

Exhibit “D”

**Dunn Creek Road PUD
Written Description
May 6, 2019**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: Low Density Residential (LDR)
- B. Current Zoning District: Residential Low Density-100A (RLD100-A)
- C. Proposed Zoning District: Planned Unit Development (PUD)
- D. Proposed Land Use Designation: Neighborhood Commercial (NC)
- E. Real Estate Number: 106509-0010
- F. Development Area: Suburban Development Area

II. SUMMARY AND PURPOSE OF THE PUD

Oceanway Property Development, LLC (the “Applicant”) proposes to rezone approximately 6.16 acres of property from RLD-100A to PUD to allow for limited Commercial Neighborhood (CN) type uses. The subject property is located along the west side of Dunn Creek Road, between New Berlin (to the south) and Arends Road (to the north). The property is more particularly described by the legal description attached hereto as **Exhibit “1”** (the “Property”).

The 2030 Comprehensive Plan Future Land Use Map designation for the Property is Low Density Residential (LDR) and it is in the Suburban Development Area. A companion Future Land Use Map Amendment Application (L-5321-18C) has been filed to change the underlying land use category to Neighborhood Commercial (NC). The PUD will be consistent with the NC category.

As shown on the Conceptual Site Plans A and B, attached hereto as **Exhibit “E,”** the Dunn Creek PUD shall include a mix of the uses allowed under the CN Zoning District as indicated in Section III below.

III. SITE SPECIFICS

The Property is currently vacant. Surrounding land use designations, zoning districts, and existing uses are as follows:

| | <u>Land Use</u> | <u>Zoning</u> | <u>Use</u> |
|-------|-----------------|----------------------------|---|
| North | LDR | RR-Acre & RLD-100A | Single-Family Residential |
| South | CGC & LDR | CO, CCG-1, PUD & RLD- 110A | Vacant Commercial, Single-Family Residential, Auto Repair & Internet Cafe |
| East | PBF, CGC & LDR | PBF-2, CCG-1 & RLD-100A | Commercial/Convenience Gas Station, Single-Family Residential |
| West | LDR | RR-Acre | Church, Utility, Single-Family Residential |

PUD DEVELOPMENT CRITERIA

IV. PERMITTED USES

This section of the Written Description addresses the items required in Section 656.341(c)(2)(ii) of the Zoning Code: Permitted Uses and Structures, Permitted Accessory Uses and Structures, Minimum Lot Requirements (width/density/area), Maximum Lot Coverage by all Buildings and Structures, Minimum and/or Maximum Yard Requirements, and Maximum Height of Structures.

As shown on the Site Plans, the PUD proposes development of one (1) central building, with two (2) additional structures, totaling not more than 60,000 square feet of Commercial Neighborhood development, along with required infrastructure, including stormwater and parking. The PUD Site Plans are conceptual only and may be subject to change, due to site characteristics and design and engineering factors. The PUD Site Plans may be modified as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.

A. Permitted Uses

Those uses permitted by right and exception under the CN Zoning District as follows:

1. Medical and dental or chiropractor offices and clinics (but not hospitals). This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
2. Professional and business offices. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
3. Neighborhood retail sales and service establishments. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.
4. Service establishments such as barber or beauty shops, shoe repair shops. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
5. Restaurants with or without drive-in or drive-through facilities. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.
6. Banks with or without drive-thru tellers and financial institutions, travel agencies and similar uses. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
7. An establishment or facility which includes the retail sale of beer or wine in sealed container for off-premise consumption, in connection with a

grocery store that has at least 10,000 square feet of retail floor space. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.

8. Libraries, museums and community centers. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.
9. Veterinarians meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
10. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
11. Pharmacies only in connection within grocery store that has at least 10,000 square feet of retail space. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.
12. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
13. Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters). This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
14. An establishment or facility that includes the retail sale and/or service of all alcoholic beverages, including liquor, beer or wine for on-premises consumption, in conjunction with a restaurant. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.
15. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M..
16. Drive-thru facilities in conjunction with a permitted or permissible use or structure. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.

B. Prohibited Uses

The following uses are prohibited: multi-family residential vertically integrated with a

permitted use on the ground floor; an establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption not in conjunction with a grocery store (as provided above); employment office; pharmacies not in conjunction with a grocery store; filling or gas stations; retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods; an establishment or facility which includes the retail sale of any alcoholic beverages including liquor, beer and/or wine for on-premises consumption not in conjunction with a restaurant; day care centers; animal boarding for household pets; laundromats; automated car washes; auto laundry; tattoo parlors; bait shops; and internet cafes.

