

Exhibit D

WRITTEN DESCRIPTION

MAIN STREET @ KIRK ROAD RETAIL PUD

October 23, 2017

(Comparison Showing Strikeouts for Removals and Underlinings for Additions from Initial 2-21-2017 Version and Final 10-5-2017 Version)

I. PROJECT DESCRIPTION

A. Number of acres, location of site, existing use, surrounding uses, types of businesses, proposed uses.

The 1.03 acre site is located at southeast corner of Main Street and Kirk Road and is currently vacant. Surrounding uses include Main Street right-of-way and railroad right-of-way to the west, vacant land and single-family and mobile homes to the north, single-family and mobile homes to the east, and heavy commercial uses to the south. The requested commercial development proposes a gas station with convenience store (50 X 60 feet), a canopied (40 X 75 feet) 3-islands with 12 gas pump stations, and automatic car wash (15 X 40 feet) along with a 25 X 50 foot office/commercial uses behind and east of the convenience store as shown on the attached Exhibit E Site Plan. One 36-foot wide entrance driveway from North Main Street is ~~and one entrance near the western end of the site on Kirk Road~~ are proposed. A total of 18 parking spaces (including 3 of which are handicapped spaces) are indicated on the site plan to serve the total of 4,875 square feet of commercial buildings (3,000 square feet for the convenience store and 1,875 square feet for the ancillary office/retail building). A retention pond with an aerator fountain centrally located is indicated on the site plan in the northeast portion of the site.

Landscaping will be provided along the buffering side and rear yards with various trees including Leland Cypress Trees, Crape Myrtle Trees, and East Palatka Holly Trees spaced approximately every 25 feet. Ligustrum, Pittosporum and India Hawthorne shrubs will be

appropriately planted along the buffering side and rear yards adjoining the privacy fences. Landscaping with various low-height shrubs will be utilized in planting beds surrounding the proposed sign location near North Main Street and along the setback area between the paved parking/drive areas and the eastern property line of North Main Street.

The proposed site dumpster will be located immediately north of the convenience store. It will not only be screened from public view along Kirk Road by a 6-foot opaque fence but also enclosed on three sides with a 6-foot tall concrete block wall and an opaque gate on the front side of to the concrete pad. (The dumpster itself will not be visible from Kirk Road.)

B. Project Name: Main Street at Kirk Road Retail PUD

C. Project Architect/Planner: Bouchon Investments LLC

D. Project Engineer: NA

E. Project Developer: Bouchon Investments LLC

F. Current Land Use Description: Community/General Commercial (CGC) and Low Density Residential (LDR)

G. Proposed Land Use Description: Community/General Commercial (CGC)

H. Current Zoning District: Commercial Community/General-2 (CCG-2) and Residential Low Density-120 (RLD-120)

I. Requested Zoning District: Planned Unit Development (PUD)

J. Real Estate Number(s): 108282-0000

II. QUANTITATIVE DATA

- A. Total Acreage: 1.03 acres**
- B. Total number of dwelling units: 0**
- C. Total amount of non-residential floor area: 5,000 square feet**
- D. Total amount of recreation area: 0 acres**
- E. Total amount of open space: 0 acres**
- F. Total amount of public/private rights-of-way: 0 acres**
- G. Total amount of land coverage of all buildings and structures: 8,475 square feet maximum (canopied pump stations, convenience store, car wash, and office/commercial building).**
- H. Phase schedule of construction (include initiation dates and completion dates): Initiation of construction within 1 year ~~90 days~~ of PUD approval and completion within 2 1/2 years of PUD approval.**

III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code? This proposed PUD will expand allowable commercial uses which are consistent with other commercial developments in the area and which buffer proposed uses from adjoining residential uses to the north and the east. Through the provisions of the site plan, 6-foot opaque fencing and landscaped buffering will be provided.**
- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City. Not Applicable**

IV. USES AND RESTRICTIONS

A. Permitted Uses: The following commercial and office uses are proposed through this PUD to be included for potential site development:

- 1) Commercial retail sales and service establishments including sale of food and drugs, new wearing apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including instruments, florist or gift shops, delicatessens, bakeries, home furnishings and appliances (including repair incidental to sales), office equipment or furniture antiques, hardware, new automobile parts and accessories (including rebuilt parts), barber or beauty salon, shoe repair, restaurants, interior decorators, athletic clubs, fitness centers, Laundromat or dry cleaners, tailors or dressmakers, broadcasting offices and studios, funeral homes, blueprinting, radio and television repair shops, travel agencies,, employment offices but not day labor pools, home equipment rental and similar uses.
- 2) ~~Retail sales of new or used automobiles, trucks and tractors, mobile homes, boats, pawnshops subject to Part 4, automotive vehicle parts (but not automobile wrecking yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, food, fertilizer, plant nurseries, lumber and building supplies and similar products.~~
- 3) Service stations, filling or gas stations including convenience stores meeting the performance standards and developments criteria set forth in Part 4.
- 4) ~~Service stations, auto laundry, mobile car detailing services, major automotive repair, car or truck rental, restaurants, laundromat or dry cleaners, veterinarians, animal boarding kennels meeting the performance standards and development criteria set forth in Part 4, pest control, carpenter or cabinet shops, home equipment rentals, job printing or newspapers, radio or television offices and studios, blood donor stations and similar uses.~~ Mobile Car Detailing and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4, ~~auto laundry, mobile car detailing services, major automotive repair, car or truck rental, restaurants, laundromat or dry cleaners, veterinarians, animal boarding kennels meeting the performance standards and development criteria set forth in Part 4, pest control, carpenter or cabinet shops, home equipment rentals, job printing or newspapers, radio or television offices and studios, blood donor stations and similar uses.~~
- 5) Veterinarians and animal boarding kennels meeting the performance standards and development criteria set forth in Part 4.

- 6) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- 7) All types of professional and business offices, and 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.
- ~~8) Parking and storage of boats, motor homes and travel trailers.~~
- ~~9) Fruit, vegetable, poultry, or fish markets.~~
- 10) Hotels and Motels.
- 11) Art galleries, museums, community centers, dance, art or music studios.
- 12) Vocational, trade or business schools and similar uses.
- ~~13) An establishment or facility which includes the retail sale and service of all alcoholic beverages including for off-premises consumption or for on-premises consumption in conjunction with a restaurant.~~
- ~~14) Small scale operations including wholesaling, warehousing, storage, distributorship business where the total operation does not require more than 10,000 square feet of floor space, no vehicle is used in excess of one and one-half ton capacity, all merchandise is stored within an enclosed building and no heavy machinery or manufacturing is located on the premises.~~
- ~~15) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.~~
- 16) A restaurant which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premise consumption.
- ~~17) Private Clubs.~~
- 18) Personal property storage establishments meeting the performance standards and development criteria in Part 4.
- 19) Manual car wash.
- 20) Express or parcel delivery offices and similar uses (but not freight or truck terminals).
- 21) Express or parcel delivery offices and similar uses (but no freight or truck terminals).
- 22) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.

23) Restaurants with drive-thru and with the outside sales and service of food meeting performance standards and development criteria set forth in Part 4.

~~24) Churches, including a rectory or similar use.~~

~~25) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted with outside storage or display.~~

B. Permissible Uses by Exception: The following uses shall be recognized as permissible uses by exception:

1) ~~Billiard Parlors.~~

2) Blood donor stations.

3) Auto Laundry or manual car wash.

4) Service garages for minor or major repairs.

5) Retail sales of new or used automobiles, boats, automotive vehicle parts (but not automobile wrecking yards, junkyards, or scrap processing yards), plant nurseries, and similar products.

~~6) Restaurants with the outside sale and service of food meeting performance standards and development criteria set forth in Part 4.~~

~~7) Travel trailer parks meeting the performance standards and development criteria set forth in Part 4.~~

~~8) School meeting the performance standards and development criteria set forth in Part 4.~~

~~9) Nursing homes.~~

~~10) Housing for the elderly.~~

~~11) Group care home meeting the performance standards and development criteria set forth in Part 4.~~

C. Limitations on Permitted or Permissible Uses by Exception: Not Applicable

D. Permitted Accessory Uses and Structures: Accessory uses and structures are allowed as set forth in Section 656.403.

E. Restrictions on Uses: Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located, or to be located, on the property. Dumpster on site immediately

north of the store will be enclosed on three sides with a six-foot tall painted concrete wall with a opaque gate to completely enclose it.

