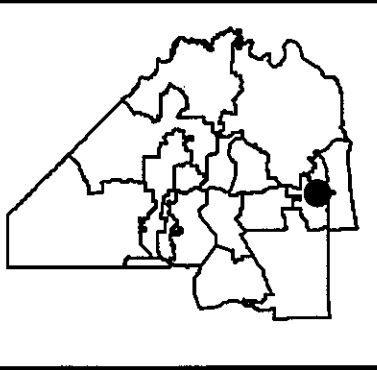
A part of the Castro Y. Ferrer Grant, Section 28, Township 2 South, Range 28 East, Duval County, Florida, more particularly described as follows: Commence at a point set at the point of intersection of the line dividing Range 28 East and Range 29 East with the centerline of the present 32 foot concrete pavement on Atlantic Boulevard, which point is 31.51 feet Easterly from the East line of the concrete bridge over Pablo Creek and run thence South 74 degrees 11 minutes West along the said centerline a distance of 1675.92 feet to a point; thence run North 15 degrees 49 minutes West a distance of 58.33 feet to an iron set on the Northerly right-of-way line of Atlantic Boulevard; thence run South 74 degrees 11 minutes West along said North right-of-way line of Atlantic Boulevard, a distance of 100 feet to an iron for the point of beginning of the land hereby conveyed; thence run South 74 degrees 11 minutes West a distance of 300 feet to an iron; thence run North 15 degrees 49 minutes West a distance of 300 feet to an iron; thence run North 74 degrees 11 minutes East a distance of 20 feet to an iron; thence run Northeasterly a distance of 28 feet to the top of the bluff; thence running Southeasterly along the top of the bluff to an iron located North 15 degrees 49 minutes West 133 feet from the point of beginning; thence run South 15 degrees 49 minutes East a distance of 133 feet to the point of beginning; together with the land lying between the top of said bluff to the edge of the salt water marsh; said land being shown by survey made by H. A. Durdan dated November 23, 1949. LESS AND EXCEPT lands described in Official Records Volume 7405, page 1584.



**REQUEST:**

**FROM:** PUD

**TO:** PUD



**COUNCIL DISTRICT:**  
**3**

**ORDINANCE NUMBER:**  
**ORD-2016-0294**

**TRACKING NUMBER:**  
**T-2016-1072**

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**EXHIBIT A**

**Property Ownership Affidavit**

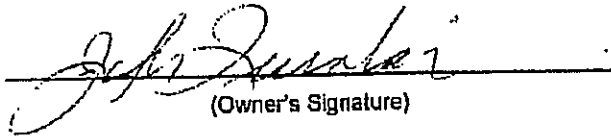
Date: February 19, 2018

**City of Jacksonville**  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, John Quinlan hereby certify that I am the  
Owner of the property described in the attached legal description, Exhibit 1 in connection with  
filing application(s) for Rezoning and Exception  
submitted to the Jacksonville Planning and Development Department.

  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 29 day of  
February (month), 2018 (year) by John Quinlan  
who is personally known to me or has produced DRIVER license  
as identification.



TAYLOR EGGERS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Commission #FR676185  
Expires 11/11/2018

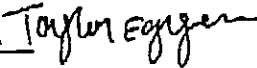


EXHIBIT A

Property Ownership Affidavit

Date: 01.11.2016

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, Louis Leidecker hereby certify that I am the  
Owner of the property described in the attached legal description, Exhibit 1 in connection with  
filing application(s) for Rezoning and Exception  
submitted to the Jacksonville Planning and Development Department.

Louis Leidecker  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 18 day of  
Jan (month), 2016 (year) by Louis Leidecker  
who is personally known to me or has produced \_\_\_\_\_

as I am a  
TAYLOR EGGERS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF175485  
Expires 11/11/2018  
Taylor Eggers  
(Notary Signature)

dk

**EXHIBIT B**

**Agent Authorization**

Date: February 19, 2016

**City of Jacksonville**  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

13751 Atlantic Blvd Jacksonville, FL 32225


Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers I. Charles Mann to act as agent to file application(s) for Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 29 day of February (month), 2016 (year) by John Quinlan, who is personally known to me or has produced Driver license as identification.

 NOTARY PUBLIC  
STATE OF FLORIDA Taylor Eggers  
Commit FF 175485  
Notary Signature  
Expires 11/11/2018

**Agent Authorization**

Date: 01-11-2016

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / Ed Ball Building,  
214 North Hogan Street, Suite 300, Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

13751 Atlantic Blvd. Jacksonville, FL 32226

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

L. Charles Mann to act as agent to

file application(s) for Rezoning and Exception  
for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

*Louis Leidtke*  
Owner's Signature

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 18 day of

JAN (month), 2016 (year) by

LOUIS LEIDTKE, who is personally known to me or has

produced \_\_\_\_\_ as identification.