In addition, the Applicant shall deed restrict the Property to prohibit discount variety-type or price point stores (drug store, “dollar” store, “five and dime,” such as Walgreen’s, CVS, Dollar Tree, Dollar General, Family Dollar, Big Lots, Five Below and similar stores). Such deed restriction, however, shall not apply to grocery stores such as ALDI, Walmart Neighborhood Market, and the like.

C. Permitted Accessory Uses and Structures

Accessory uses and structures, including those set forth in Section 656.403 of the Zoning Code, are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principle use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principle use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principle building. Accessory uses shall not involve operations or structures not in keeping with character of the principle use and shall be subject to the following:

1. Accessory uses shall not be located in required front or side yards except as follows:
 - a. Air conditioning compressors or other equipment designed to serve the main structure may be located in a required side yard and may be located not less than two (2) feet from the property line.
2. Land clearing and processing of land clearing debris in conjunction with on-site construction and development only shall permitted; provided, however, land clearing debris may be processed only in conformity with applicable fire codes and other chapters of the City Code to the extent those chapters are applicable.

D. Minimum lot width, Maximum lot coverage by all buildings, Minimum yard requirements and Maximum height of structures:

For the purposes of these requirements, “Lot” refers to the parent property within which the proposed building is located and “yard” refers to distance from the parent property boundary.

1. Minimum lot requirements (width and area): None.
2. Maximum lot coverage by all buildings and structures: None
3. Minimum yard requirements. All uses:
 - a. Front: Ten (10) feet.
 - b. Side: None, except there will be ten (10) feet between buildings.
 - c. Rear: Ten (10) feet.
4. Maximum height of structures: Thirty-five (35) feet.

E. **Access**

1. Two access points shall be provided from Dunn Creek Road as generally depicted on the Site Plans. The final locations are subject to review and approval of the City's Traffic Engineer.
2. The entrance roads and other internal access roads and drives may be public or private. Internal access shall be provided by reciprocal easements among the driveways of the various parcels if ownership or occupancy is subdivided among more than one person or entity.
3. Where possible, interconnectivity between the various parcels will be provided for both vehicular and pedestrian access.

F. **Vehicle and Bicycle Parking and Loading Requirements.** Off street parking and loading will be provided in accordance with Part 6 of the Zoning Code (Off-street Parking and Loading Regulations) with the following additional and superseding provisions:

1. Vehicle Parking
 - a. Parking shall be provided in accordance with the following standards (based upon parking generation studies conducted by the Urban Land Institute—ULI):

Medical and dental or chiropractor offices and clinics: Minimum 3.0 spaces per 1,000 s.f. GLA, maximum 5.0 spaces per 1,000 s.f. GLA
 - b. For Commercial uses which owners may own their sites in fee simple, required off-street parking may be provided “off-site” within the PUD and may be shared with other uses, so long as all of the uses within this portion, in their entirety, provide sufficient off-street parking for all proposed uses therein.
 - c. For all other uses not specifically addressed, the provisions of

Section 656.604, Ordinance Code apply.

- d. A modification from the requirements of Part 6 of the Zoning Code (Off-street Parking and Loading Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review of the Planning and Development Department. Grounds for such modifications include the sharing of parking among uses with parking demands at different times.

2. Bicycle Parking – Bicycle parking will comply with 656.608, City Code.

G. **Sidewalks.** The Property shall be designed to function efficiently for both cars and pedestrians, including sufficient internal and external connectivity. Internal sidewalks shall provide safe linkages between the users and amenities within the Property and will be constructed as required under the City of Jacksonville 2030 Comprehensive Plan and Jacksonville Ordinance Code.

H. **Lighting.**

Site lighting shall be designed to promote a sense of security in walkways, parking areas, open spaces, entrances, and along streets.

1. Parking areas:
 - a. Maximum height: Twenty (20) feet.
 - b. Light fixtures shall utilize partial and full cut-offs to direct the light downward and away from neighboring residential properties so as to prevent glare or excessive light on same.
2. *Buildings:* All display and landscape lighting should be directed toward the focal points and away from pedestrians and residential properties. Any lighting associated with a canopy should be recessed into the structure or otherwise integrated with the design of the canopy.

I. **Signage**

1. *Development Identity Monument Signs – Overall Site:* One (1) Development Identity Monument Sign shall be permitted within the PUD which shall be utilized to identify the overall development. This sign may be single or double sided and externally or internally illuminated or non-illuminated. This Development Identity Monument Sign shall be generally located along Dunn Creek Road. The sign will not exceed thirty three (33) feet in height and two hundred (200) square feet (each side) in area. The Development Identity Monument Sign shall contain the project name and/or logo, and may contain the names and logos of the tenants.
2. *Other Signs – Overall Site:*

- a. Wall signs are permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing the public rights-of-way, approved private street or parking lot.
 - b. Under canopy/wall blade signs are permitted. One (1) under the canopy sign/wall blade sign per occupancy is permitted not exceeding a maximum of twenty (20) square feet in area per sign; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs on the building in question, unless such sign is erected perpendicular to the building facades – blade sign.
 - c. Awning signs are permitted: One (1) awning sign per occupancy is permitted. Awning graphics shall not exceed ten (10) square feet with a maximum letter height of eight (8) inches.
 - d. Pole signs are prohibited.
3. *All signs – Overall Site:* Because all identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.

