

San Marco Promenade PUD

November 6, 2019

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 126826-0300, 126826-0200 and 126825-0020
- B. Current Land Use Designation: CGC
- C. Current Zoning District: PUD
- D. Proposed Zoning District: PUD
- E. Proposed Land Use Designation: CGC (no change)

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

Chance Philips Owner, LLC and CRP/Chance SMP Owner, LLC (collectively, the “Applicants”) propose to amend the current Planned Unit Development (PUD) zoning of approximately 17.28 acres of property on the west side of Philips Highway, south of Atlantic Boulevard and between Mitchell Avenue and River Oaks Road, as more particularly described by the legal description attached to this ordinance as **Exhibit “1”** (the “Property”). The Property was rezoned to Planned Unit Development in 2008 pursuant to Ordinance 2008-563-E, a copy of which is attached hereto as **Exhibit “J”** (the “Existing PUD”). The Existing PUD was modified by the minor modification approved as MM-17-13 (the “Minor Mod”), which adopted a revised site plan that (i) swapped the locations of Phases One and Two and (ii) deleted the ground floor commercial uses in the Phase One multifamily buildings that do not abut Philips Highway.

This PUD amendment is being sought (i) to substitute the site plan attached as **Exhibit “4”** to this ordinance (the “Site Plan”), which provides a site plan for Phase Two of the development, and (ii) to delete the second sentence of the condition contained in Section 2(n) of the Existing PUD ordinance (the “Timing Condition”), which states as follows: “Phase One shall contain a minimum of 10,000 square feet of retail/office uses.” This PUD amendment retains the parcels abutting Philips Highway as commercial parcels to be developed with a minimum of 10,000 square feet of commercial space, cumulatively, as shown on the Site Plan. However, this amendment eliminates the Timing Condition in the Existing PUD. Except as set forth above, this PUD does not change any aspect of the Existing PUD.

The substitution of the Site Plan is sought consistent with the Minor Mod and clarifies the Site Plan applicable to the development of the Property. The elimination of the Timing Condition allows for the Applicants to proceed with the development of Phase Two prior to the construction of 10,000 square feet of commercial space on the Property but does not remove the requirement for a minimum of 10,000 square feet of commercial development on the Property. Allowing development of the Property to continue will be beneficial for the overall area and will make the commercial parcels on the Property more marketable.

For ease of reference, the conditions contained within Section 2 of the Existing PUD ordinance are restated below:

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(a) This ordinance serves as the Final Order pursuant to Council Rule 6.310. The Council hereby adopts the findings contained in **Exhibit 3, attached hereto**.

(b) Development shall proceed in accordance with the Development Services Division Memorandum dated September 8, 2008, except for Comment #3, and the FDOT Memorandum dated July 22, 2008, or as otherwise approved by the Planning and Development Department and FDOT.

(c) At the time of verification of substantial compliance of the PUD, the developer shall submit a phasing schedule for review and approval by the Planning and Development Department.

(d) Prior to any residential development beyond 30 units per acre, an enhanced mass transit station with amenities shall be completed in a manner that is consistent with, and supports long range planning options, including a potential BRT, bus rapid transit, commuter, or other transit modes identified by the JTA. The enhanced transit station shall accommodate a current fixed route bus to BRT services, and shall include two kiosks providing passenger and system information, route maps, ticketing via machine, real time schedules, next bus arriving information, lighting, music, cooling fans, and benches. The station shall be oriented to allow waiting passengers convenient access to retail services, and the facility shall substantially comply with the facility requirements in Part 14 of the Zoning Code, subject to review and approval by the Planning and Development Department.

(e) The roundabouts shall contain a fountain feature and/or piece of public art.

(f) The developer shall provide at least one dedicated parking space per multifamily dwelling unit, plus one guest parking space per three multifamily dwelling units, or a minimum of 1.33 spaces per multifamily dwelling unit.

(g) Sidewalks along Jackson Square Boulevard shall be at least eight feet in width.

(h) At the time of verification of substantial compliance of the PUD, the developer shall provide a pedestrian plan that shows street trees, street furniture along Jackson Square Boulevard and perimeter landscaping areas fronting Philips Highway.

(i) All entry signage shall be architecturally consistent, monument style, and limited to 200 square feet per sign face.

(j) Signage that advertises multifamily uses shall be nonilluminated or externally illuminated, except on Philips Highway or Jackson Square Boulevard, where signage may be internally illuminated.

