

# **EXHIBIT D**

## **WRITTEN DESCRIPTION Mc Cormick Station PUD December 1, 2014**

### **I. PROJECT DESCRIPTION**

The fee simple owner of the real property identified in the attached Exhibit A, RE# 161020-0800 (the "Property"), which contains approximately 2.56 acres, is currently zoned Rural Residential (RR) and designated Low Density Residential (LDR) on the City's 2030 Comprehensive Plan Future Land Use Map series. The site is a remnant tract being too small for residential uses and more appropriate for convenience retail commercial activity.

The Property is located along the south side of Mc Cormick Road and near the intersection of Kernan Boulevard, is encumbered by a large easement area for JEA transmission lines that run southward along Kernan. The site is vacant and is wrapped on two of its three sides by a large institutional use (house of worship) currently designated LDR/RR. This worship facility and private school occupy almost 33 acres with approximately 56,000 square feet of developed space including the sanctuary and classrooms. The parcel is bounded on the north by McCormick Road and on the west by the previously mentioned power lines and Kernan Boulevard. The parcel is yet undeveloped and has no significant or unique characteristics, variation of elevations or natural features. Again, it is worth noting that the parcel is undersized to accommodate any realistic residential activity and access to the site is limited to right in and right out only due to the extended turning bays associated with the existing 4 lane Kernan Boulevard and the five lane Mc Cormick Road, both being 150 foot wide rights of ways

The applicant has utilized the professional services of Mr. Paul Harden, Esquire in preparing this request. No other professionals have yet been engaged.

The PUD is intended to permit the site to be developed in a convenience oriented commercial manner with retail sales, a filling station, and a car wash. As the site is located at the intersection of two major collector roadways, being inappropriate for residential uses and is of inadequate size to reasonably accommodate such use only commercial users will have interest in such an infill parcel. Further, the institutional use acts to buffer any elements of the development that would otherwise affect the residential uses lying further to the south and east. It is appropriate to permit limited scale commercial uses at such locations, especially where the surrounding uses create a transitional land uses and the same would further the goals, objectives and policies of the plan.

Imposition of a conventional zoning district may permit uses, externalities or building patterns that are inappropriate given the lesser intensive uses extending from this major intersection. The PUD zoning will afford an appropriately scaled and context sensitive development that will permit the property to be utilized in an efficient and productive manner while protecting the surrounding uses.

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 retail commercial development limited to not more than 7,000 square feet of retail use, including the operation of a filling station and an accessory car wash facility of not more than 800 square feet.

This project will be developed in consonance with the goals and objectives of the Community General Commercial 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 as soon as possible 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. Construction would be intended to commence immediately upon approval of the zoning and engineering entitlements.

## II. USES AND RESTRICTIONS

The Property currently consists of one parcel but may be further divided as initially depicted on the Site Plan dated October 31, 2014 (the “Site Plan,” which is incorporated herein by this reference).

### A. *Permitted Uses:*

1. Commercial retail uses such as
  - i. Commercial retail sales and service establishments
  - ii. Filling stations with car wash facilities
  - iii. Banks, including drive thru tellers, savings and loan institutions and similar uses
  - iv. Professional and business offices and clinics
  - v. An establishment or facility which includes the retail sale and service of beer or wine for on-premises conjunction with a restaurant or off premises consumption in conjunction with another permitted use. This use shall not be subject to the distance limitations for off-premises consumption of Part 7 of the Zoning Code. The portion of the property utilized by the House of Worship is more than 500 feet from the closest boundary of the subject property.

All above uses consistent with the site development standards established herein and as depicted on the Site Plan attached to this application (Exhibit “E”).

- B. Permissible uses – Commercial uses permissible by exception shall include the following:

- i. Those Permissible uses listed in the Zoning Code as amended from time to time in the CCG-1 Zoning District
- C. Accessory uses shall be as outlined in the Zoning Code and consistent Section 656.403 of the Zoning Code.

### **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 2,000 square feet

Lot Width – minimum of 70 feet

Yards -  
Front: 20 feet  
Side: 0 feet  
Rear: 10 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures:* 40%
3. *Maximum height of structures:* Thirty (30) 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 Kernan Boulevard and one sign of the same dimensions shall be permitted along Mc Cormick Road. These signs shall be a minimum of 200 feet apart.

*Illumination:* internal lighting will be permitted.

*D. Site Design and Landscaping.*

1. As the adjacent property is developed as a house of worship, with an expansive structure located in the easterly portion of the property and as a substantial tree buffer exists along the south and easterly boundaries of the subject property the conventional Uncomplimentary Buffer Area of the Zoning Code would be sufficient to promote appropriate transition and screening between those boundaries. In sum with more than 300 feet of extensive vegetation to the south of the subject property, and another 750 feet of similar treed areas extending to the east, it would be difficult to imagine externalities of the permitted uses negatively affecting that portion of the property utilized by the house of worship.
2. Similarly, the access points and structures proposed for the subject property are oriented toward the major intersection and away from the south and east..
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 subject property is designed to orient all activity back to the major roadways and the intersection of Kernan Boulevard and McCormick Road.

**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 undeveloped property for a mix of uses that will coexist while acting as a transition between the node of two major roadways, Kernan Boulevard and McCormick Road. This PUD is designed to increase the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. The project seeks to locate supportive uses at a node and in proximity to residential communities that require such convenience retail and services. These type of uses can act to reduce Vehicle Miles Traveled (VMT) for the residents in the vicinity. This PUD:

Differs from the conventional applications of the CCG-1 District of the Zoning Code by limiting the permitted uses on the property, vastly reducing the allowable development potential, heights, and massing otherwise permitted, permitting reductions of otherwise

inappropriate buffers and distance separations from other uses and mandates orientations of the buildings, site lighting that reduce the impacts of such activity.

It 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 suburban based, do not convey a sense of place, and which do not act to promote infill of properties in nodal areas;

Represents an appropriate 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. Objective 2.10
2. Goal 3
3. Objective 3.2
4. Policy 3.2.4
5. Policy 3.2.6
6. Policy 3.2.7

## **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 LDR pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. The applicants are seeking a Land Use Amendment to the CGC Category to permit uses and intensities consistent with the proposed in the PUD.
- 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.* The proposed PUD is intended to permit convenience oriented retail and a filling station with a car wash. No residential uses are proposed.

- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Kernan Boulevard as well as from the connection road that is shared with the property to the north. All access points will be reviewed and approved by the City of Jacksonville.
- E. *External Compatibility/Intensity of Development.* The intent of the development is to allow for the commercial development of the property at a limited intensity that is appropriately situated and screened from the surrounding institutional uses and the residential developments to the south and east.
- F. The proposed development will be appropriately screened from one another and structures will be oriented in a manner that will foster an appropriate transition as well as reduce externalities otherwise associated with such uses.
- F. *Recreation/Open Space.* The PUD will permit commercial activities and therefore no recreational or open spaces are contemplated.
- G. *Impact on Wetlands.* Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. *Listed Species Regulations.* Not Applicable.
- I. *Off-Street Parking & Loading Requirements.* The parking areas shall be developed as depicted on the site plan. In the event of any conflicts between Part 6 or, Part 12 of the Zoning Code, the attached Site Plan “Exhibit E” shall prevail. It being the intent that the areas and locations depicted on the attached plan are sufficient to meet any or all of the required landscape provisions.
- J. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.
- K. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements to an already approved off-site location.
- L. *Utilities.* Electric power, water and sewer services are furnished to the Property by the Jacksonville Electric Authority.