Multiple tenants within one building or a series of buildings may be identified on a single sign. For signage purposes, the PUD is to be considered as a single development without regard to property ownership boundaries. Thus, individual parcels or lots which may own their sites in fee simple may have signage anywhere within the PUD even though such signage would otherwise be considered “off-site” pursuant to the Zoning Code.

4. *Directional signs:* Directional signs for vehicles (handicapped, deliveries, no parking, directional, etc.) are permitted and shall be designed as a unified package. Directional signs indicating major buildings, common areas, various building entries, etc. are permitted. The design of these signs should reflect the character of the use and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of four (4) square feet in area per sign face. For pedestrian directional signage, such signs shall be a maximum of twenty (20) square feet per side and a maximum of twelve (12) feet in height. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

5. *Real Estate & Construction Signs:* Real estate and construction signs of a maximum of forty-eight (48) square feet in area and twelve (12) feet in height are permitted.
6. *Temporary Banner Signs:* Temporary banner signs will be permitted not to exceed fifty (50) square feet in area. The banners shall be permitted to display logos and/or the name of the project and/or owner or developer and identify sales activities. Banner signs may not be displayed for more than thirty (30) days per year.
7. *Required Signage:* Signs required by environmental permitting to be posted in common areas such as stormwater facilities shall be permitted.

J. **Landscaping/Landscaped Buffers.** Landscaping and tree protection will be provided in accordance with Chapter 656, Part 12 of the Zoning Code (Landscape and Tree Protection regulations) and Article 25 of the City of Jacksonville Charter, with the following additional and superseding provisions:

1. Landscaping standards shall be applied taking into consideration the entire use or development at issue. Landscape standards shall be applied without regard to property ownership boundaries, which may exist among individual uses.
2. A modification from the requirements of Part 12 of the Zoning Code (Landscape and Tree Protection Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.
3. A minimum of a 10-foot buffer strip/screen shall be provided as required in Section 656.1216, Zoning Code, adjacent to the neighboring single-family residential uses along the northern boundary line.
4. The Applicant shall construct a six (6) foot tall vinyl or wood fence along the northern boundary line adjacent to the existing single-family uses which will serve as an additional buffer to the project.
5. The Applicant shall construct a vegetated earthen berm and install landscaping and/or vegetation (or provide a combination thereof) adjacent to the proposed buildings along the eastern side of Dunn Creek Road (Building #3 on Conceptual Site Plan A and Building #2 on Conceptual Site Plan B) to achieve a minimum height of five (5) feet, as additional screening adjacent to the property boundary along Dunn Creek Road.

K. **Stormwater Retention.** Stormwater retention shall meet the requirements of the Jacksonville Ordinance Code and other applicable local and state regulations, including the St. Johns River Water Management District (SJRWMD).

L. **Utilities.** JEA will provide water, sewer and electricity for the Property.

M. **Wetlands.** Any development impacting wetlands will be permitted pursuant to applicable federal, state and local regulations.

N. **Construction Offices/Model Units/Real Estate Rental or Sales.** On-site, temporary construction offices/trailers/ rental or sales offices will be permitted within the PUD.

O. **Conceptual Site Plan.** The PUD shall be developed in accordance with Conceptual Site Plan A or Conceptual Site Plan B (collectively, the “Conceptual Site Plans”). These alternate site plans, allow the configuration of the development in accordance with this Written Narrative while providing options for future tenant-friendly development of the Property. The Applicant will select a site plan and notify the Planning and Development Department at the time of verification of substantial compliance. The configurations of the development as depicted on the Conceptual Site Plans are conceptual only, and revisions to either including, but not limited to, the locations of the access points, internal circulation, stormwater pond(s), mitigation of wetlands, parking, and buildings may be required as the proposed development proceeds through final engineering and site plan review, subject to review and approval of the Planning and Development Department.

P. **Phasing.** The Property may be developed in a single phase or in multiple phases. Verification of compliance or modifications may be sought for the entire Property, individual parcels, or portions of parcels, as they are developed.

Q. **Modifications.** Amendment to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as authorized by this PUD or by Section 656.341 of the Zoning Code.