(k) Development shall substantially comply with the revised site plan dated September 17, 2008 and maximum lot coverage shall not exceed 80%.

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(l) Any multifamily housing development within the PUD shall be designed and constructed in accordance with CPTED standards, as recommended by the Jacksonville Journey Neighborhood Safety and Stability Committee.

(m) The owner and management of any multifamily apartments developed within the PUD shall participate in the Jacksonville Sheriff’s Office Crime Free Multi-family Housing Program in accordance with the recommendations of the Jacksonville Journey Neighborhood Safety and Stability Committee.

(n) Phase One residential development shall be limited to 30 units per gross acre of the PUD, and shall not exceed 510 units. Phase One shall contain a minimum of 10,000 square feet of retail/office uses. The project shall be limited to 750 residential units total. Additional residential development beyond 510 units shall not be permitted until a minimum of 30,000 square feet of retail/office has been constructed.

(o) No development greater than 53 feet in height shall be permitted within 100 feet of the westerly boundary of the PUD, adjacent to the FEC right-of-way.

(p) Development shall comply with the Comprehensive Plan requirement of 150 square feet of open space per residential unit.

(q) A minimum of 50% of the landscaping requirements shall be provided on-site. A ten foot perimeter buffer shall be provided adjacent to single family residences located along the north property line at the time of verification of substantial compliance of the PUD. Vehicle Use Areas shall be landscaped in accordance with Part 12 of the Zoning Code.

(r) Traffic calming devices shall be provided along River Oaks Road, subject to review and approval by the Planning and Development Department.

(s) The 30-foot right-of-way proposed for dedication to the JTA as depicted on the approved site plan, shall be dedicated to the JTA without cost or conditions if and when JTA determines that it will accept the right-of-way and has plans to use such corridor for rapid transit purposes.

III. SITE SPECIFICS

Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use Category</u>	<u>Zoning</u>	<u>Use</u>
South	CGC, LI	CCG-2, IL	Commercial, Industrial
East	CGC	CCG-2	Commercial, Highway
North	CGC	CO	Single Family, Multifamily
West	LDR	RLD-60, PBF-1	Railroad Tracks, Park, Single Family

IV. PERMITTED USES

A. In Addition to the Uses Permitted Pursuant to the Existing PUD

1. *Permitted Uses and Structures:*

a. See Existing PUD.

2. *Minimum lot width, Maximum lot coverage by all buildings, Minimum yard requirements and Maximum height of structures for each use:* See Existing PUD.

V. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

A. Access

See Existing PUD.

B. Sidewalks, Trails, and Bikeways

See Existing PUD.

C. Recreational/Open Space

Not applicable.

D. Landscaping

See Existing PUD

E. Signage

See Existing PUD

F. Architectural Guidelines.

See Existing PUD.

G. Modifications

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

H. Parking and Loading Requirements for Vehicles and Bicycles

See Existing PUD.

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I. Stormwater Retention

Stormwater facilities will be constructed to serve the PUD in accordance with applicable regulations.

J. Utilities

The Property is served by JEA.

VI. PRE-APPLICATION CONFERENCE

A pre-application conference was held regarding this application on August 27, 2019.

VII. JUSTIFICATION FOR THE PUD REZONING

This PUD amendment allows for the continued development of the Property with multi-family uses, which will then cause the commercial component of the Property to be more desirable for development. This PUD amendment does not reduce the requirement for 10,000 square feet of commercial development but eliminates the requirement that such space be constructed prior to the commencement of Phase 2. This allows for continued investment in this Property, which will encourage development of the commercial parcels and other commercial properties within the area.

VIII. PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE

Except as for the substitution of the Site Plan and the deletion of the Timing Condition, this PUD amendment adopts the terms of the Existing PUD and only differs from the Zoning Code to the extent that the Existing PUD differs from the Zoning Code.

IX. PERMISSIBLE USES BY EXCEPTION

See Existing PUD.

X. NAMES OF DEVELOPMENT TEAM

Developer/Owner: Chance Philips Owner, LLC and CRP/Chance SMP Owner, LLC

Planner/Engineer: Kimley-Horn

Architect: To be determined

XI. LAND USE TABLE

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

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XII. PUD REVIEW CRITERIA

A. Consistency with the Comprehensive Plan: As described above, the uses proposed herein are consistent with the LDR land use category. The proposed development is consistent with the Comprehensive Plan and furthers the following goals, objectives and policies contained therein, including:

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.

