

Harbor Lights Jacksonville PUD
 Written Description
 November 26, 2019

I. PROJECT DESCRIPTION. The Harbor Lights Jacksonville PUD is an approximately 7.79 acre project located on the north side of Beach Boulevard, between San Pablo Road and the Intracoastal Waterway (the “Property”). This application would allow for a mixed-use development with multiple-family dwellings, retail commercial and restaurant uses, and marina slips. The designated Land Use under the Comprehensive Plan is Community General Commercial (CGC), which allows for mixed-use development, except for the marina area, which has an AGR-III future land use designation. The southerly, CGC portion of the Property is in the Urban Development Area. The current zoning of the Property is a combination of CCG-2 and PUD (Ord. 2004-523-E).

This application is a Major Modification to the existing Harbor Lights PUD which covers the westerly 5.7 acres of the area within this PUD. The original Harbor Lights PUD was approved by Ordinance 2004-523-E, which authorizes the development of up to 64 condominium units in three buildings, with a maximum of seven stories each, and 115 marina slips. At the time of the 2004 PUD, a 72-slip marina was operating at the property, together with storage facilities and retail uses. An earlier development effort in the 1980s contemplated a 19-story tower.

The Property is currently used as temporary storage of dredged spoil for the Palm Cove Marina and associated channel, as boat trailer storage, as a golf cart sales store, and for the waterfront Marker 32 restaurant. The Palm Cove Marina exists adjacent to the property to the east, with 426 dry stack boat spaces and 165 wet slips, together with retail space.

Surrounding land uses:

	Land Use	Zoning	Use
North	AGR-III	AGR	Undeveloped (water/marsh)
East	CGC (Suburban)	PUD (2005-1023-E)	Marina and retail
South	CGC, LDR	CCG-2, RLD-60	Single family residential
West	CGC, MDR	CCG-1, RMD-D	Retail, vacant, townhomes

Proposed Development:

Total acreage: 7.79 +/- (5.39 ac in CGC land use)¹

Multifamily: Up to 215 dwelling units (maximum 40 DU/acre in CGC, none proposed in AGR-III)

¹ 5.39 acres in CGC based upon Property Appraiser and Jacksonville GIS data (Nov. 1, 2019).

Marina: up to 2.4 acres and up to 115 slips, subject to review by the Florida Fish and Wildlife Conservation Commission and St. Johns River Water Management District through the state Environmental Resource Permit program. Such marina shall be consistent with the Manatee Protection Plan.

Nonresidential uses: approximately 21,000 enclosed square feet as described below, subject to compliance with performance standards below.

A Conceptual Site Plan is included with this application, and includes structured parking, a relocation of the Marker 32 restaurant, and retail commercial uses along Beach Boulevard. Building locations and parking configurations are conceptual and may be refined during final engineering review.

A. Permitted Uses and Structures. (compare CCG-1 District, § 656.313)

1. Commercial retail sales and service establishments, except the sale of tires.
2. Restaurants, including restaurants and cafes with the outside sale and service of food and beverages.²
3. Banks, savings and loan institutions, and similar uses (without drive-through)³.
4. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment and similar uses.
5. Art galleries, museums, community centers, gymnasiums, fitness, dance, art or music studios.⁴
6. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
7. Off-street commercial parking lots meeting the performance standards and development criteria set forth in Part 4.
8. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises consumption in conjunction with a restaurant.
9. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both in conjunction with a restaurant meeting the minimum size and seating requirements for a restaurant-related alcoholic beverage license from the State of Florida.⁵

² Outside sale and service of food is normally allowed by exception (only) in CCG-1. We are seeking to allow outside sale and service of food and beverages as a permitted use to encourage urban, outside activity in this mixed use center.

³ CCG-1 normally allows drive-throughs.

⁴ added gymnasiums and fitness for clarification to the category in which these uses are normally allowed by the City in CCG-1.

⁵ The regular CCG-1 district allows sale and service of all alcoholic beverages including liquor by exception only, without limitation as to the type of use. The requested PUD would allow restaurants qualifying for restaurant-related alcoholic beverages licenses to serve all alcoholic beverages as a permitted use.