R. **Pre-application conference.** A pre-application conference was held regarding this application on March 13, 2019.

S. **Justification for the PUD Rezoning.**

As described above, the PUD proposes the concept of a planned neighborhood commercial development designed to be compatible with and serve the surrounding neighborhood and communities, and create employment opportunities. The PUD will have a common scheme of development while providing restrictions to ensure consistency with the surrounding zoning and existing uses. The configuration and orientation of the proposed development, the maximum heights provided herein, and other factors including the proposed commercial densities within the PUD, are appropriate and compatible with nearby development.

T. **PUD/Difference from Usual Application of the Zoning Code**

Differentiations from the Zoning Code that are capable of being specifically set forth are outlined in the table below. Since the use proposed under this PUD are most similar to the Commercial Neighborhood (CN) zoning district, the regulations applicable for that zoning district are referenced below.

| Element | Zoning Code | Proposed PUD |
|---------|----------------------------|--------------|
| Uses | For CN § 656.312 (A) (II): | §IV(A)-(C) |

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|--|--|---|
| | <p>Commercial Neighborhood (CN) District</p> <p>(a) Permitted uses and structures.</p> <p>(1) Medical and dental or chiropractor offices and clinics (but not hospitals).</p> <p>(2) Professional and business offices.</p> <p>(3) Multi-family residential vertically integrated with a permitted use on the ground floor.</p> <p>(4) Neighborhood retail sales and service establishments, however no individual building footprint shall exceed 40,000 square feet.</p> <p>(5) Service establishments such as barber or beauty shops, shoe repair shops.</p> <p>(6) Restaurants without drive-in or drive-through facilities.</p> <p>(7) Banks without drive-thru tellers and financial institutions, travel agencies and similar uses.</p> <p>(8) Libraries, museums and community centers.</p> <p>(9) An establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption.</p> <p>(10) Veterinarians meeting the performance standards and development criteria set forth in Part 4.</p> <p>(11) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(12) Employment office (but not a day labor pool).</p> <p>(13) Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(14) Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).</p> <p>(15) Pharmacies in existence as of the effective date of Ordinance 2018-75-E shall be legally permitted uses and shall not be deemed legal nonconforming uses.</p> <p>(b) Permitted accessory uses and structures. See Section 656.403.</p> <p>(c) Permissible uses by exception.</p> <p>(1) Off-street parking lots for premises requiring off-street parking</p> | <p>Those uses permitted by right and exception under the CN Zoning District as follows:</p> <ol style="list-style-type: none"> 1. Medical and dental or chiropractor offices and clinics (but not hospitals). This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 2. Professional and business offices. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 3. Neighborhood retail sales and service establishments. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M. 4. Service establishments such as barber or beauty shops, shoe repair shops. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 5. Restaurants with or without drive-in or drive-through facilities. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M. 6. Banks with or without drive-thru tellers and financial institutions, travel agencies and similar uses. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 7. An establishment or facility which includes the retail sale of beer or wine in sealed container for off-premise consumption, in connection with a grocery store that has at least 10,000 square feet of retail floor space. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M. 8. Libraries, museums and community centers. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M. 9. Veterinarians meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 10. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 11. Pharmacies only in connection within grocery store that has at least 10,000 square feet of retail space. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M. 12. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M. 13. Art galleries, dance, art, gymnastics, fitness center, |
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| | <p>meeting the performance standards and development criteria set forth in Part 4.</p> <p>(2) Filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(3) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods.</p> <p>(4) An establishment or facility which includes the retail sale of beer or wine for on-premises consumption.</p> <p>(5) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.</p> <p>(6) Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(7) Drive-thru facilities in conjunction with a permitted or permissible use or structure.</p> <p>(8) Day care centers meeting the performance standards and development criteria set forth in Part 4.</p> <p>(9) Animal boarding for household pets, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(10) Automated Car Washes meeting the performance standards and development criteria set forth in Part 4.</p> <p>(11) Auto Laundry, meeting the performance standards and development criteria set forth in Part 4.</p> | <p>martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters). This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.</p> <p>14. An establishment or facility that includes the retail sale and/or service of all alcoholic beverages, including liquor, beer or wine for on-premises consumption, in conjunction with a restaurant. This use shall be limited to the following hours of operation: 8:00 A.M. to 8:00 P.M.