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.

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.

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 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 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.

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

C. Allocation of Residential Land Use: The PUD is consistent with land use allocations under the 2010 Comprehensive Plan.

D. External Compatibility/Intensity of Development: The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.

E. Maintenance of Common Areas and Infrastructure: All common areas will be maintained by the owner/operator or an owners' association.

F. Usable Open spaces, Plazas, Recreation Areas: See Existing PUD.

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

H. Parking Including Loading and Unloading Areas: See Existing PUD.

I. Sidewalks, Trails, and Bikeways: See Existing PUD.

1 Introduced by the Land Use and Zoning Committee and amended by the
2 Council:



3
4 Attach.tif

ORDINANCE 2008-563-E

5 AN ORDINANCE REZONING APPROXIMATELY 17.31±
6 ACRES LOCATED IN COUNCIL DISTRICT 9 ON THE
7 WEST SIDE OF PHILIPS HIGHWAY, SOUTH OF
8 ATLANTIC BOULEVARD AND BETWEEN MITCHELL AVENUE
9 AND RIVER OAKS ROAD (R.E. NOS. 082061-0000,
10 082061-0500, 082061-0550, 082132-0000, 082133-
11 0000, 082134-0000, 082135-0000, 082136-0000,
12 082137-0000, 082138-0000, 082139-0000, 082140-
13 0000, 082141-0000, 082142-0000, 082143-0000,
14 082144-0000, 082145-0000, A PORTION OF 125265-
15 0000, 126826-0000, 126827-0100, 126828-0000, A
16 PORTION OF 126835-0000, 126837-0000, 126838-
17 0000, AND 126839-0010), AS DESCRIBED HEREIN,
18 OWNED BY CR VI-PHILLIPS, LP, PETWAY REAL
19 ESTATE, LLC, FIRSTSTAR DEVELOPMENT, INC.,
20 O'STEEN AUTOMOTIVE GROUP, INC., JEA, AND THE
21 CITY OF JACKSONVILLE, FROM CCG-1 (COMMERCIAL
22 COMMUNITY/GENERAL-1), CCG-2 (COMMERCIAL
23 COMMUNITY/GENERAL-2), CO (COMMERCIAL OFFICE)
24 AND IL (INDUSTRIAL LIGHT) DISTRICTS TO PUD
25 (PLANNED UNIT DEVELOPMENT) DISTRICT, AS
26 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
27 TO PERMIT RESIDENTIAL AND COMMERCIAL USES, AS
28 DESCRIBED IN THE APPROVED WRITTEN DESCRIPTION
29 AND SITE PLAN FOR THE JACKSON SQUARE PUD;
30 PROVIDING AN EFFECTIVE DATE.

31 **Exhibit J**

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1 **WHEREAS**, CR VI-Phillips, LP, Petway Real Estate, LLC,
2 FirstStar Development, Inc., O'Steen Automotive Group, Inc., JEA,
3 and the City of Jacksonville, the owners of approximately 17.31±
4 acres located in Council District 9 on the west side of Philips
5 Highway, south of Atlantic Boulevard and between Mitchell Avenue
6 and River Oaks Road (R.E. Nos. 082061-0000, 082061-0500, 082061-
7 0550, 082132-0000, 082133-0000, 082134-0000, 082135-0000, 082136-
8 0000, 082137-0000, 082138-0000, 082139-0000, 082140-0000, 082141-
9 0000, 082142-0000, 082143-0000, 082144-0000, 082145-0000, a portion
10 of 125265-0000, 126826-0000, 126827-0100, 126828-0000, a portion of
11 126835-0000, 126837-0000, 126838-0000, and 126839-0010), as more
12 particularly described in **Exhibit 1, attached hereto** (Subject
13 Property), have applied for a rezoning and reclassification of that
14 property from CCG-1 (Commercial Community/General-1), CCG-2
15 (Commercial Community/General-2), CO (Commercial Office) and IL
16 (Industrial Light) Districts to PUD (Planned Unit Development)
17 District, as described in Section 1 below; and

18 **WHEREAS**, the Planning Commission has considered the
19 application and has rendered an advisory opinion; and

20 **WHEREAS**, the Land Use and Zoning Committee, after due notice
21 and public hearing, has made its recommendation to the Council; and

