

EXHIBIT D

WRITTEN DESCRIPTION **Villages of Kernan West PUD** November 28, 2018

1. PROJECT DESCRIPTION

The site is currently designated CGC and RPI on the future land use maps and is currently zoned PUD. The property is currently developed only on the western end with a new Audi dealership and an expansion of the Car Max auto dealership, both of which were sold to other owners. The remaining 54.29 acres of the original PUD (Ord. 2010-377) remain undeveloped as of this date.

The subject Property is a part of a Master Development Plan for approximately 179 acres, which was entitled over a period of time as two separate PUD's. For simplicity the Master Development has a westerly component and an easterly component. This application represents an amendment to the existing westerly PUD (Ord. 2010-377), whereby, approximately 13.24 acres of the easterly PUD (Ord. 2010-782) will be incorporated into this new PUD.

When these PUD's were being developed the original site plans contemplated a movie theatre in the western end of this development and a gasoline filling station in the eastern portion nearest to the interchange. However, market forces have changed and a movie theatre is desirous of locating closer to the existing retail development of the easterly PUD. Additionally, while filling stations were originally contemplated only near the interchange of Kernan and Atlantic, new users are seeking greater access, afforded by the connection of Abess Road Extension into Marketplace Drive. This improved access, and the development of a quadrant roadway system has prompted demand from filling stations to be located in the western portion of the development. Additionally, both of these uses are permitted within one of the PUD's listed herein. Unfortunately, a boundary line of the legal description either bisects, or excludes the specific areas identified for these two intended uses. This forms the need for this request and thus, the new PUD.

The subject property is located in the Urban area of the City and both Atlantic Boulevard Kernan Boulevard are classified as Arterial Roadways according to the City's 2030 Comprehensive Plan.

The subject site is located in the northwest quadrant of a large commercial node found at the intersection of Atlantic Boulevard and Kernan Boulevard. The southwest and southeast quadrants of this node and are also developed as large shopping centers, but do not have the mixed use component of this particular PUD. The northeast quadrant is zoned PBF-1 and CCG-1 and contains a middle school and a hotel respectively. In total there are almost one million square feet of commercial development at this interchange.

The subject site is not unique and does not exhibit any natural features of significance. As stated earlier, this PUD differs from the previous PUD only in that the intended uses have changed their location, shifting eastward into the area of the Villages at Kernan PUD. Again, no new

uses are proposed in this PUD that were not otherwise permitted in the overall Master Development Plan. In effect this PUD will extend the boundary of the westerly PUD (Marketplace at The Fountains) eastward, encompassing approximately 77.21 acres and restating all other development parameters.

As of the date of this application the developer, Atlantic North, LLC., has not hired any professionals. As the users identified in the text of this PUD are ready to move forward as soon as entitlements are secured, development will commence upon approval.

II. QUANTITATIVE DATA

The subject property encompasses approximately 77.21 acres and is mostly undeveloped as of the date of this PUD. However, if approved, the new uses would begin design with numerous others to follow.

Commencement of the renovations is intended to occur as soon as market conditions permit. Approval of the additional uses should help to increase occupancy in the center quickly as there is demand for these retail users in the community.

III. USES AND RESTRICTIONS

A.

- 1, Retail sale of food and drugs, wearing apparel, toys, sundries, and notions, books and stationary, leather goods and luggage, jewelry, art, cameras, or photo supplies, sporting goods, hobby shops and pet shops, musical instruments, floors, door shops, delicatessens, bakeries, home furnishings and appliances, office equipment, furniture, antiques, hardware, and movie theaters. New and used automobiles, as well as parts and accessories, commercial indoor recreational or entertainment facilities, hotels are allowed in the CGC land use category but not the RPI land use category.
2. Service establishments such as filling stations with automated car wash facilities, barber or beauty shops, shoe repairs, interior decorators, reducing salons or gymnasiums, art galleries, museums, dance, art or music studios, dry cleaners, tailors or dressmakers, laundries or dry cleaning pickup stations, radio and television repair shops, travel agents, employment offices, home equipment rental and sales, and similar uses. Sale and service of tires and minor auto repair are allowed in the CGC land use category but not in the RPI land use category.
3. Multi-family dwellings (Shall not be the sole use and shall not exceed 80% of the development)
4. Banks (including drive-through tellers), loan companies, mortgage brokers, stockbrokers, and similar financial institutions, and indoor/or outdoor automated teller machines.

5. All types of professional and business offices, including veterinarians (but not animal boarding kennels).
6. Nurseries and garden shops selling plants, gardening and landscaping materials, equipment and supplies, outdoor retail sales of holiday items, all of these including permanent or temporary outdoor sales and displays.
7. Daycare centers or care centers meeting the performance standards and development criteria set forth in the Zoning Code.
8. Establishments or facilities which include the retail sale and service of beer or wine for off-premises consumption or for on-premises consumption with the service of food which is ordered from a menu and prepared for consumption on premises.
9. Establishments or facilities which include the retail sale or service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both, including permanent or restricted outside sales and service, meeting the performance standards and development criteria set forth in the Zoning Code.
10. Restaurants with the outside sale and service of food, including drive-up and or drive-through service, meeting the performance standards and development criteria set forth in the Zoning Code.