</p> <p>15. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance and development criteria set forth in Part 4. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M..</p> <p>16. Drive-thru facilities in conjunction with a permitted or permissible use or structure. This use shall be limited to the following hours of operation: 6:00 A.M. to 12:00 A.M.</p> <p><u>Prohibited Uses</u></p> <p>The following uses are prohibited: multi-family residential vertically integrated with a permitted use on the ground floor; an establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption not in conjunction with a grocery store (as provided above); employment office; pharmacies not in conjunction with a grocery store; filling or gas stations; retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods; an establishment or facility which includes the retail sale of any alcoholic beverages including liquor, beer and/or wine for on-premises consumption not in conjunction with a restaurant; day care centers; animal boarding for household pets; laundromats; automated car washes; auto laundry; tattoo parlors; bait shops; and internet cafes.</p> <p>In addition, the Applicant shall deed restrict the Property to prohibit discount variety-type or price point stores (drug store, “dollar” store, “five and dime,” such as Walgreen’s, CVS, Dollar Tree, Dollar General, Family Dollar, Big Lots, Five Below and similar stores). Such deed restriction, however, shall not apply to grocery stores such as ALDI, Walmart Neighborhood Market, and the like.</p> <p><u>Permitted Accessory Uses and Structures</u></p> <p>Accessory uses and structures, including those set forth in Section 656.403 of the Zoning Code, are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principle use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principle use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principle building. Accessory uses shall not involve operations or structures not in keeping with character of the principle use and shall be subject to the following:</p> |
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| | | <p>Accessory uses shall not be located in required front or side yards except as follows:</p> <ul style="list-style-type: none"> - Air conditioning compressors or other equipment designed to serve the main structure may be located in a required side yard and may be located not less than two (2) feet from the property line. - Land clearing and processing of land clearing debris in conjunction with on-site construction and development only shall be permitted; provided, however, land clearing debris may be processed only in conformity with applicable fire codes and other chapters of the City Code to the extent those chapters are applicable. |
| Lot Requirements | <p>For CN § 656.312 (A) (II):</p> <p>Minimum lot width—75 feet Minimum lot area—7,500 square feet Maximum lot coverage by all buildings and structures. 50 percent. Minimum yard requirements</p> <ul style="list-style-type: none"> - Front—10 feet or, where the lot is adjacent to a residential district the required front yard setback of the residential district, whichever is greater. - Side—None. - Rear—Ten feet. <p>Maximum height of structures. 60 feet, provided the building height shall not exceed 45 feet when adjacent to a single family use of zoning district.</p> | <p>§IV(D)</p> <p>Minimum lot requirements (width and area): None.</p> <p>Maximum lot coverage by all buildings and structures: None</p> <p>Minimum yard requirements. All uses:</p> <p>Front: Ten (10) feet.</p> <p>Side: None, except there will be ten (10) feet between buildings.</p> <p>Rear: Ten (10) feet.</p> <p>Maximum height of structures: Thirty-five (35) feet.</p> |
| Signage | <p>§ 656.1301(c)</p> <p>Signs shall comply with the requirements of Chapters 320 and 326 and with the applicable provisions of F.S. Ch. 479. In addition, the following restrictions shall apply in the indicated zoning districts:</p> <p><i>Commercial zoning districts:</i></p> <p>CN zoning district—</p> <ul style="list-style-type: none"> (i) One street frontage sign per lot not exceeding one square foot for each linear foot of street frontage, per street, to a maximum size of 200 square feet in area for every 200 linear feet of street frontage or portion thereof is permitted, provided they are located no closer than 200 feet apart. (ii) Wall signs are permitted. <p><i>General criteria:</i></p> <ul style="list-style-type: none"> (1) Height of signs—Signs shall not exceed 50 feet in maximum height above the level of the adjacent ground, except as otherwise provided in this Chapter; provided, however that signs located in commercial and industrial zoning districts may exceed that height; | <p>§IV(I)</p> <p><i>Development Identity Monument Signs – Overall Site:</i> One (1) Development Identity Monument Sign shall be permitted within the PUD which shall be utilized to identify the overall development. This sign may be single or double sided and externally or internally illuminated or non-illuminated. This Development Identity Monument Sign shall be generally located along Dunn Creek Road. The sign will not exceed thirty three (33) feet in height and two hundred (200) square feet (each side) in area. The Development Identity Monument Sign shall contain the project name and/or logo, and may contain the names and logos of the tenants.</p> <p><i>Other Signs – Overall Site:</i></p> <ul style="list-style-type: none"> - Wall signs are permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing the public rights-of-way, approved private street or parking lot. - Under canopy/wall blade signs are permitted. One (1) under the canopy sign/wall blade sign per occupancy is permitted not exceeding a maximum of twenty (20) square feet in area per sign; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs on the building in question, unless such sign is erected perpendicular to the building |