22 **WHEREAS**, the Council finds that such rezoning is: (1)
23 consistent with the 2010 Comprehensive Plan; (2) furthers the
24 goals, objectives and policies of the 2010 Comprehensive Plan; and
25 (3) is not in conflict with any portion of the City's land use
26 regulations; and

27 **WHEREAS**, the Council finds the proposed rezoning does not
28 adversely affect the orderly development of the City as embodied in
29 the Zoning Code; will not adversely affect the health and safety of
30 residents in the area; will not be detrimental to the natural
31 environment or to the use or development of the adjacent ~~November 2013~~

1 in the general neighborhood; and will accomplish the objectives and
2 meet the standards of Section 656.340 (Planned Unit Development) of
3 the Zoning Code; now therefore

4 **BE IT ORDAINED** by the Council of the City of Jacksonville:

5 **Section 1. Property Rezoned.** The Subject Property is
6 hereby rezoned and reclassified from CCG-1 (Commercial
7 Community/General-1), CCG-2 (Commercial Community/General-2), CO
8 (Commercial Office) and IL (Industrial Light) Districts to PUD
9 (Planned Unit Development) District, as shown and described in the
10 approved site plan dated September 17, 2008 and written description
11 dated September 17, 2008 for the Jackson Square PUD. The PUD
12 district for the Subject Property shall generally permit
13 residential and commercial uses, as more specifically shown and
14 described in the approved site plan and written description, both
15 **attached hereto as Revised Exhibit 2.**

16 **Section 2. Rezoning Approved Subject to Conditions.** This
17 rezoning is approved subject to the following conditions:

18 (a) This ordinance serves as the Final Order pursuant to
19 Council Rule 6.310. The Council hereby adopts the findings
20 contained in **Exhibit 3, attached hereto.**

21 (b) Development shall proceed in accordance with the
22 Development Services Division Memorandum dated September 8, 2008,
23 except for Comment #3, and the FDOT Memorandum dated July 22, 2008,
24 or as otherwise approved by the Planning and Development Department
25 and FDOT.

26 (c) At the time of verification of substantial compliance of
27 the PUD, the developer shall submit a phasing schedule for review
28 and approval by the Planning and Development Department.

29 (d) Prior to any residential development beyond 30 units per
30 acre, an enhanced mass transit station with amenities shall be
31 completed in a manner that is consistent with, and support

1 range planning options, including a potential BRT, bus rapid
2 transit, commuter, or other transit modes identified by the JTA.
3 The enhanced transit station shall accommodate a current fixed
4 route bus to BRT services, and shall include two kiosks providing
5 passenger and system information, route maps, ticketing via
6 machine, real time schedules, next bus arriving information,
7 lighting, music, cooling fans, and benches. The station shall be
8 oriented to allow waiting passengers convenient access to retail
9 services, and the facility shall substantially comply with the
10 facility requirements in Part 14 of the Zoning Code, subject to
11 review and approval by the Planning and Development Department.

12 (e) The roundabouts shall contain a fountain feature and/or
13 piece of public art.

14 (f) The developer shall provide at least one dedicated
15 parking space per multifamily dwelling unit, plus one guest parking
16 space per three multifamily dwelling units, or a minimum of 1.33
17 spaces per multifamily dwelling unit.

18 (g) Sidewalks along Jackson Square Boulevard shall be at
19 least eight feet in width.

20 (h) At the time of verification of substantial compliance of
21 the PUD, the developer shall provide a pedestrian plan that shows
22 street trees, street furniture along Jackson Square Boulevard and
23 perimeter landscaping areas fronting Philips Highway.

24 (i) All entry signage shall be architecturally consistent,
25 monument style, and limited to 200 square feet per sign face.

26 (j) Signage that advertises multifamily uses shall be
27 nonilluminated or externally illuminated, except on Philips Highway
28 or Jackson Square Boulevard, where signage may be internally
29 illuminated.

30 (k) Development shall substantially comply with the revised
31 site plan dated September 17, 2008 and maximum lot coverage of 2019

1 not exceed 80%.

2 (l) Any multifamily housing development within the PUD shall
3 be designed and constructed in accordance with CPTED standards, as
4 recommended by the Jacksonville Journey Neighborhood Safety and
5 Stability Committee.

6 (m) The owner and management of any multifamily apartments
7 developed within the PUD shall participate in the Jacksonville
8 Sheriff's Office Crime Free Multi-family Housing Program in
9 accordance with the recommendations of the Jacksonville Journey
10 Neighborhood Safety and Stability Committee.