B. Limitations. Sale, service display preparation and storage shall be conducted within an enclosed building except as provided for herein; All other uses permitted by right or permissible by exception within the CCG-1 Zoning District under the Zoning Code shall be allowed within the CGC land use category of this PUD through the minor modification process, with a revised Site Plan to evaluate the internal and external compatibility of such proposed uses. Not all uses in the CCG-1 Zoning District are permissible in the RPI land use category

IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The rezoning to PUD will permit a seamless integration between the two PUD's with the dividing line being moved to Marketplace Drive to avoid the zoning line bifurcating a parcel or building. Again, the uses are consistent with the original intent of the previous PUD and are appropriate given the nature of the property and its proximity to a regional interchange.

The subject property will be operated and maintained by its owner or owners, with input and support of the building tenants.

V. DESIGN GUIDELINES

A. Lot requirements:

1. Minimum lot area: None, except as otherwise required for certain uses.
2. Minimum lot width: None, except as otherwise required for certain uses.
3. Maximum lot coverage: None, except as otherwise required for certain uses.
4. Minimum front yard: None.
5. Minimum side yard: None.
6. Minimum rear yard: 10 feet or as currently built,
7. Maximum height of structures: Fifty (50) feet; provided however that height may be unlimited where the building is set back on all sides not less than one horizontal foot for each six vertical feet in excess of fifty feet, and where the structure is not in conflict with the Craig Field AICUZ.

B. Architecture:

1. *Storefront design:* Display windows and shop entrances will be coordinated to create attractive storefronts and entice shoppers along the "shopping path," inviting them to cross at the roadway or parking field and experience other parts of the center, and reinforcing the character and image of the center.
2. *Storefront facade components:* Basic design concepts of the center will reflect a level of quality and attention to detail. The following are examples of best practices to create a theme wherein the basic commercial store front facade should consist of:

(a) *Building size over 20,000 square feet:* Buildings should have architectural details including faux windows and variations in wall planes, creating relief of large masses and offering areas for landscaping, planters and hardscape features. Efforts should be made to mitigate large wall areas (the "big box" effect), and the building architecture should include a base, and top, incorporating the use of arches, arcades, colonnades or display windows adorning primary facades.

(1) Use contrasting banding, pilasters, facade fenestration, etc.

(2) Materials should include a combination of standard color brick, split face colored or painted concrete block, and stucco.

(3) Flat roofs with parapets should have contrasting colored caps. Cornices are encouraged, including molded and projecting horizontal members that crown and reflect the style of the building. Varied roof configurations, expressed above the cornice, are likewise encouraged.

(b) *Building size up to 20,000 square feet:* Buildings should have architectural details such as contrasting banding, pilasters, facade fenestration, etc.

(1) Window awnings should be used where appropriate.

(2) Materials should include a combination of standard color brick, split face colored or painted concrete block, and stucco.

(3) Pitched or mansard roofs are encouraged, with standard color tile or standing-seam metal surfaces.

3. *Fencing:* All fencing shall be black or green ornamental metal; no chain-link fence shall be used.

C. Signs

1. *Overall development:* Two (2) freestanding signs will be allowed along the Atlantic Boulevard street frontage, and one (1) freestanding sign will be permitted at the Marketplace entrance where it intersects with the Withrow Road.

(a) *Style:* Signs will be monument style only.

(b) *Materials:* Materials will include a combination of standard color brick, split face colored concrete block, stucco and ornamental and structural metals.

(c) *Maximum height:* 35 feet, including project identification.

(d) *Maximum signface area:* 200 square feet, excluding project identification.

(e) *Minimum spacing:* 200 feet.

(f) *Illumination:* Internally illuminated.

2. *Outparcels (single tenant):* One (1) freestanding sign will be allowed per street frontage.

(a) *Style:* Signs will be monument style only.

(b) *Materials:* Materials will include a combination of standard color brick, split face colored concrete block, stucco and ornamental and structural metals.

- (c) *Maximum height:* 12 feet.
- (d) *Maximum sign/face area:* 50 square feet.
- (e) *Minimum spacing:* 100 feet.
- (f) *Illumination:* Internally illuminated.

3. *Outparcels (multiple tenant):* One (1) freestanding sign will be allowed per street frontage.

- (a) *Style:* Signs will be monument style only.
- (b) *Materials:* Materials will include a combination of standard color brick, split face colored concrete block, stucco and ornamental and structural metals.
- (c) *Maximum height:* 17 feet.
- (d) *Maximum signface area:* 100 square feet.
- (e) *Minimum spacing:* 100 feet.
- (f) *Illumination:* Internally illuminated.