10. Outdoor music in conjunction with a restaurant, provided that it is allowed only between the hours of 11:30am and 10:00pm on Sunday through Thursday and between 11:30am and 11:00pm on Fridays, Saturdays and national holidays.
11. Permanent or restricted outside sale and service of alcoholic beverages, meeting the performance standards and development criteria set forth in Part 4.⁶
12. Express or parcel delivery offices and similar uses (but not freight or truck terminals)
13. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
14. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
15. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
16. Multiple-family dwellings, except not on the ground floor facing Beach Boulevard.
17. Marina uses, including in-water storage and light maintenance of boats, associated retail sales and other ancillary marina activities. Marinas are also subject to state permitting through the Environmental Resource Permit program. Such marina shall prohibit liveaboards (persons living long-term on boats also kept long-term in the marina), and the marina may offer transient slip rental, long-term slip rental, and rental offered in conjunction with the project's residential uses.
18. Existing uses, including boat display, long-term boat and boat trailer storage (on land), truck storage, golf cart sales and storage, and dredged material storage, may continue, but are anticipated to be phased out with construction of the proposed development.

B. Uses allowed by exception. None.

C. Minimum lot requirements (width and area). None, except as set forth in Chapter 656, Part 4 for certain uses.

D. Maximum lot coverage by all buildings and structures. 80%

E. Maximum impervious surface area. 85%

F. Minimum yard requirements. None.

G. Maximum building height. 85 feet. Building height means the vertical distance from the required finished floor to the peak of the roof or parapet. Spires, belfries, cupolas, and chimneys that are not intended for human occupancy shall not count towards height measurement. Other roof-top appurtenances and mechanical equipment not intended for human occupancy may be placed above the roof line provided it is not visible from an

⁶ Permanent outside sale and service (of alcoholic beverages) is normally allowed in CCG-1 by exception. To encourage ground level activity in this mixed use project, we are proposing to allow this as a permitted use without the need to seek an exception.

adjacent right-of-way, except that solar panels may be visible from an adjacent right-of-way.⁷

- H. Maximum Residential Density. 40 units per gross acre within the CGC-Urban land use area. Density is limited in the area identified in the Site Plan as the “CHHA Area” to a maximum of 20 dwelling units/acre, unless and until a revised Northeast Florida Hurricane Evacuation Study or other site specific, reliable data and analysis demonstrates that the portion of this area to be developed with residential uses is not within the CHHA. No residential uses are proposed in the AGR-III portion of the Property.
- I. Accessory Uses (compare 656.403).
1. Accessory uses allowed under section 656.403, Zoning Code.
 2. In connection with multiple-family dwellings, coin-operated laundromats and other vending machine facilities, day care centers, establishments for sale of convenience goods, personal and professional service establishments; provided, however, that these establishments shall be designed and scaled to meet only the requirements of the occupants of these multiple-family dwellings with no signs or other external evidence of the existence of these establishments.
- J. Parking. To accommodate parking needs at buildout, the development plan contemplates the development of structured parking. The following ratios were developed based on the Institute of Traffic Engineers’ Parking Generation average weekly rates for individual land uses, taking internal capture into account.
1. Business, commercial or personal service establishments, and all other allowable uses not listed: minimum 2.004 spaces per 1,000 square feet of gross floor area.
 2. Restaurants: minimum 0.406 spaces per patron seat (including indoor and outdoor patron seating).
 3. Multiple-family dwellings: minimum 1.073 spaces per dwelling unit.
 4. Marina: minimum 0.316 space per boat slip.
 5. All other uses not listed: minimum parking and bicycle parking requirements shall be met consistent with section 656.604, Jacksonville Zoning Code (Sept. 2019).
 6. Shared parking: For individual users, which may own their sites in fee simple, parking may be provided "off-site" within the PUD and may be shared with other users/uses, so long as the PUD in its entirety provides sufficient parking for all proposed uses. When determining whether sufficient parking is provided, the operating hours and usage patterns of the users should be taken into account.
 7. Maximum parking ratios: There shall be no maximum parking ratio for the uses allowed within this PUD.
 8. Tandem parking spaces are specifically allowed. Valet parking is allowed.
- K. Landscaping. Landscaping will be provided consistent with Part 12 of the Zoning Code except that no landscaping requirements apply within or adjacent to the perimeter of structured vehicular use areas.

⁷ Definition based upon definition in Zoning Code, except omitting exceptions for certain zoning overlay districts which are not relevant as to this location, and adding provision regarding solar panels.