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| | <p>provided that, the sign is located not more than 660 feet from the centerline of an interstate highway exit and not more than 660 feet from the centerline of an interstate highway; provided further the sign does not exceed 65 feet in height.</p> <p>(2) Location of signs— Notwithstanding any other provisions of the Ordinance Code to the contrary, no sign shall be located within 25 feet of any intersection of two or more right-of-way lines, nor shall any sign be located closer than ten feet from any street right-of-way; provided, however, that any flag permitted by subsection (b)(3), above, located in the CCBD zoning district shall not be subject to this ten foot set back requirement.</p> <p>(3) Changing message devices are permitted as part of any allowable sign unless otherwise prohibited.</p> <p>(4) The restrictions contained in this Part apply only to signs which can be seen unaided from any location on the ground which is not on the lot or parcel where the sign is located.</p> | <p>facades – blade sign.</p> <ul style="list-style-type: none"> - Awning signs are permitted: One (1) awning sign per occupancy is permitted. Awning graphics shall not exceed ten (10) square feet with a maximum letter height of eight (8) inches. - Pole signs are prohibited. <p><i>All signs – Overall Site:</i> Because all identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.</p> <p>Multiple tenants within one building or a series of buildings may be identified on a single sign. For signage purposes, the PUD is to be considered as a single development without regard to property ownership boundaries. Thus, individual parcels or lots which may own their sites in fee simple may have signage anywhere within the PUD even though such signage would otherwise be considered “off-site” pursuant to the Zoning Code.</p> <p><i>Directional signs:</i> Directional signs for vehicles (handicapped, deliveries, no parking, directional, etc.) are permitted and shall be designed as a unified package. Directional signs indicating major buildings, common areas, various building entries, etc. are permitted. The design of these signs should reflect the character of the use and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of four (4) square feet in area per sign face. For pedestrian directional signage, such signs shall be a maximum of twenty (20) square feet per side and a maximum of twelve (12) feet in height. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.</p> <p><i>Real Estate & Construction Signs:</i> Real estate and construction signs of a maximum of forty-eight (48) square feet in area and twelve (12) feet in height are permitted.</p> <p><i>Temporary Banner Signs:</i> Temporary banner signs will be permitted not to exceed fifty (50) square feet in area. The banners shall be permitted to display logos and/or the name of the project and/or owner or developer and identify sales activities. Banner signs may not be displayed for more than thirty (30) days per year.</p> <p><i>Required Signage:</i> Signs required by environmental permitting to be posted in common areas such as stormwater facilities shall be permitted.</p> |
| <p>Landscaping</p> | <p>Part 12, Chapter 656, Zoning Code.</p> | <p>§IV(J)(1)-(2)</p> <p>Landscaping and tree protection will be provided in accordance with Chapter 656, Part 12 of the Zoning Code (Landscape and Tree Protection regulations) and Article 25 of the City of Jacksonville Charter, with the following additional and superseding provisions:</p> <ul style="list-style-type: none"> - Landscaping standards shall be applied taking into consideration the entire use or development at issue. Landscape standards shall be applied without regard to property ownership boundaries, which may exist among individual uses. |