(Notary Signature)

TAYLOR EGGERS  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF175485  
Expires 11/11/2018



*Taylor Eggers*



EXHIBIT C

Binding Letter

Date: February 19, 2016

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

Re: Atlantic Boulevard Commercial Park PUD

Ladies and Gentlemen:

You are hereby advised that the undersigned, owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part hereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed development plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities that are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By:   
(Owner's Signature)

Its: \_\_\_\_\_

# EXHIBIT D

## WRITTEN DESCRIPTION Atlantic Boulevard Commercial Park PUD March 29, 2016

### I. PROJECT DESCRIPTION

The fee simple owners of the real properties identified in the attached Exhibit A, RE# 167138-0000 the ("Property"), which contains approximately 0.77 acres is currently zoned PUD and designated CGC on the FLUM's. The owners of the Property have commenced a specific commercial use which was not clearly identified in the previous rezoning to PUD, as completed through Ordinance 94-314. The rezoning of this existing PUD to a revised PUD will offer the ability to provide necessary commercial operations consistent with the character of the area along Atlantic Boulevard while buffering the remaining residential properties to the west and maintaining the lower level CCG-1 that exists along both sides of Atlantic Boulevard.

The Property is located within the expansive commercial area at the intersection of Atlantic Boulevard and the Intracoastal Waterway. The Property has been used for boat sales, storage, and marina operations as well as intensive restoration of nautical vessels. Most recently, the property began operations related to automotive transmission service. The PUD had been approved to permit significant intensive uses related to the marine industry so it was assumed that such mechanical operations would be within the intent of the PUD. The owners were given notice by the City of Jacksonville that the operations relating to automotive transmission service and repair were not consistent with the approved PUD. The commercial operations along Atlantic Boulevard and in the vicinity of this property include various uses such as self-storage warehousing, RPM Automotive Repair, used auto sales, custom marine repairs, new and used boat sales, and some smaller offices with outdoor storage of equipment. Additionally, a church owns the commercial frontage along Atlantic Boulevard adjacent to the property and extends northward encompassing about 20 acres. This property is vacant at the current time. Surrounding zoning districts include CCG-1 to the north and west, CCG-2 to the immediate east and PUD to the south across Atlantic Boulevard.

As would be expected uses in the proximity of the Intracoastal Waterway include intensive operations and outdoor storage of vehicles, including boats or other types of equipment. The property possesses approximately 150 feet of frontage along Atlantic Boulevard and extends northward for about 240 feet, terminating in a marshland that continues to the Intracoastal Waterway. Thus, all properties abutting the subject Property to the south and west are designated CGC and developed with either warehousing or intensive commercial uses.

The applicant has utilized the professional services of Mr. L. Charles Mann and Mr. Michael Herzberg, AICP in preparing this PUD request. No other professionals have yet been engaged. The Property is underdeveloped and has no significant or unique characteristics, variation of elevations or natural features.

It is appropriate to utilize such zoning tools to permit operation of commercial activities while maintaining the quality of a commercial corridor and reducing the overall intensity of such

Atlantic Boulevard Commercial Park PUD.  
Exhibit D – Written Description

commercial thoroughfares. The implementation of this PUD would further the goals, objectives and policies of the plan.

By utilizing this PUD zoning the property owner can correct the oversight relating to the vehicle repair activity without promoting a more intensive CCG-2 zoning within the corridor of Atlantic Boulevard.

**The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as a Community General Commercial Development. This development will be developed in consonance with the goals and objectives of the CGC Land Use Category of the City of Jacksonville 2030 Comprehensive Plan Future Land Use Element. It is the intent of the developer to commence improvements immediately after zoning approval. 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. No immediate construction would be required to permit the automotive repair and any future construction would necessitate a PUD Verification prior to any improvements.**

## II. USES AND RESTRICTIONS

The Property may be further divided or developed as depicted on the attached site plan (Exhibit E) dated March 29, 2016 (the "Site Plan,") which is incorporated herein by this reference.

### *A. Permitted Uses:*

- (1) Commercial retail sales and service establishments
- (2) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- (3) Professional and business offices, 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) Hotels and motels.
- (5) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters.
- (6) Art galleries, museums, community centers, dance, art or music studios.
- (7) Vocational, trade or business schools and similar uses.
- (8) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.

