

**PUD WRITTEN DESCRIPTION  
THE HARBOUR MIXED-USE PUD  
May 21, 2024**

**I. PROJECT DESCRIPTION**

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 43.80 acres of property to allow for a mixed-use development on the property located at 13911 Atlantic Boulevard (RE# 167140 0100) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the CGC land use category, the Suburban Development Area, and is zoned PUD per Ordinance 2007-0356.

The Property was rezoned to PUD pursuant to Ordinance 2007-0356 to permit a mixed-use development including multi-family, commercial/office, and marina uses. Subsequently, the City adopted a remedial land use amendment pursuant to Ordinance 2009-0621 outlining certain conditions on the development of the Property. This PUD is filed to continue permitting mixed-use development of multi-family, commercial/office, and marina uses through updated site design. The applicable restrictions within Ordinance 2007-0356 as modified and supplemented by Ordinance 2009-0621 are provided for in this PUD as specifically noted and modified herein.

The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	CGC/AGR-IV	RR-Acre	Intracoastal/Marsh
East	CGC	PUD (2007-0356)	Intracoastal
South	CGC	PUD (2002-0931)	Atlantic Blvd./Multi-family/Marina
West	CGC/WD/WR	PUD (2007-0356)/IW	Marsh/Construction Office

- B. Project name: The Harbour Mixed-Use PUD.
- C. Project engineer: Alliant Engineering.
- D. Project developer: Jacksonville Intracoastal LLC.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: CGC.
- G. Current zoning district: PUD (Ordinance 2007-0356).
- H. Requested zoning district: PUD.

I. Real estate number: 167140 0100.

## **II. QUANTITATIVE DATA**

A. Total acreage: 43.80 acres.

B. Maximum number of multi-family units: Five hundred sixty (560) units.

C. Maximum amount of nonresidential commercial square feet (not including marina wet and dry slips): One hundred six thousand (106,000) square feet.

D. Maximum amount of marina wet and dry slips: Six hundred fifty (650), a minimum of one hundred (100) of which shall be made available to the public on a first-come, first served basis.

## **III. STATEMENTS**

A. How does the proposed PUD differ from the usual application of the Zoning Code?

This PUD is filed to update the site plan design, reduce the number of residential units, increase permitted commercial square footage, establish site-specific signage regulations, and otherwise incorporate the existing PUD and applicable conditions adopted pursuant to Ordinance 2007-0356, as modified by Ordinance 2009-0621 along with the regulations applicable to the CCG-1 zoning district as modified below:

1. Developer is required to dedicate three (3) acres of land to conservation easement prior to issuance of a certificate of occupancy for residential development.
2. Multiple family dwelling units are permitted by right not to exceed five hundred sixty (560) units for an overall residential density of less than thirteen (13) units per acre.
3. Commercial use (not including marina wet and dry slips) shall not exceed one hundred six thousand (106,000) square feet.
4. Storage and launch for kayak, canoe, personal watercraft and related items are permitted.
5. Restaurants without outside sales and service including service of all alcoholic beverages as well as establishments including the retail sale and service of alcohol for on or off premises consumption are permitted by right and the minimum distance limitations applicable to liquor service are waived.
6. Private clubs are permitted.

7. Permanent or restricted outside sales and service are permitted.
8. Height is permitted up to one hundred forty-four (144) feet.
9. Rooftop signs are permitted on the marina drystack with size and location restrictions.
10. The following uses are prohibited:
  - a. Pari-mutuel and related facilities.
  - b. Dancing entertainment establishments serving alcohol.
  - c. Vocational and trade schools.
  - d. Adult Congregate Living Facility.
  - e. Retail plant nurseries.
  - f. Wholesaling, distribution, assembly of components, and manufacturing.
  - g. Filling or gas stations, not in conjunction with a marina.
  - h. Car wash facilities (not including boat washing facilities in conjunction with marina uses).
  - i. Textile recycling collection bins.
  - j. The permissible uses by exception within the CCG-1 zoning district, unless otherwise permitted herein.

B. Explanation of proposed deviations or waivers.

1. In exchange for an increase in commercial square footage, Applicant has agreed to reduce the number of residential units permitted and to dedicate additional land to conservation.
2. The updated programming includes restaurants for the marina and commercial spaces within the project. Accordingly, outdoor sales and service and sales of all alcoholic beverages have been included as permitted uses to support such operators.
3. The requirement for a waiver of minimum distance for a liquor license location is waived because the site is surrounded to the west, north and east by water and extensive conservation land and by the raised overpass for Atlantic Boulevard, a construction company and marine component store to the south.

4. The existing PUD permits height up to one hundred forty-four (144) feet. This deviation is preserved in order to permit dedication of additional land to conservation as well as clustering of uses outside of sensitive environmental areas such as the Coastal High Hazard Area.
  5. Parking minimums negotiated in the existing PUD are carried forward along with the ability to park at a reduced rate if supported by an approved parking demand study. The requirement for dedicated loading spaces is waived as there is ample on-site space for loading without risk of encroachment into public right-of-way.
  6. Rooftop signs are permitted on top of the marina dry stack due to its unique location adjacent to the Atlantic Boulevard overpass which would obscure any ground mounted signage.
  7. Buffering between internal uses is not required because this is a master planned, mixed-use development with complementary and compatible uses.
- C. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

Owner or an established property owners' association will be responsible for the operation and maintenance of common areas, landscaping, parking or other shared areas that are not provided, operated or maintained by the City.