L. Signage. Signage shall be allowed as follows below:

1. West Shared Entrance Sign. The westerly entrance to the Project on Beach Boulevard may have a shared entrance sign up to 48 square feet in area and up to 15 feet in height, identifying the project name and individual tenants or users in the Project, on multiple panels. Such sign may be internally or externally illuminated, and may be one-sided or two-sided.
2. East Shared Entrance Sign. The easterly entrance to the Project on Beach Boulevard may have a shared sign up to 300 square feet in area and up to 35 feet in height, identifying the project name and individual tenants or users in the Project, on multiple panels. Such sign may be internally or externally illuminated, and may be one-sided or two-sided.
3. Wall Signage. Wall signs are allowed on buildings facing Beach Boulevard, west on the west façade of the westernmost commercial building, and on the north and south walls of any waterfront commercial uses, not to exceed ten percent of the square footage of the occupancy frontage or respective side of the building.⁸
4. Under the Canopy Signs. One under the canopy sign per occupancy not exceeding a maximum of eight square feet in area is permitted; 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.
5. Flags. In lieu of the street frontage sign permitted in subsection (3) above, a flag containing a business logo or other advertising is permitted; provided, the square footage of any such flag shall not exceed 100 square feet, or 35 percent of the allowable square footage of the street frontage sign permitted in subsection (3) above, whichever is smaller; and provided further that the pole upon which such flag is flown shall not exceed fifty (50) feet in height. Only one flag containing a business logo or other advertising shall be permitted for a premises, regardless of any other factors such as number of tenants on the premises or total amount of street frontage. Further, any flag allowed pursuant to this subsection shall not be illuminated by any means, with the exception of lighting associated with an American flag being flown on the same flag pole.
6. Awning Signs. In addition to any other signs allowed under this PUD, awning signs that project into public space shall be allowed, subject to the following criteria:
 - a) That the total square footage of signage does not exceed 12 square feet;
 - b) That the height of the letters shall not exceed 20 inches;

⁸ §656.1303(j)(1) normally limits the wall signs to the side of the building abutting a public right-of-way or approved private street.

- c) That the numbers of awning signs for each property shall be limited to one sign per occupancy frontage or unlimited where the distance between the same is a minimum of 20 feet;
- d) That portion of an awning sign which is not perpendicular to the wall to which the awning is attached shall be subtracted from the allowable number of maximum square footage any signage otherwise allowable;
- e) That awning signs shall comply with the requirements of Section 323.104(i), Jacksonville Zoning Code; and
- f) That in the event the Ordinance Code is amended to modify the requirements for awning signs, any lawfully erected awning sign existing at the time of the amendment shall be permitted to remain, but shall come into compliance should it be replaced;
- (g) That no signage shall be allowed on that portion of the awning sign which is perpendicular to the wall to which the awning is attached;
- (h) That no awning sign shall be directly or indirectly illuminated.

7. Prohibited Signs.

- a) Mobile billboards.
- b) Signs which are unlawful under Section 326.104 or Sections 614.142 or 656.1320, Jacksonville Ordinance Code.
- c) No permit shall be issued for any sign that would lie within 200 feet of a structure listed on the National Register of Historic Places (other than a sign which identifies or describes the historic structure), unless the sign to be permitted is a wall sign, freestanding sign or ground sign which is located immediately adjacent to the wall of a building, is parallel to, or virtually parallel to the wall and does not extend beyond the vertical or horizontal limits of the wall. Distance measurements shall be calculated from the property line of the land on which the historic structure is located and shall be measured along any street which provides street frontage for the historic structure.
- d) In addition to the signs prohibited above, no signs shall be permitted in any locations which are expressly prohibited by the provisions of F.S. Ch. 479, as required by F.S. § 479.15(1).
- e) Animated, flashing and revolving signs are prohibited in all districts.
- f) Remote controlled blimps containing commercial advertising.

8. Real Estate Signs. In addition to any other signs allowed, any lot may have erected on it a temporary, nonilluminated real estate sign not exceeding 24 square feet in area, but only when such property is actually for sale or rent. For the purpose of this subsection, the term "lot" shall include the entire area: (1) within the legal boundaries of the lot itself, and (2) between five feet from the edge of the pavement and ten feet from the nearest intersection or driveway, and

the front lot boundary line of a single family residential lot (in the case of corner lots, both front lot lines shall be considered).

9. Construction signs. In addition to any other signs allowed, any lot may have erected on it one temporary, nonilluminated construction sign not to exceed 32 square feet, but only while construction is in progress on such property. These signs shall be set back from the right-of-way not less than ten feet.

10. Unlawful sign messages. Section 656.1309, Jacksonville Zoning Code (October 2019) regulates certain commercial messages and is hereby incorporated by reference.

11. Severability. The provisions of section 656.1319, Jacksonville Zoning Code, apply to the signage provisions of this PUD.