Atlantic Boulevard Commercial Park PUD.  
Exhibit D – Written Description

- (9) Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
- (10) Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- (11) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.
- (12) Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- (13) Express or parcel delivery offices and similar uses (but not freight or truck terminals)
- (14) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- (15) Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- (16) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- (17) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (18) Churches, including a rectory or similar use.
- (19) Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
- (20) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- (21) Service Garages for minor or major repairs
- (22) Outside storage subject to the performance standards and development criteria set forth in Part 4, Zoning code, including the storage of boats, private or commercial vehicles.

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

*Permissible Uses:* No other uses shall be permitted or permissible

### III. DEVELOPMENT STANDARDS

#### A. *Dimensional Standards.*

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

Lot Size – minimum of 10,000 square feet

Lot Width – minimum of 50 feet

Yards -

Front: 20 feet

Side: 10 feet

Rear: 10 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures:* 60%
3. *Maximum height of structures:* Thirty-Five (35) feet.

#### B. *Ingress, Egress and Circulation.*

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

#### C. *Signs.*

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

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

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

#### D. *Site Design and Landscaping.*

Atlantic Boulevard Commercial Park PUD.  
Exhibit D – Written Description

1. Part 12 of the Zoning Code shall apply to components of the property.
2. The development will include a 10 foot wide uncomplimentary buffer at the northwest corner of the property, abutting the LDR land use designation. This buffer will be required to be installed at the time of any new permitting associated with the development
3. Lighting associated with any use of this PUD will be of a design that does not permit trespass lighting onto adjacent properties. Furthermore, all lighting will utilize either appropriate lenses or cutoffs as required.

E. *Building Orientation*

1. *General:*

The development will be situated in a manner that permits an efficient use of the property while locating building entryways and bay doors toward the south or east, away from the residential development existing further to the north and west. Loading and storage areas shall be located in a manner that seeks to reduce externalities associated with such activity. The limited height of structures shall insure that the buildings constructed as a part of this development do not create a looming effect on adjoining properties to the north.

F. *Parking*

1. Parking will be provided pursuant to 656.604(a)(1)
2. Parking will comply with the standards of Part 12 of the Zoning Code as it relates to buffering, and uncomplimentary uses.
3. As indicated in Section D above, lighting associated with such use shall not exceed 25 feet in height and will use cut offs to insure no trespass lighting occurs.

**IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed rezoning is a reasonable manner by which to permit the infill of an underdeveloped property.

The proposed zoning will act as a logical development plan, permitting this use to occur along the Atlantic Boulevard corridor, being consistent with the varying types of commercial uses which extend along that roadway. This 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 with lesser externalities than would have occurred under the previously sought conventional zoning

and promotes a more marketable use that will act to create a logical transition for the FLUM's and establish a protect the residential uses further north from commercial intrusion. 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 broad based and cannot be subject to generalized site plans;

Represents an appropriate transition between the intensive commercial uses located along Beach Boulevard and the residentially designated parcels further to the north. The PUD offers a combination of possible uses, properly designed to promote a logical transition between the established uses and a sustainable and desirable development pattern on an infill location;