4. *Wall signs:* Wall signs will be permitted on every face of outparcel buildings, and on each face of all other buildings oriented toward a roadway or parking area.

- (a) *Maximum text height:* 4 feet (larger text may be permitted for buildings greater than 40,000 square feet, with the approval of the Planning and Development Department).
- (b) *Maximum signface area:* Ten percent (10%) of the surface area of the wall on which the sign is located (or ten percent (10%) of the occupancy frontage).
- (c) *Illumination:* Internally illuminated.

5. *Directional signs:*

- (a) *Maximum height:* 3 feet.
- (b) *Maximum signface area:* 4 square feet.
- (c) *Illumination:* Internally illuminated.
- (d) *Logos:* Logos are permitted on directional signs.

D. Landscaping

1. Except as otherwise approved by the Planning and Development Department, all parcels and sub-parcels shall be landscaped and maintained by the owners thereof in accordance with Chapter 656, Part 12 of the Zoning Code.
2. Any perimeter landscaping required between the parcels may vary from the strict requirements of the Zoning Code, and may instead be relocated to alternative locations within the site.

E. Illumination

Lighting for parking lot areas shall be appropriately shielded to minimize trespass lighting and skyglow effects, and all pole-mounted lights less than twenty-five (25) feet in height shall include decorative fixtures compatible with the surrounding street furniture shall be oriented so as to localize illumination onto the project to the greatest extent possible.

F. Vehicular and Pedestrian Access

Connection locations for vehicular access shall be permitted as depicted on the Site Plan, with the exception of the potential for a future connection point to the northwest. Prior to this access point being provided the immediately adjoining owner(s) of this portion of the PUD will be required to apply for and obtain a Minor Modification to this PUD, allowing for consideration of the additional traffic and associated impacts to the development.

Pedestrian circulation shall be provided in accordance with the City of Jacksonville 2030 Comprehensive Plan in order to:

- (a) Create interconnection of all buildings, internal and external sidewalks providing an inward focus for pedestrians while promoting a safe and well landscaped promenade;
- (b) Provide pedestrian plazas;
- (c) Use wide and shady sidewalks to the extent consistent with the other requirements of this is PUD and City engineering standards;
- (d) Enhance landscaping to promote a park-like setting; and
- (e) Uses appropriate site furniture (e.g. benches, trash receptacles, etc.).

VI. 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 existing and proposed uses within the Property, and showing the general layout of the overall property.

VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASIFICATION 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. The PUD is more efficient than would be possible through strict application of the City of Jacksonville Land Use Regulations.

B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area as well as the marketability of the community.

C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan for CGC land use.

VI. PUD REVIEW CRITERIA

A. Consistency with Comprehensive Plan. According to the Future Land Use Map series (FLUMs) of the 2030 Comprehensive Plan, the designated land use categories are Community General Commercial (CGC) and Residential Professional Institutional (RPI), which allows for the above listed uses. If the PUD is approved, the site will be consistent with the CGC and RPI land use categories and the Comprehensive Plan.

B. Consistency with the Concurrency Management System. The Property Will be developed in accordance with the rules of the City of Jacksonville Mobility and Concurrency Management System Office (CMMSO).

C. Allocation of Commercial Land Use. The project is intended to be primarily a commercial development. However, as multi-family uses have been successful in the eastern PUD it is anticipated that additional residential uses could be accommodated within this new PUD.

D. Internal Compatibility/Vehicular Access. The PUD is intended to ensure the suitability and sustainability of the site for commercial users. That being said, any future multi-family will be appropriately sited and accessible from the internal roadways.

E. External Compatibility/Intensity of Development. This project allows for commercial and residential uses in keeping with nature of the corridor and other development along the heavily traveled roadways abutting the site. All adjacent uses are compatible

F. *Recreation/Open Space.* Usable open spaces, plazas, and recreation areas will be available as per the goals and objectives of the Comprehensive Plan or as otherwise approved by the Planning and Development Department.

G. *Impact on Wetlands.* Development that would impact wetlands will be permitted through the local, state, and federal agencies with jurisdiction.

H. *Listed Species Regulations.* No listed species exist on the property. .

I. *Off-Street Parking and Loading Requirements.* Unless otherwise agreed to by Planning and Development Department, development of the property will comply with the city's off-street parking and loading requirements set forth in Part 6 of the City of Jacksonville Zoning Code.

J. *Sidewalks, Trails, and bikeways.* Sidewalks will be provided and are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

K. *Stormwater Retention.* Retention shall meet the requirement of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District.

L. *Utilities.* JEA will provide all utilities.

VII. **GOALS AND POLICIES**

Specifically, the PUD complies with the Goals, Objectives, and Policies of the Comprehensive Plan, Future Land Use Element:

POLICY 3.2: Continue to promote and sustain the viability of existing and emerging commercial and industrial area in order to achieve an integrated land use fabric which will offer a full range employment, shopping, and leisure opportunities to support the City's residential area.

POLICY 3.2.2. – The City shall promote the infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.