11 (n) Phase One residential development shall be limited to 30
12 units per gross acre of the PUD, and shall not exceed 510 units.
13 Phase One shall contain a minimum of 10,000 square feet of
14 retail/office uses. The project shall be limited to 750
15 residential units total. Additional residential development beyond
16 510 units shall not be permitted until a minimum of 30,000 square
17 feet of retail/office has been constructed.

18 (o) No development greater than 53 feet in height shall be
19 permitted within 100 feet of the westerly boundary of the PUD,
20 adjacent to the FEC right-of-way.

21 (p) Development shall comply with the Comprehensive Plan
22 requirement of 150 square feet of open space per residential unit.

23 (q) A minimum of 50% of the landscaping requirements shall be
24 provided on-site. A ten foot perimeter buffer shall be provided
25 adjacent to single family residences located along the north
26 property line at the time of verification of substantial compliance
27 of the PUD. Vehicle Use Areas shall be landscaped in accordance
28 with Part 12 of the Zoning Code.

29 (r) Traffic calming devices shall be provided along River
30 Oaks Road, subject to review and approval by the Planning and
31 Development Department.

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1 (s) The 30-foot right-of-way proposed for dedication to the
2 JTA as depicted on the approved site plan, shall be dedicated to
3 the JTA without cost or conditions if and when JTA determines that
4 it will accept the right-of-way and has plans to use such corridor
5 for rapid transit purposes.

6 **Section 3. Owner and Description.** The Subject Property
7 is owned by CR VI-Phillips, LP, Petway Real Estate, LLC, FirstStar
8 Development, Inc., O'Steen Automotive Group, Inc., JEA, and the
9 City of Jacksonville, and is legally described in **Exhibit 1**. The
10 agent is Paul M. Harden, Esquire, 1301 Riverplace Boulevard, Suite
11 2601, Jacksonville, Florida 32207; (904) 396-5731.

12 **Section 4. Effective Date.** The adoption of this
13 ordinance shall be deemed to constitute a quasi-judicial action of
14 the City Council and shall become effective upon signature by the
15 Council President and the Council Secretary.

16
17 Form Approved:

18
19 /s/ Shannon K. Eller

20 Office of General Counsel

21 Legislation Prepared By Shannon K. Eller

22 G:\SHARED\LEGIS.CC\2008\ord\PUD\2008-563-E.doc

ORDINANCE 2008-563

Legal Description

A portion of Lots 4, 5, 6, 7, 8 and 9, all of Lots 10, 11, 12, 13 and 14, Block 1, together with a portion of Lots 1, 2, 3, 4, 5, 6 and 7, all of Lots 8, 9, 10, 11, 12, 13 and 14, Block 2, together with a portion of Lot 1 and all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Block 3, together with all of Lots 1, 2, 3, 4, 5 and 6, Block 5, together with a portion of Lots 1 and 2 and all of Lots 12, 13 and 14, Block 6, as shown on the plat of Walsh's Addition to South Jacksonville, as recorded in Plat Book 7, page 30 of the current Public Records of Duval County, Florida, together with a portion of Summerall Avenue, a 50 foot right of way as presently established, and a portion of Summerall Avenue (closed by City Ordinance Numbers D. D. 332 and G. G. 280) and together with a portion of Sections 46 and 47 of the William Craig Grant and Section 25, all lying within Township 2 South, Range 26 East of said county, and together with all of Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34, as shown on the plat of Mitchell Place as recorded in Plat Book 17, page 46 of said current Public Records and together with Service Street, a 50 foot right of way as presently established, a portion of Trinity Street, a 50 foot right of way as presently established, and a portion of Mitchell Place, a variable width right of way as presently established, and together with a portion of those lands described and recorded in Official Records Book 1406, page 406 and Official Records Book 10880, page 2387 of said current Public Records, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Easterly right of way line of said Mitchell Place with the Southerly right of way line of said Service Street; thence North $62^{\circ}50'09''$ East, along said Southerly right of way line, 593.57 feet to a point lying on the Westerly right of way line of Philips Highway, a 100 foot right of way as presently established for a Point of Beginning, said right of way line being a curve concave Westerly, having a radius of 17138.73 feet.