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

1. FLUE Objective 1.1
2. FLUE Policy 1.1.22
3. FLUE Objective 3.2
4. FLUE Policy 3.2.7
5. FLUE Objective 6.3

## V. SUCCESSORS IN TITLE

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

## VI. PUD REVIEW CRITERIA

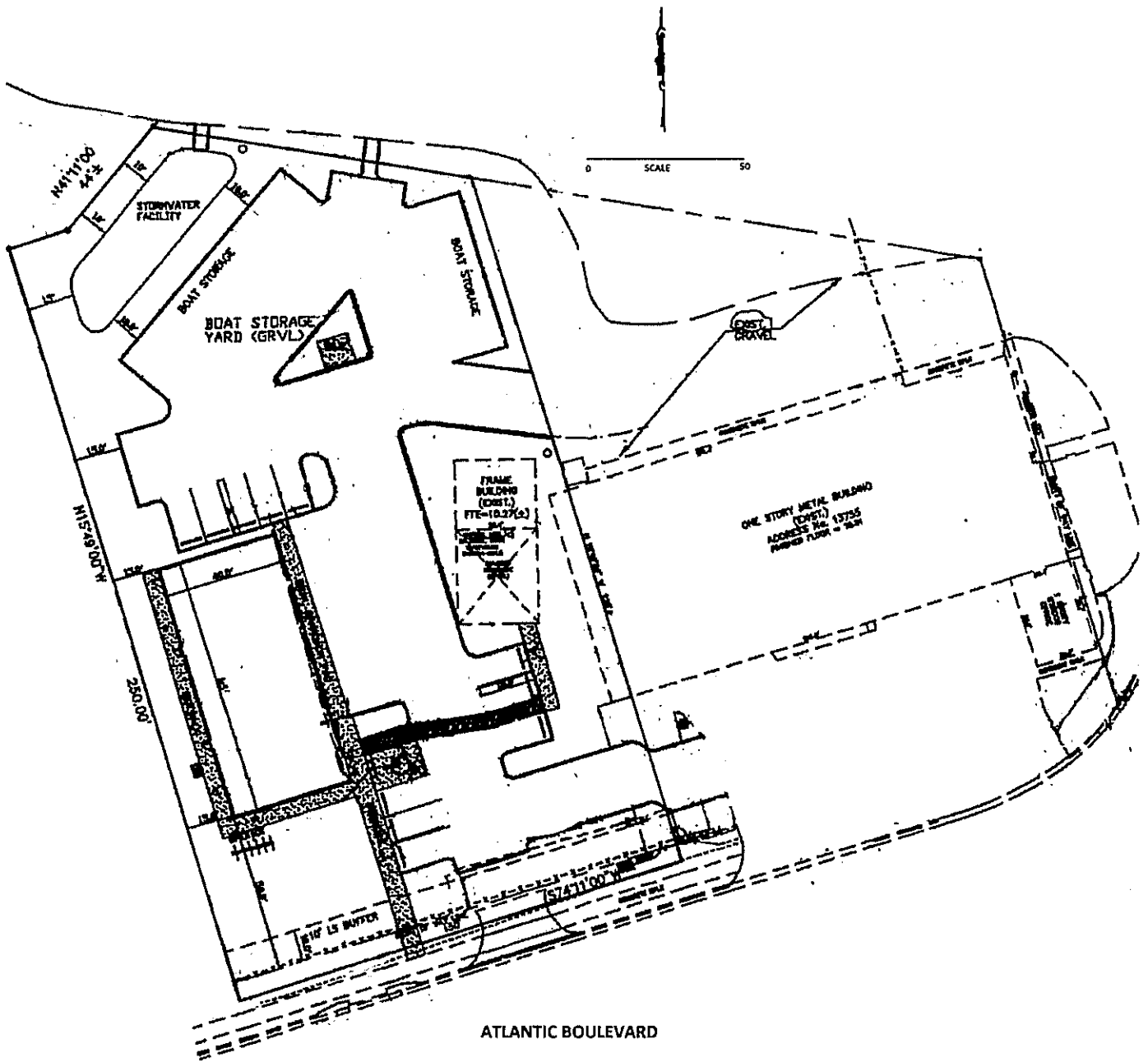
- A. *Consistency with Comprehensive Plan.* The Property is designated CGC pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. The uses and amounts (intensity) proposed in the PUD would be consistent with this designation as well as the established uses in the vicinity.
- 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. The uses of this development will be consistent with the applicable land use category and will be designed in such a way as to permit such use while not intensifying the zoning within the Atlantic Boulevard corridor.

Atlantic Boulevard Commercial Park PUD.  
Exhibit D – Written Description

- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is currently available from Atlantic Boulevard. This access point will be reviewed and approved by the City of Jacksonville.
- E. *External Compatibility/Intensity of Development.* The addition of the commercial uses identified in the PUD are similar to the activities occurring on properties in close proximity. Limited building heights, orientations of doorways, uses, and structures, buffering and lighting requirements shall insure that the development is compatible with adjacent uses.
- F. The development will be appropriately screened from adjacent properties and structures will be oriented in a manner that will foster an inward approach to this development. The uses are consistent with the character of the area along Atlantic Boulevard.
- G. *Recreation/Open Space.* The PUD will 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.* These will be constructed and oriented in such a manner as to assure no external impacts upon adjoining properties or Atlantic Boulevard.
- K. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.
- L. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements.
- M. *Utilities.* Electric power, water and sewer services are furnished to the Property by the Jacksonville Electric Authority.



