

EXHIBIT 3

PUD Written Description

**Old St. Augustine Road Commercial PUD
January 27, 2022**

City Development Number: TBD

I. PROJECT DESCRIPTION

A. General Information

The project will be named the “Old St. Augustine Commercial PUD” (the “PUD”). The subject property of this Application for Rezoning from the original PUD under Ordinance 90-25-142 to updated Planned Unit Development (the “PUD Rezoning”) consists of Real Estate #155665-0000 for a total of 0.66+/- acres (the “Property”). The Property is currently vacant.

The Property is currently zoned PUD and carries a future land use designation of RPI. (Please see Zoning and Land Use maps at Exhibit “I”).

The proposed uses for the Property are consistent with the proposed PUD zoning district, as set forth in the City of Jacksonville Zoning Code (the “City’s Zoning Code”). Except where otherwise specifically stated, all references to the City’s Zoning Code in this PUD Exhibit “D” Written Description shall refer to the provisions of Chapter 656 of the City of Jacksonville Ordinance Code in effect at the time of the Planned Unit Development (“PUD”) approval, and not of any future amendments thereof.

B. Purpose of Rezoning Request

The purpose of this rezoning is to create a PUD zoning district for the Property that better promotes a unified, symbiotic development at build out by blending it with the requirements and permitted uses of the current neighboring zoning districts. Additionally, at this time the PUD Rezoning primarily seeks to permit the development of a restaurant with drive through service options along with outdoor seating not to exceed a capacity of 60 seats.

C. Location

The Property is located on the eastern side of Old St. Augustine Road between Livingston Road and 11001-1 Old St. Augustine AP. The Property is bordered along its western boundary by Old St. Augustine Road.

D. Surrounding Properties

Surrounding existing uses, future land use map (“FLUM”) designations and zoning districts are as follows:

	<u>EXISTING USES</u>	<u>FLUM DESIG.</u>	<u>ZONING DISTRICT</u>
SOUTH	Wachovia Bank immediately adjacent to Property; fast food restaurant immediately south of Wachovia Bank.	RPI	PUD

EAST	Multi-family apartment complexes	RPI	RMD-D
NORTH	Augustine Rd Charter School	RPI	CRO
WEST	Mandarin Central Plaza, LLC	CGC	CCG-1

E. Project Professionals

The names of the professional project planner(s), architect(s), engineer(s) and developer(s) are as follows:

Fred Atwill, Jr. Planner
 Atwill LLC
 9001 Forest Acres Lane
 Jacksonville, Florida 32234

Architect: TBD

Engineer: TBD

Developer: TBD

II. USES AND RESTRICTIONS

A. Permitted Uses

- (a) Professional and business offices.
- (b) Banks, savings and loans institutions and similar uses.
- (c) Art galleries, museums, community centers, dance, art or music studios.
- (d) Off street commercial parking lots, meeting the performance standards development criteria set forth in Part 4 of the City's Zoning Code ("Part 4").
- (e) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (f) Drive thru facilities in conjunction with a permitted or permissible use or structure.
- (g) Fast food restaurant with drive throughs featuring outdoor seating not to exceed 60 seats.
- (h) Banking ATM Services.

B. Permitted accessory uses and structures

Permitted accessory uses and structures shall be in accordance with Section 656.403 of the City's Zoning Code.

C. Permissible Uses by Exception

- (a) Day care centers or care centers meeting the performance standards and

development criteria set forth in Part 4.

III. **DESIGN GUIDELINES**

A. **Lot Requirements**

- (a) ***Minimum lot area:*** None, except as otherwise required for certain uses.
- (b) ***Maximum lot coverage:*** 50 percent.
- (c) ***Minimum lot width:*** 75 feet.
- (d) ***Minimum lot area:*** 7,500 square feet, except as required for certain uses.
- (e) ***Minimum front yard:*** Twenty (20) feet.
- (f) ***Minimum side yard:*** Ten (10) Feet.
- (g) ***Minimum rear yard:*** Ten (10) feet.
- (h) ***Maximum height of structures:*** Forty-five (45) feet, with the exception of cell towers and any other tower that accommodates a permitted use in this PUD, spires, antennas, chimneys or other appurtenances not intended for human occupancy, any and all of which may exceed the maximum allowable height of forty-five (45) feet.