From said Point of Beginning, thence Southerly along the arc of said curved Westerly right of way line, through a central angle of $01^{\circ}10'29''$, an arc length of 351.42 feet to a point on said curve and its intersection with the Northerly right of way line of said Trinity Street, said arc being subtended by a chord bearing and distance of South $26^{\circ}29'28''$ East, 351.41 feet; thence South $24^{\circ}05'30''$ East, 50.02 feet to a point lying on the Westerly right of way line of St. Augustine Road, a variable width right of way as presently established, said Westerly right of way line being a curve concave Westerly, having a radius of 539.77 feet; thence Southerly along the arc of said curved Westerly right of way line, through a central angle of $15^{\circ}51'20''$, an arc length of 149.37 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $14^{\circ}19'08''$ East, 148.90 feet; thence South $88^{\circ}30'58''$ West, departing said Westerly right of way line and along the Southerly line of said Lot 2, Block 6, a distance of 85.48 feet to the Northeast corner of said Lot 12, Block 6; thence South $01^{\circ}14'02''$ East, along the Easterly line of said Lot 12, a distance of 49.75 feet to the Southeast corner thereof; thence South $88^{\circ}30'58''$ West, along the Southerly line of said Lot 12 and its Westerly prolongation thereof, a distance of 150.00 feet to a point lying on the Westerly right of way line of said Summerall Avenue; thence South $01^{\circ}14'02''$ East, along said Westerly right of way line, 199.24 feet to the Southeast corner of said Lot 6, Block 5, said point lying on the Northerly right of way line of River Oaks Road, a 40 foot right of way as presently established; thence South $88^{\circ}30'58''$ West, along said Northerly right of way line, 100.67 feet to the Southwest corner of said Lot 6; thence North $01^{\circ}14'02''$ West, along the Westerly line of said Lots 2, 3, 4, 5 and 6, Block 5, a distance of 278.02 feet to a point lying on the Southerly right of way line of said Trinity Street; thence North $22^{\circ}27'32''$ West, 25.00 feet to a point lying on the centerline of said Trinity Street; thence South $67^{\circ}32'28''$ West, along said centerline, 417.81 feet to a point lying on the Easterly right of way line of the Florida East Coast Railroad, a 166 foot right of way as presently established, said point also lying on the Westerly line of said Official Records Book 1406, page 406; thence North $31^{\circ}04'14''$ West, along last said line

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EXHIBIT 1

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and along the Westerly line of said Mitchell Place, 132.67 feet to the Southwesterly corner of said Lot 32 of said Mitchell Place; thence North $31^{\circ}12'46''$ West, continuing along last said line, 801.27 feet to the Northwesterly corner of said Lot 17 of said Mitchell Place; thence North $60^{\circ}07'41''$ East, along the Northerly line of said Lot 17, a distance of 129.98 feet to the Northeasterly corner thereof, said point lying on the Westerly right of way line of said Mitchell Place; thence North $59^{\circ}07'56''$ East, 50.80 feet to the Easterly right of way line of said Mitchell Place, said point also lying on the Westerly prolongation of the Southerly line of Block 2, as shown on the plat of Simmons Addition to South Jacksonville, as recorded in Plat Book 6, page 12 of said current Public Records; thence North $73^{\circ}43'13''$ East, along last said line and along the Southerly line of said Block 2, a distance of 345.37 feet to a point lying on the Easterly line of said Section 46; thence North $74^{\circ}21'22''$ East, along said Southerly line of Block 2 and along the Southerly termination of Mark Street, a 50 foot right of way as presently established, 61.62 feet to the Southeasterly corner of said Southerly termination of Mark Street; thence South $07^{\circ}54'08''$ East, 103.70 feet to a point lying on the Southerly line of said Official Records Book 10880, page 2387; thence North $62^{\circ}28'37''$ East, along the Southerly line of said lands, 147.23 feet to the Northwesterly corner of those lands described and recorded in Official Records Book 12067, page 1039 of said current Public Records; thence South $26^{\circ}25'33''$ East, departing said Southerly line and along the Westerly line of said Official Records Book 12067, page 1039, a distance of 100.04 feet to the Southwesterly corner thereof, thence North $62^{\circ}26'35''$ East, along the Southerly line of said lands, 118.26 feet to a point lying on said Westerly right of way line of Philips Highway; thence South $27^{\circ}10'11''$ East, along said Westerly right of way line, 301.81 feet to its intersection with the Northerly right of way line of said Service Street; thence South $27^{\circ}12'55''$ East, 50.00 feet to the Point of Beginning.