12. Temporary directional business signs for businesses hindered by a government agency. The provisions of 656.1321, Jacksonville Zoning Code, apply to the signage provisions of this PUD.

M. Differences between Proposed PUD and Zoning Code.

1. Residential use. The CCG-1 zoning district (656.313) allows multi-family uses by exception. This application proposes to allow multi-family uses by right, subject to compliance with the PUD Site Plan and the standards and criteria of this PUD. The proposed parking minimum of 1.7 spaces/unit differs from the standard code requirement, which varies based upon the number of bedrooms.
2. Outside sales and service. The proposed PUD would allow outside sales and service of alcohol by right (where in conjunction with a permitted use also allowing alcohol sales) to encourage outside commercial and pedestrian activity in and around its buildings and in accord with the more urban design of this project. The CCG-1 zoning district allows such sales by exception.
3. Limited uses. Numerous uses were deleted from the list of uses normally allowed by right or by exception in the CCG-1 zoning district, given the scale and mixed use nature of the project.
4. Shared entrance signs. Section 656.1303 does not expressly provide for shared entrance signs, but these are common in multi-use projects.
5. Wall signs facing north. Section 656.1303(j) allows wall signs facing public rights-of-way and approved private streets. The proposed PUD would allow wall signs of waterfront commercial uses to face towards the open waters north of the landward portion of the Property. This is appropriate given the project's location on the water.
6. Density and Height. There are no minimum yard requirements; the current CCG-1 district provides for a 10 foot rear yard. The proposed height limit is taller than the CCG-1 district's 60 foot maximum.
7. Parking Ratios. The proposed parking ratios are based on the Institute for Transportation Engineers' Parking Generation rates and internal capture.

N. Quantitative Data.

1. Development Team

Owners: Palm Cove Marina Holdings, LLC
Eugene Sur
14603 Beach Boulevard #100
Jacksonville, FL 32250
ccversion5@yahoo.com

Developer: Cadenza Partners
Nick Sartori
701 Market Street, Suite 111 #5031
St. Augustine, FL 32095
Nick.sartori@cadenza-partners.com

Planner/Architect:
Ervin Lovett Miller (ELM)
Russ Ervin
1035 Kings Avenue
Jacksonville, FL 32207
rervin@elmpln.com

Legal: Sodl & Ingram PLLC
Thomas O. Ingram, Esq.
233 E Bay Street, Suite 1113
Jacksonville, FL 32202
(904) 612-9179
thomas.ingram@si-law.com

2. Site Data Table – See **Exhibit F**

- O. Project Phasing. The applicant anticipates that development will either be initiated and completed in one, ten-year phase, or with initial redevelopment of a restaurant (i.e. Marker 32) with surface parking. The timing and sequence of development is ultimately dependent upon market conditions.
- P. Operation and Maintenance. The owner anticipates that it, its successors and assigns will be primarily responsible for operation and maintenance of shared facilities within the PUD. Should a commercial property owners' association be formed in the future, the

property owners' association would be primarily responsible for maintenance of those common facilities not provided, operated or maintained by the City.

Q. Ingress, Egress and Circulation.

1. Vehicular Access. Vehicular access will be via two access points on Beach Boulevard and an internal connection to the adjacent marina to the east. Beach Boulevard is a Florida Department of Transportation facility, with turning movements subject to review through its driveway connection permit program.
2. Pedestrian Access. The developer will comply with the applicable sidewalk regulations of the Jacksonville Ordinance Code.

R. Criteria for Review.

1. Consistency with Comprehensive Plan.

The proposed zoning is consistent with the Comprehensive Plan. The proposed zoning is consistent with and furthers the following Goals, Objectives and Policies:

Future Land Use Element

1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use, pattern, 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.

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.

CGC- General Intent: Uses should generally be developed in nodal and corridor development patterns.

Mix of Use: Residential uses do not exceed 80% of the development. Area within the PUD shall be reserved and planned for development of at least 21,000 enclosed square feet of nonresidential uses. Using the Jacksonville Planning & Development Department's methodology for evaluating compliance with this policy, it would require that the enclosed square footage of nonresidential development be included in development plans equivalent to a .35 Floor Area Ratio on 25% of the acreage, which is as follows: $(5.39\text{ac} \times 43,560\text{sf/ac})(.35\text{FAR})(.25) = 20,544$ sf of nonresidential.