B. **Access and Circulation**

- (a) ***Parking Requirements:*** The parking requirements shall be consistent with Part 6 of the City's Zoning Code.
- (b) ***Vehicular Access:*** Vehicular access to the Property shall be by way of Old St. Augustine Road as indicated on the Conceptual Site Plan at Exhibit "G". The location of the access points shown on Exhibit "G" are conceptual and may be subject to realignments and/or relocations as the development occurs, subject to the approval of the Planning and Development Department during its Site Plan Review process.
- (c) ***Pedestrian Access:*** Pedestrian access shall be provided by existing sidewalks along Old St. Augustine Road and internal sidewalk facilities installed in accordance with the 2030 Comprehensive Plan.

C. **Signs**

- (a) ***Street Frontage Signage:*** One (1) street frontage pylon sign, not to exceed sixty-three square feet, is permitted, provided such signage is non-illuminated and/or ground lighted, as provided by the City's Zoning Code. Such freestanding signage shall be of a pylon style or as otherwise approved by the Planning and Development Department, not to exceed twelve (12) feet in height, and shall have architectural elements and design consistent with the buildings with which they are associated (please see Exhibit "J").

- (b) *Wall Signage:* 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.
- (c) *Canopy Signage:* One (1) under-the-canopy sign per occupancy, not exceeding a maximum of eight (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 subject building.
- (a) *Directional Signage:* Directional signs shall not exceed four (4) square feet.

D. Landscaping and Buffers

This PUD shall be developed in accordance with Part 12, Landscape Regulations, of the City's Zoning Code.

The configuration of the retention system is designed to buffer adjacent uses and to provide for transition between boundaries. Further, a fence, wall or evergreen hedge no less than six (6) feet in height that is at least 85% opaque may be provided by the developer in conjunction with the vertical development of the Property. The fence, wall or evergreen hedge may be located along the southeasterly boundary lines of the Property as identified on the attached Exhibit "G".

E. Recreation and Open Space

Not applicable.

F. Utilities

The Property will be served by the Jacksonville Electric Authority with potable water, sanitary sewer and electric services (please see JEA Availability Letter at Exhibit "H").

G. Wetlands

Wetlands will be permitted according to local, state and federal requirements.

IV. 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 then existing and proposed uses within the overall Property, and showing the general layout of the overall Property.

The plans and other visual illustrations in this PUD Rezoning are conceptual. The Conceptual Site Plan, as submitted, reflects the best current thinking and planning for the site. It is possible, however, that revisions to the Conceptual Site Plan, including, but not limited to, types of use, access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review. Future changes will be subject to further review and approval by the Planning and Development Department.

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

The Old St. Augustine Road Commercial PUD is consistent with the general purpose and intent of the City of Jacksonville's 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community by creating new and varied employment opportunities and will provide an additional dining option for nearby residents and pass by patrons.

The Old St. Augustine Commercial PUD is more efficient than would be possible through strict application of the Zoning Code because it allows and encourages compatible, flexible uses that promote a continuity of purpose and use for the overall area. By modifying the use limits mandated by the current zoning and land use designations for the Property, the proposed PUD better reflects the general intent of the City's 2030 Comprehensive Plan's Future Land Use Element's direction for Neighborhood Commercially classified districts which are characterized by mixed uses that serve as transitional areas between residential areas and specifically zoned commercial development existing within the City and its diverse set of neighborhoods.

The proposed PUD will promote the purposes of the City of Jacksonville's 2030 Comprehensive Plan by contributing to the Plan's requirements for nodal development and will likely serve to reduce the number of local Vehicle Miles Traveled ("VMT") by offering jobs, dining options and services benefitting area residents. The project will be compact and well connected, and is in a place where it will support multimodal transportation. The Old St. Augustine Commercial PUD supports the Plan's desired concept of nodal development, given its location adjacent to a major neighborhood-oriented shopping center directly across Old St. Augustine Road and nearby the major roadway intersection/interchange of I-295 and Old St. Augustine Road.

VI. **PUD REVIEW CRITERIA**

A. **Consistency with Comprehensive Plan**

The proposed uses presented in this PUD Rezoning are consistent with the goals, objectives and policies of the 2030 Comprehensive Plan according to its future land use map designations and its current zoning designations. Specifically, this proposal is consistent with the following City of Jacksonville 2030 Comprehensive Plan Future Land Use Element's Policies under its Objective 1.1:

(1) 1.1.5. 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.