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| | | <ul style="list-style-type: none">- A modification from the requirements of Part 12 of the Zoning Code (Landscape and Tree Protection Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department. |
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| <p>Uncomplementary Buffers</p> | <p>§ 656.1216</p> <p>(a) Where uncomplementary land uses or zoning districts are adjacent, without an intervening street, a buffer strip shall be required between the uses or zoning districts. Such buffer strip shall be at least ten feet, except as set forth in the Parking Lot Landscaping Matrix, Figure B, set forth in Section 656.607(j), in width the entire length of all such common boundaries. The following shall constitute uncomplementary uses and zoning districts:</p> <ol style="list-style-type: none"> (1) Multiple-family dwelling use or zoning districts (three or more attached units) when adjacent to single-family dwelling(s) or lands zoned for single-family dwellings. (2) Office use or zoning districts, when adjacent to single-family or multiple-family dwellings, mobile home parks or subdivisions or lands zoned for single-family or multiple-family dwellings, mobile home parks or subdivisions. (3) Mobile home park use or zoning districts, when adjacent to single-family dwellings, multiple-family dwellings and office uses, or lands zoned for single-family dwellings, multiple-family dwellings or offices. (4) Commercial and institutional uses or zoning districts, when adjacent to single-family dwellings, multiple-family dwellings or mobile home parks or mobile home subdivision uses or lands zoned for single-family dwellings, multiple-family dwellings or mobile home parks or mobile home subdivision. (5) Industrial uses or zoning districts, when adjacent to any nonindustrial uses or zoning districts other than agricultural land uses or zoning districts. (6) Utility sites such as transmission or relay towers, pumping stations, electrical sub-stations, telephone equipment huts or other similar uses when adjacent to single-family dwellings, multiple-family dwellings, | <p>§IV(J)(3)-(4)</p> <p>A minimum of a 10-foot buffer strip/screen shall be provided as required in Section 656.1216, Zoning Code, adjacent to the neighboring single-family residential uses along the northern boundary line.</p> <p>The Applicant shall construct a six (6) foot tall vinyl or wood fence along the northern boundary line adjacent to the existing single-family uses which will serve as an additional buffer to the project.</p> |
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| | <p>mobile homes, offices, institutional uses or zoning districts or adjacent to public or approved private streets.</p> <p>(7) On property zoned for government use, the proposed government use most similar to the land uses or zoning districts specified above shall determine the buffer standards.</p> <p>(b) Buffer material requirements shall be as follows:</p> <p>(1) Tree count. The total tree count required within the buffer strip shall be determined by using a ratio of one tree for each 25 linear feet of required buffer strip, or majority portion thereof, with a minimum of 50 percent of the trees being shade trees. Trees shall be spaced so as to allow mature growth of the trees, but spaced no greater than 40 feet on center.</p> <p>(2) Ground cover. Grass or other ground cover shall be planted on all areas of the buffer strip required by this Section which are not occupied by other landscape material.</p> <p>(3) Visual screen. A visual screen running the entire length of common boundaries shall be installed within the buffer strip, except at permitted access ways. The visual screen may be a wood, wood composite, or masonry wall, PVC fence, landscaping, earth mounds or combination thereof so long as such strips shall provide at the time of installation a minimum of 85 percent opacity for that area between the finished grade level at the common boundary line and six feet above such level and horizontally along the length of all common boundaries. Plants or preserved vegetation shall be evergreen, a minimum of five feet tall at the time of installation, and spaced so that 85 percent opacity is achieved within two years. Earth mounds shall not exceed a slope of three to one. If a visual screen, which satisfies all applicable standards, exists on adjacent property abutting</p> | |
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| | <p>the property line or exists between the proposed development on the site and the common property line, then it may be used to satisfy the visual screen requirements. Except for industrial uses or ones, whenever a preserve area or water body at least 100 feet wide when measured perpendicular to the property line separates the uncomplementary uses, then the visual screen height requirement shall be reduced to three feet and the buffer strip width shall be reduced to five feet, when measured from the top of the lake bank or the jurisdictional wetland edge. If a plant is used for the visual screen, it shall be a minimum height of 24 inches at the time of installation.</p> <p>(4) Prevailing requirement. Whenever parcels of land fall subject to both the perimeter landscaping requirements and the uncomplementary land use buffer strip requirements of the article, the latter requirements shall prevail.</p> <p>(5) Hardship. If the Chief determines that the construction of a landscape buffer area required by this article would create a hardship for the existing structures or vehicular use areas, the Chief may approve a buffer area with a width no less than five feet, provided such buffer area meets the visual screening requirements of this article.</p> <p>(c) The buffer strip shall not be used for principle or accessory uses and structures, vehicular use areas, dumpster pads, signs, equipment, storage. Slopes within buffer strips shall not exceed four to one.</p> <p>(d) If a water body exists along the common property line between uncomplementary uses which is less than 100 feet wide when measured perpendicular to the property line then the buffer strip shall be established between the use and the water body. Preserve areas may be used as buffer strips, so long as the tree and visual screen requirements can be satisfied.</p> | |
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| <p>Parking for Vehicles</p> | <p>§ 656.604</p> <p>Off-street parking spaces shall be provided and maintained in all districts. The parking standards provided herein are minimum requirements, however, except as set forth in subsections (e) and (f) below, the maximum number of off-street parking spaces permitted for any use shall be the minimum required plus 20 percent of the required spaces for parking lots with less than 100 spaces, or ten percent of the required spaces for parking lots with more than 100 spaces. There shall be no maximum number of off-street parking spaces for single-family dwellings. Parking spaces located in parking garages do not apply toward the determination of the maximum number of parking spaces. Additional increases in parking, beyond the allowed, shall require an Administrative Deviation and parking demand analysis.</p> <p><i>Institutional uses:</i></p> <p>Churches—One space for each three seats in a sanctuary or chapel area, or one space per 35 square feet of gross floor area in the main auditorium, whichever is greater.</p> <p>Art galleries, libraries and museums—One space for each 500 square feet of gross floor area.</p> <p><i>Schools, educational uses and care centers:</i></p> <p>Dance, art and music studios—One space for each 300 square feet of gross floor area.</p> <p>Vocational, trade and business schools—One space for each 300 square feet of gross floor area.</p> <p><i>Assembly, recreational and similar uses:</i></p> <p>Restaurants—One space for each four patron seats (including indoor and outdoor patron seating) plus one space for each two employees on a peak hour shift.</p> <p><i>Office and professional uses:</i></p> <p>Professional and business offices, including medical and dental offices or clinics—Three spaces for each 1,000 square feet of gross floor area. There shall be a maximum of six spaces for</p> | <p>§IV(F)(1)</p> <p>Off street parking and loading will be provided in accordance with Part 6 of the Zoning Code (Off-street Parking and Loading Regulations) with the following additional and superseding provisions:</p> <ul style="list-style-type: none"> - Parking shall be provided in accordance with the following standards (based upon parking generation studies conducted by the Urban Land Institute—ULI): - Medical and dental or chiropractor offices and clinics: Minimum 3.0 spaces per 1,000 s.f. GLA, maximum 5.0 spaces per 1,000 s.f. GLA - For Commercial uses which owners may own their sites in fee simple, required off-street parking may be provided “off-site” within the PUD and may be shared with other uses, so long as all of the uses within this portion, in their entirety, provide sufficient off-street parking for all proposed uses therein. - For all other uses not specifically addressed, the provisions of Section 656.604, Ordinance Code apply. - A modification from the requirements of Part 6 of the Zoning Code (Off-street Parking and Loading Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review of the Planning and Development Department. Grounds for such modifications include the sharing of parking among uses with parking demands at different times. |
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| | <p>each 1,000 square feet of gross floor area.</p> <p><i>Commercial uses:</i></p> <p>Business, commercial or personal service establishments (not otherwise listed)— Three spaces for each 1,000 square feet of gross floor area. There shall be a maximum of six spaces for each 1,000 square feet of gross floor area.</p> | |
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U. **Continued Operation of Common Areas.** Regarding the intent for the continued operation and maintenance of those areas and functions and facilities which are not to be provided, operated, or maintained by the City of Jacksonville or other public entity: it is the Applicant’s intent for the Applicant or successor developer to operate and maintain these matters initially and, ultimately, for an owners’ association to operate and maintain these matters in perpetuity.