Coastal High Hazard Area policies. All habitable floor space for residential uses shall be constructed at an elevation which is above the elevation of the Coastal High Hazard Area (CHHA). All development within the PUD must also comply with the City's floodplain regulations, which in this case, require a higher finished floor elevation than the elevation of the CHHA. Density is limited in the area identified in the Site Plan as the "CHHA

Area” to a maximum of 20 dwelling units/acre, unless and until a revised Northeast Florida Hurricane Evacuation Study or other site specific, reliable data and analysis demonstrates that the portion of this area to be developed with residential uses is not within the CHHA. Development in the area identified as the CHHA Area shall be subject to compliance with the shelter contribution requirement for school sites as set forth in Conservation/Coastal Management Element Policies 7.2.5 and 7.2.6.

2. Consistency with Concurrency Management System. The proposed PUD will comply with the City's concurrency and mobility management ordinance. A utility availability letter has been provided from JEA.
3. Allocation of Residential Land Use. Multi-family uses are primary uses within the CGC land use category, and the proposed Project will comply with the 2030 Comprehensive Plan.
4. Internal Compatibility/Vehicular Access. The uses proposed within the Project are compatible with each other. The PUD is intended to allow for integration of multiple uses, vertically and/or horizontally. No incompatible use buffers are required. There is no undue adverse impact on any neighboring use, in that the adjacent marina use is as intense if not more intense than the proposed PUD.
5. External Compatibility. The proposed Project is consistent with the existing and planned uses of the surrounding properties, and will not have any avoidable or undue adverse impact on existing or planned surrounding uses. The proposed uses are consistent with the intensity of uses in this area, including the marina to the east and commercial development along Beach Boulevard, a six-lane facility.
6. Intensity of Development. The proposed residential density and intensity are consistent with other multiple family waterfront uses in the area. This PUD represents an effort to encourage mixed-use development which provides for the efficient use of limited waterfront along the Intracoastal Waterway.
7. Usable open spaces, plazas, recreation areas. Any multi-family uses constructed in the Project shall comply with the requirements of section 656.420(d), Jacksonville Ordinance Code (Sept. 2019), with a minimum of 150 square feet of active recreation area per dwelling unit. Such area may include a boardwalk area, pool/amenity area, and an event lawn. At least 10 percent (10%) of the Project will be open space, which would include any areas used for stormwater retention and the marina area.
8. Impact on Wetlands. No wetlands impacts are anticipated to occur; however, any impacts associated with bulkhead and marina development activity would be subject to appropriate review under state and federal regulations.

9. Listed Species Regulations. Development of the Project will comply with the Endangered Species Act and other laws concerning the protection of listed species.
10. Off-Street Parking & Loading requirements. See the parking requirements proposed above.
11. Sidewalks, Trails and Bikeways. The Project will comply with the applicable requirements of the Zoning Code, 2030 Comprehensive Plan, and Land Development Procedures Manual regarding the provision of sidewalks.

S. 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 Property, and showing the general layout of the overall Property. In the event of a conflict between the Site Plan and this Written Description, this Written Description shall take precedence.

- T. Existing Site Characteristics. The site is currently used as a temporary dredged spoil site, a golf cart sales center, boat trailer storage, and for Marker 32 restaurant.

U. Property Tax Parcel Numbers.

- 0 Beach Boulevard (RE # 177031 0000)(0.59 ac)
- 14511 Beach Boulevard (RE # 177025 0000)(0.55 ac)
- 14521 Beach Boulevard (RE # 177029 0100)(0.69 ac)
- 0 Beach Boulevard (RE # 177029 0000)(0.15 ac)
- 0 Beach Boulevard (RE # 177029 0010)(0.23 ac)
- 0 Beach Boulevard (RE # 177022 0200)(2.4 ac)
- 14537 Beach Boulevard (RE 177026 0000)(1.08 ac)
- 14539 Beach Boulevard (RE 177023 0000)(1.04 ac)
- 14549 Beach Boulevard (RE 177024 0000)(1.06 ac)

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EXHIBIT F
 LAND USE TABLE
 Harbor Lights Jacksonville PUD
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Total Gross Acreage	7.79	100%
Amount of each different use by acreage:		
Mixed-Use	5.39 Acres	69%
Marina	2.4 Acres	31%
Total number and type of dwelling units by each time of same		
Multiple-family	215 D.U.	
Active recreation and/or open space	150 sf/dwelling unit	
Public and private right-of-way	0 Acres	0%
Maximum lot coverage of buildings and structures at ground level (overall project):		80%
Maximum impervious surface ratio as required by section 654.129:		85%