(2) 1.1.6. 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.

(3) 1.1.8. Require that all new non-residential projects be developed in either nodal areas, in appropriate commercial infill areas, or as part of mixed or multi-use developments such as Planned Unit Developments (PUDs), cluster developments, Traditional Neighborhood Design (TND) developments and Local Designated Historic Preservation Districts, as described in this Element.

(4) 1.1.10. 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.

(5) 1.1.11. Ensure that mixed and multi-use projects enhance, rather than detract from, the character of the established developed areas by requiring site plan-controlled zoning such as Planned Unit Developments (PUDs) for all mixed and multi-use projects conforming with the following criteria:

- a) The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use.**
- b) The proposed development is in conformity with the goals, objectives, policies and operative provisions of this and other elements of the 2030 Comprehensive Plan; and**
- c) The proposed development is compatible with surrounding land uses and zoning.**

(6) 1.1.16. Prohibit scattered, unplanned, urban sprawl development without provisions for facilities and services adopted in the 2030 Comprehensive Plan in locations inconsistent with the overall concepts of the Future Land Use Element.

(7) 1.1.18. Limit urban scale development to the Urban and Suburban Areas of the City, as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services....

(8) 1.1.20. 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.

(9) 1.1.23. The City will encourage the use of such smart growth practices as:

- a) Interconnectivity of transportation modes and recreation and open space areas;**
- b) A range of densities and types of residential developments;**
- c) Mixed use development which encourages internal capture of trips;**
- d) Use of the urban and suburban area boundaries as urban growth boundaries;**
- e) Revitalization of older areas and the downtown; and**
- f) Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.**

B. Consistency with the Concurrency Management System

The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency Management and Mobility System Office (“CMMSO”) found under Chapter 655, Ordinance Code.

C. Internal Compatibility/Vehicular Access

This PUD Rezoning contains limitations on the uses and intensities of uses that will be allowed on the Property, along with development standards that contain provisions for signage, landscaping and sidewalks. Access to the Property is achieved by using Old St. Augustine Road.

D. External Compatibility/Intensity of Development

Surrounding land use designations and zoning districts include: RPI/CRO & RMD-D to the north and northeast, CGC and CCG-1 to the west and southwest, RPI/PUD immediately south, and RPI/ RMD-D due east of the Property. A combination of fencing and/or landscaping will serve to buffer the proposed PUD’s non-residential development from the neighboring residential properties. A large portion of the project’s northern boundary shall be buffered from the neighboring RPI/CRO lands by a stormwater runoff containment facility (please see Conceptual Site Plan at Exhibit “G”).

The proposed Old St. Augustine Commercial PUD is compatible with the surrounding land uses. Nearby multi-family residential uses will be adequately buffered from the PUD by a five (5) foot minimum fenced or landscaped setback distance from its eastern boundary line and by the 11001-1 Old St. Augustine Apartments access/egress roadway. Additionally, the adjacent western and southern non-residential uses are homogeneous to the proposed uses in this PUD Rezoning.

E. Recreation/Open Space

Not applicable for the proposed PUD.

F. Impact on wetlands

Wetlands shall be identified and permitted as necessary according to local, State and federal law.

G. Listed Species Regulations

The Property is less than fifty (50) acres. In light of the size of the Property (0.63+/- acres), a listed species survey is not required (a minimum of 50 acres triggers this requirement).

H. Off-Street Parking and Loading Requirements

Off-street parking and loading requirements are in accordance with Part 6 of the City’s Zoning Code.

I. Sidewalks, Trails and Bikeways

Sidewalks will be installed pursuant to the requirements in the 2030 Comprehensive Plan. No trails or bikeways are anticipated to be needed for this development unless required by the City.

J. **Stormwater Retention**

The Property may be served by on-site retention facilities (see the Conceptual Site Plan, Exhibit "G").

K. **Utilities**

Potable water, sanitary sewer and electric service will be provided by the Jacksonville Electric Authority (please see Exhibit "H" for JEA Availability Letter).

L. **Lighting**

The proposed PUD lighting shall be designed, installed, maintained and operated to provide adequate down lighting for the Property in such a manner to minimize unreasonable illuminate impacts upon adjacent residential uses while still providing off business hours security for the prospective development.