# EXHIBIT E SITE PLAN



April 13, 2016

# EXHIBIT F

PUD Name

**Atlantic Boulevard Commercial Park PUD**

Date

Mar 30, 2016

## Land Use Table

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Total gross acreage	<b>0.77</b>	Acres	100 %
Amount of each different land use by acreage			
Single family	<b>0</b>	Acres	<b>0</b> %
Total number of dwelling units	<b>0</b>	D.U.	
Multiple family	<b>0</b>	Acres	<b>0</b> %
Total number of dwelling units	<b>0</b>	D.U.	
Commercial	<b>0.76</b>	Acres	<b>87</b> %
Industrial	<b>0</b>	Acres	<b>0</b> %
Other land use	<b>0</b>	Acres	<b>0</b> %
Active recreation and/or open space	<b>0</b>	Acres	<b>0</b> %
Passive open space, wetlands, pond	<b>0.1</b>	Acres	<b>13</b> %
Public and private right-of-way	<b>0</b>	Acres	
Maximum coverage of non-residential buildings and structures	<b>20,124</b>	Sq. Ft.	<b>60</b> %

3 121  
1400.00

THIS INSTRUMENT PREPARED BY:  
Watson & Osborne, P.A.  
Watson & Osborne, P.A.  
208 Ponte Vedra Park Drive, Suite 101  
Ponte Vedra Beach, Florida 32082

FOR RECORDER	
Book 8178	Pg 1315
Bk: 8178	
Pg: 1315 - 1317	
Doc# 95184594	
Filed & Recorded	
09/20/95	
02:06:10 P.M.	
HENRY W. COOK	
CLERK CIRCUIT COURT	
DUVAL COUNTY, FL	
REC. \$ 15.00	
DEED	\$ 1,400.00

RECORD AND RETURN TO:  
Louis E. Leidecker  
13755 Atlantic Boulevard  
Jacksonville, Florida 32225

RE PARCEL ID #: 167138-0004  
BUYER'S TRC

### WARRANTY DEED

THIS WARRANTY DEED made this 30th day of August, 1995 by Johanna B. Beasley, hereinafter called Grantor, and whose address is 11249 Harlan Drive, Jacksonville, Florida 32218 to Louis E. Leidecker and John J. Quinlan, as tenants in common, hereinafter called Grantee and whose address is 13755 Atlantic Boulevard, Jacksonville, Florida 32225.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

#### WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz:

See Exhibit "A" attached hereto and by this reference made a part hereof.

The real property described in this instrument is not the constitutional homestead nor the primary physical residence of the Grantor.

SUBJECT TO taxes accruing subsequent to December 31, 1994.  
SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

119517

Signed, sealed and delivered in our presence:

[Signature]  
Witness Signature

**KEITH WATSON**  
Witness Printed Signature

Beth Vanatta  
Witness Signature

**BETH VANATTA**  
Witness Printed Signature

Johanne B. Beasley  
Johanne B. Beasley

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 30th day of August, 1995 by Johanne B. Beasley. He/She is personally known to me or has produced DRIVER LICENSE as identification.

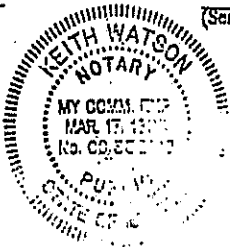
Notary Public, State and County Aforesaid

[Signature]  
Notary Signature

**KEITH WATSON**  
Notary Printed Signature

\_\_\_\_\_  
(Title or Rank)

\_\_\_\_\_  
(Serial No., if any)



FILE: 95T2902

## EXHIBIT 'A'

A part of the Castro Y. Ferrer Grant, Section 28, Township 2 South, Range 28 East, Duval County, Florida, more particularly described as follows: Commence at a point set at the point of intersection of the line dividing Range 28 East and Range 29 East with the centerline of the present 32 feet concrete pavement on Atlantic Boulevard, which point is 32.58 feet Easterly from the East line of the concrete bridge over Pablo Creek and run thence South 74 degrees 11 minutes West along the said centerline a distance of 1675.92 feet to a point; thence run North 15 degrees 49 minutes West a distance of 58.33 feet to an iron set on the Northerly right-of-way line of Atlantic Boulevard; thence run South 74 degrees 11 minutes West along said North right-of-way line of Atlantic Boulevard, a distance of 100 feet to an iron for the point of beginning of the land hereby conveyed; thence run South 74 degrees 11 minutes West a distance of 300 feet to an iron; thence run North 15 degrees 49 minutes West a distance of 300 feet to an iron; thence run North 74 degrees 11 minutes East a distance of 20 feet to an iron; thence run Northeasterly a distance of 28 feet to the top of the bluff; thence running Southeasterly along the top of the bluff to an iron located North 15 degrees 49 minutes West 133 feet from the point of beginning; thence run South 15 degrees 49 minutes East a distance of 133 feet to the point of beginning; together with the land lying between the top of said bluff to the edge of the salt water marsh; said land being shown by survey made by H. A. Durden dated November 23, 1949. LESS AND EXCEPT lands described in Official Records Volume 7405, page 1554.

EXHIBIT H



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