Containing 17.31 acres, more or less.

PUD Amended Written Description

**Jackson Square PUD
September 17, 2008**

Development #8010.001

I. DESCRIPTION OF PLANS

Applicant proposes to rezone approximately 17.31 acres to Planned Unit Development (PUD) to allow for the development of a mixed-use project known as the Jackson Square PUD. The plan of development allows a mix of uses, including multi-family residential, retail and office uses. The parcel is located on the west side of Philips Highway south of Atlantic Boulevard.

II. PLANNED UNIT DEVELOPMENT USE RESTRICTIONS

The site will allow for retail, office or multi-family use, or a mix thereof.

A. PERMITTED USES AND RESTRICTIONS

The existing Comprehensive Plan designation for this property is CGC. The current zoning is CCG-1 and CO. The PUD approval will allow for a use of the property that is consistent with the CGC category of the 2010 Comprehensive Plan (up to 90% residential use). The development will not exceed 900 single family units, 200,000 square feet of office use and 150,000 square feet of retail use.

Permitted Uses – Commercial Use

The permitted commercial uses on the site shall be as follows:

(a) Permitted uses and structures

- (1) Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry (including watch repair) art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, delicatessens, bakeries (but not wholesale bakeries), office equipment or furniture, antiques, hardware, and accessories and similar uses (including outside sales).
- (2) Service establishments such as barber or beauty shops, shoe repair shops, restaurants, interior decorators, self-service laundries or dry cleaners, laundries or dry cleaning pickup stations, communication antennas, communication towers, travel agencies, offices, home equipment rental and similar uses.
- (3) Banks (including drive-thru tellers), loan companies, mortgage brokers, stockbrokers and similar financial institutions.
- (4) All types of professional and business offices, newspaper offices (but not printing), employment offices and union halls (but not day labor pools).
- (5) Hotels and motels.

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- (6) Art galleries.
- (7) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4
- (8) Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
- (9) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with the service of food which is ordered from a menu and prepared or served for pay for consumption on-premises (including outside sales).
- (10) Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- (11) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (12) Private clubs.

(b) Permissible uses by exception

- (1) 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, including permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
- (2) Restaurants with the outside sale and service of food and alcohol including kiosks.

Restrictions

No minimum lot area
 Minimum lot width – 15
 Maximum lot coverage 90%
 Minimum yard requirements
 front - 0 feet
 side - 0 feet
 rear - 0 feet

Max building height – 60 feet (however, by administrative deviation, the height may be included up to 75 feet with additional setbacks of 1 foot for each additional 3 feet of height)

Permitted Uses – Residential

The permitted residential uses shall be single-family or multi-family uses in accordance with the RHD-B zoning category.

Restrictions

No minimum lot area
 Minimum lot width - 15 feet
 Maximum lot coverage – 90 percent
 Minimum yard requirements
 front - 0 feet
 side - 0 feet
 rear - 0 feet

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Maximum building height - 60 feet (however, by administrative deviation, the height may be included up to 75 feet with additional setbacks of 1 foot for each additional 3 feet of height)

B. DEVELOPMENT STANDARDS

1. Location of Development

The site is an infill location along Philips Highway behind the San Marco vicinity. The locale is situated for mixed-use and to take advantage of existing transportation infrastructure and systems. The location provides access to existing utilities and updates currently failing systems.

2. Parking Requirements

Parking requirements shall be ½ of the required parking for CCG-1 for commercial uses and ½ of required parking for residential uses. Off-site parking adjacent to the development shall be credited against any parking requirements. There shall be no setbacks for required parking.

3. Vehicular Access Residential

Vehicular access to the property will be from Philips Highway, Summerall Avenue, Mark Avenue and Mitchell Place. All ingress and egress points shall be designed and constructed in accordance with City standards and shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer. There shall be no access from Bethune Avenue or River Oaks Road.

4. Pedestrian Circulation System

The pedestrian circulation system on the site shall comply with the City of Jacksonville 2010 Comprehensive Plan.

5. Retention

If required, stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District.

6. Utilities

All streets and drainage improvements will be designed and constructed in accordance with the standards and specifications of the City of Jacksonville and the Public Works Department. The electrical power will be underground. The sewer service will be gravity flow and the potable water will be furnished by JEA as well as water for the fire hydrants.