V. DESIGN GUIDELINES

A. Lot Requirements:

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None, except as otherwise required for certain uses.
- (3) *Minimum lot coverage:* None, except as otherwise required for certain uses.
- (4) *Minimum front yard:* 20 Feet
- (5) *Minimum side yard:* 10 feet; where the lot is adjacent to a residential district, a minimum setback of 15 feet shall be provided.
- (6) *Minimum rear yard:* 10 feet
- (7) *Maximum height of structures:* 60 Feet

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements:* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code. There may be shared parking between individual parcels subject to the review and approval of the Planning and Development Department.
- (2) *Vehicular Access:*

- a. Vehicular access to the Property shall be primarily by way of North Main Street with a 36-foot wide entrance driveway as substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.
- b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

(3) Pedestrian Access

- a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan and zoning requirements.

C. Signs:

- (1) One (1) double-sided on-site entrance identification sign not to exceed sixty-four (64) square feet in area and twenty-four (24) feet in height; One double-sided identification sign per outparcel not to exceed twenty-four (24) square feet in area and twelve (12) feet in height. Such freestanding sign shall be of a monument style or as otherwise approved by the Planning and Development Department, and shall have architectural elements and design consistent with the buildings with which they are associated.
- (2) Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.
- (3) One (1) under-the-canopy sign per occupancy, not exceeding a maximum of 8 square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the building in question.

- (4) Directional signs shall not exceed 6 square feet in area and 2 feet in height.
- (5) Real estate signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary sign(s) of a maximum of twelve (12) feet in area and twelve (12) feet in height are also permitted. Directional signs in compliance with Part 13 of the Zoning Code are permitted within the PUD.

D. Landscaping:

The property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code; provided, however, that the required perimeter landscaping may be relocated elsewhere within the Property when ownership or occupancy of the Property is subdivided into separate parcels and reciprocal easements for access, ownership and maintenance are created among the separate parcels of the Property.

E. Recreation and Open Space: None

F. Utilities

Water will be provided by JEA.
Sanitary Sewer will be provided by JEA.
Electric will be provided by JEA.

G. Wetlands

The site does not presently contain any Wetlands.

V. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all the existing and proposed uses within the Property, and showing the general layout of the overall Property.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATIONS 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 project will be beneficial to the surrounding neighborhood and community.

A. Is more efficient than would be possible through strict application of the Zoning Code.

The PUD binds the Applicant and successors to this Written Narrative and the Site Plan; the proposed uses in the PUD's Written Narrative for various commercial uses insures more control of the less desirable commercial uses which would be incompatible for the surrounding area; the PUD also provides for site-specific requirements including buffering, controlled ingress-egress and signage requirements.

B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area.

As proposed in the Site Plan and Written Narrative, the proposed uses for the development will be compatible with similar commercial uses along North Main Street in the vicinity of the proposed site.

C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.

The property is currently split with two land use categories – approximately 44% is Community/General Commercial (CGC) on the ~~east~~west end of the site and the remaining 56% on the ~~eastern~~western end of the site is Low Density Residential-120 (RLD-120) along a major arterial – US Highway 17 (North Main Street) as classified as such in the 2030 Comprehensive Plan's Transportation Element. This PUD rezoning application intends to companion with a land use amendment change to CGC for the rear 183 feet plus of property to support various uses

allowed consistent with the Commercial Community General-12 (CCG-12) ~~on the portion of the parcel fronting along North Main Street.~~ This PUD proposes various portions of permissible uses and permissible uses by exception found in the CCG-12 district which will complement surrounding land uses and zoning districts along North Main Street. The project site is located within the Suburban Development Area.

Future Land Use Element

COMMUNITY/GENERAL COMMERCIAL (CGC) CGC - GENERAL INTENT

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. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

CGC - SUBURBAN AREA (SA) INTENT

The Suburban Area is intended to provide development in a nodal development pattern.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

CGC - SUBURBAN AREA USES

The uses provided herein shall be applicable to all CGC sites within the Suburban 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. Residential uses shall not be the sole use and shall not exceed 80 percent of a development.

Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category. Adult entertainment facilities are allowed by right only in Zoning District CCG-2.

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.

The proposed PUD would specifically advance the following Objectives and Policies of the Land Use Element of the 2030 Comprehensive Plan:

Objective 1.1: Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.8: Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

Policy 1.1.10: Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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.

Policy 1.1.22: Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 3.1.3: Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.