V. **Approximate Dates of Phases.** Construction of the horizontal improvements is anticipated to be completed approximately in 2020. Construction of the Commercial uses will be initiated when needed and feasible and will be completed within a reasonable time thereafter.

W. **Names of Development Team**

Developer/Owner: Oceanway Property Development, LLC
Planner/Engineer: Matthews Design Group
Architects: TBD

X. **Land Use Table**

A Land Use Table is attached hereto as **Exhibit “F.”**

V. **PUD REVIEW CRITERIA**

A. **Consistency with the Comprehensive Plan:**

The proposed development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained therein, including:

FLUE Policy 1.1.2: As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

FLUE Policy 1.1.5: The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

FLUE Policy 1.1.7: Future rezonings shall include consideration of how the rezoning furthers the intent of FLUE Policy 1.1.5.

- See the response above.

FLUE Policy 1.1.9: Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

- Upon approval of the companion Future Land Use Amendment Application to Neighborhood Commercial, the proposed use will not exceed the densities and intensities established in the Future Land Use Element.

FLUE 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.

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 1.1.18: Prohibit scattered, unplanned, urban sprawl development without provisions for facilities and services at levels adopted in the 2030 Comprehensive Plan in locations inconsistent with the overall concepts of the Future Land Use Element and the Development Areas and the Plan Category Descriptions of the Operative Provisions.

- As set forth in the letter from JEA and as determined by the City staff, facilities and services are available to serve the site and the proposed use.

FLUE 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.

FLUE Policy 1.2.9: Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is

available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Policy 2.2.8: Encourage the redevelopment and revitalization of run-down and/or under-utilized commercial areas through a combination of regulatory techniques, incentives and land use planning. Adopt redevelopment and revitalization strategies and incentives for private reinvestment in under-utilized residential and/or commercial areas where adequate infrastructure to support redevelopment exists.

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 3.2.4: 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.

FLUE Goal 3: To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

FLUE 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.

FLUE Objective 6.3: The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

- The proposed use is infill development on vacant land. Infrastructure, utilities and public facilities are available to serve the site. And, the proposed development will fill a need for the residential occupants in the area.

B. **Consistency with the Concurrency Management System:** The PUD will comply with the Concurrency and Mobility Management System.

C. **Internal Compatibility/Vehicular Access:** The PUD provides for integrated design and compatible uses within the PUD.

D. **External Compatibility/Intensity of Development:** The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses. The PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.

E. **Maintenance of Common Areas and Infrastructure:** All common areas will be maintained by the owner, a management company or one or more owners or owners' association(s).

F. **Usable Open Spaces, Plazas, Recreation Areas:** The PUD will provide a minimum of 10% of the Property in open space in accordance with Policy 2.2.1-Recreation and Open Space Element (ROS).

G. **Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

H. **Listed Species Regulations:** The Property is approximately 6.16 acres and, as such, a listed species survey is not required.

I. **Off-Street Parking Including Loading and Unloading Areas:** The PUD provides ample off street parking.

J. **Sidewalks, Trails, and Bikeways:** The PUD provides pedestrian connectivity within the site.