7. Tree Protection and Landscape Buffers

Perimeter buffer shall be required in accordance with the provisions of §656.1215 of the Zoning Code, unless otherwise approved by the Planning and Development Department. No buffer setbacks or landscaping shall be required due to subdivision of projects within the project. Otherwise, the requirements of the City of Jacksonville Code 656 Part 12 shall apply; however, landscaping may be relocated to provide for efficient development of the site as approved by the Planning and Development Department.

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8. Signage

The signage on the site shall be in accordance with Chapter 132, except for the following:

- a. Signs shall be permitted within the overall project for all uses within the boundary of the project;
- b. Illuminated signs for RHD uses may be allowed;
- c. Tenant wall signs up to 5% of occupancy frontage or under canopy signs up to 24 square feet cumulative area shall be allowed;
- d. Two (2) entry signs may be located on opposing sides of the entry and identify tenants within buildings. These signs will be limited to 300 square feet and also may identify multi-family housing. These signs may be 5 feet from the right-of-way. These signs shall be up to 35 feet in height, not including architectural features. Up to two (2) additional monument entry signs may be located along the Philips Highway frontage. The signs may be located 5 feet from the right of way. These signs shall be limited to 100 square feet per each sign face. The signs shall be up to 35 feet in height, not including architectural features. An additional monument sign may be located at the River Road entrance with the same restrictions as the two (2) additional monument signs along Philips Highway;
- e. Awning signs shall be externally illuminated; and
- f. Vehicular directional sign may identify tenants.

C. **SUCCESSORS IN TITLE**

All successors in title to the property, or any portion of the property, shall be bound to the conditions of this PUD.

D. **EXTERNAL COMPATIBILITY**

1. Uses on or Near the Perimeter of the PUD

The surrounding uses are all commercial or industrial in nature.

2. Entry Signs

Entry signs may be located on opposing si

E. **INTENSITY OF DEVELOPMENT**

1. Proposed Use

The proposed PUD is a mixed use PUD. The proposed development will allow for mix of multi-family, commercial and office uses.

2. Availability of Utility Services

All utilities are available for the proposed PUD.

3. Access to and Suitability of Transportation Arteries

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The proposed PUD is located on Philips Highway which is a main arterial roadway. The design of the internal circulation is designed for low-speed residential traffic, with transportation signage meeting the City of Jacksonville requirements. The site may be developed as and designated a transit oriented development, in accordance with Section 656, Part 14 of the Zoning Code.

JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

1. The PUD application submitted herein should prove to reflect a development that will not only respond to the uses and needs in the San Marco area, but will also meet the need that exists to provide housing and amenities in an infill location.
2. The PUD application submitted conforms to the Goals, Objectives and Policies of the Jacksonville Comprehensive Plan.
3. The proposed PUD allows for an efficient use of land in a mixed use.
4. The PUD enhances the appearance of the area through development of an infill location.
5. Allows for quality mixed use development in an infill location.

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Exhibit F

LAND USE		
TOTAL GROSS ACREAGE	17.28 AC.	100%
AMOUNT OF EACH DIFFERENT LAND USE BY ACREAGE		
MULTI-FAMILY	15.54 AC.	89.93%
COMMERCIAL	1.74 AC.	10.07%
TOTAL NUMBER AND TYPE OF DWELLING UNITS		
PHASE I	284	
PHASE II	226	
TOTAL REQUIRED OPEN SPACE (510 UNITS @ 150 SF EACH)	1.76 AC.	10.19%
PHASE I OPEN SPACE PROVIDED	1.84 AC.	
PHASE II OPEN SPACE PROVIDED	0.65 AC.	
TOTAL PROVIDED OPEN SPACE	2.49 AC.	14.41%
AMOUNT OF PUBLIC AND PRIVATE RIGHT-OF-WAY	0.00 AC.	0.00%
MAXIMUM COVERAGE OF BUILDINGS AND STRUCTURES AT GROUND LEVEL		
PHASE I	2.18 AC.	12.62%
PHASE II	1.82 AC.	10.53%
COMMERCIAL (COMBINED)	0.23	1.33%

NOTE: THE LAND USE ESTIMATES IN THIS TABLE ARE SUBJECT TO CHANGE WITHIN THE ALLOWABLE DENSITIES AND INTENSITIES OF USE, AS SET FOR IN SECTION IV OF THE WRITTEN DESCRIPTION (EXHIBIT 3).