#### **IV. USES AND RESTRICTIONS**

##### **A. Permitted Uses:**

1. Multiple-family dwellings and associated amenities including, but not limited to clubhouses, indoor and outdoor recreation areas, pools, car washes, and dog parks.
2. Marina uses, including wet and dry slips, indoor and outdoor boat repair, boat ramps, fueling stations and recreational use associated with boating such as fishing tournaments. No more than six hundred fifty (650) slips (wet and dry) shall be provided, of which, no more than five hundred fifty (550) slips shall be dedicated to the onsite multi-family dwellings. A minimum of one hundred (100) slips shall be made available to the public on a first-come, first-serve basis. The marina development shall comply with the current Florida Clean Marina Program, as designated by state law.
3. Storage and launch of kayak, canoe, personal watercraft and related items.
4. Restaurants including outside sales and service and the sale and service of all alcoholic beverages.

5. Establishments including the retail sale and service of all alcohol, including liquor, beer or wine, for on or off-premises consumption or both.
6. Commercial retail sales and service establishments including permanent or restricted outside sales and service.
7. Retail sale of boats, boating equipment and accessories, slip stores and similar uses (including outside sales).
8. Hotels and motels.
9. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
10. 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.
11. Private clubs.
12. Nightclubs.
13. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, and similar uses.
14. Art galleries, museums, community centers, dance, art or music studios.
15. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
16. Off-street commercial parking lots.
17. Express or parcel delivery offices and similar uses (but not freight or truck terminals).
18. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
19. Personal property storage establishments.
20. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.

21. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
22. Churches, including a rectory or similar use.
23. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.

**B. Permitted Accessory Uses and Structures:**

1. As permitted in Section 656.403.

**C. Use Restrictions:**

1. All residential and commercial uses (other than boat channels, basins, docks, slips, and ramps) shall be confined to the areas of the existing disturbed site, but in any event only above the mean high water line. All residential development will be clustered outside the published 2013 Coastal High Hazard Area and comply with applicable Coastal High Hazard regulations.
2. All residential uses shall be located above the elevation of the category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricane (SLOSH) computerized storm surge model, which on the Property is approximately 3.914 feet (NAVD-88) (formerly 5.0 feet (NGVD-29)). Historically there are approximately 23.88 acres above 5.0 feet in elevation on the Property which are deemed to not be located within the published 2013 Coastal High Hazard Area as defined under Florida statute.

**V. DESIGN GUIDELINES**

**A. Lot Requirements:**

1. Minimum lot width and area: None, except as otherwise required for certain uses.
2. Maximum lot coverage by all buildings. None, except as otherwise required for certain uses. Impervious surface ratio as required by Section 654.129 to be calculated based on 85% of gross acreage.
3. Minimum yard requirements.
  - a. Front – None.
  - b. Side – None.
  - c. Rear – None.

4. Maximum height of structures:

- a. One hundred forty-four (144) feet.
- b. Accessory Use Structures – Fifteen (15) feet, provided the structure may be one (1) foot higher for each three (3) feet of additional setback up to the height of the primary structure or the structure shall otherwise be required the same setbacks of the primary structure.

B. Ingress, Egress and Circulation:

1. *Parking Requirements.*

- a. Residential Uses. Parking for residential use shall be provided at a minimum rate of one (1) space per unit and may be provided in surface lots, parking decks, structured parking, and/or garages.
  - b. Parking for commercial uses including restaurant use shall be provided at a minimum rate of three (3) spaces per one thousand (1,000) square feet of floor area with no maximum amount of spaces.
  - c. Parking for wet slips shall be provided at a minimum rate of two (2) parking spaces per three (3) slips. Parking for dry slips shall be provided at a minimum rate of one (1) parking space per four (4) slips.
  - d. Dedicated loading spaces shall not be required within the Property provided that loading activity shall be conducted on site and not within a public right of way.
  - e. All other uses shall provide parking consistent with Part 6 of the Zoning Code unless a reduced number is supported by a calculation provided pursuant to ITD or ULI standards or as otherwise approved by the Planning and Development Department. There shall be no maximum parking restriction within the PUD, and parking within the PUD may be shared regardless of individual parcel ownership so long as the PUD in its entirety provides sufficient parking for all proposed uses taking into consideration offsetting hours of operation. Where individual parcel owners are involved, such shared parking may be provided “off-site” within the PUD and/or addressed by easement.
2. *Vehicular Access.* Vehicular access to the Property shall be by way of the Atlantic Boulevard service road, substantially as shown on the Site Plan. A public turn around area designed for a SU30 vehicle to maneuver shall be provided prior to any gated areas within the site.

3. *Pedestrian Access.* As required by City regulations.
- C. **Signs:** Signs for this development shall be consistent with the requirements for the CCG-1 zoning district as set forth in Part 13 of the Zoning Code, as further supplemented and restricted below:
1. Directional signs are permitted along Atlantic Boulevard Service Road and in each residential project or commercial development. The design of such directional signage shall be reflective of the overall character of the PUD and shall be a maximum of eight (8) square feet in area per sign face. Directional signs shall not exceed five (5) feet in height.
  2. Temporary signs, including but not limited to real estate for lease/sale, contractor or financing signs or banners, shall not exceed a maximum of twenty-four (24) square feet each and shall be strictly limited to two (2) such signs on site at any time. Construction fence screening shall be allowed under the following conditions: (1) it shall not exceed eight (8) feet in height; (2) graphics shall not exceed fifty percent (50%) of the entire exterior surface area; (3) shall be maintained in good order, condition and repair; and (4) shall be removed upon certificate of occupancy.
  3. Rooftop signage and signage mounted to the top of the marina drystack not to exceed a total of two (2) signs of not more than three hundred (300) square feet each are permitted in light of the Property's location along the Atlantic Boulevard overpass. Rooftop signage is subtracted from the square footage allowed for ground signs for buildings that are four stories or less. Rooftop signs shall be at least two hundred (200) feet apart. Rooftop signs shall not exceed twenty (20) feet above the roof level upon which the sign is erected.
  4. Project identification signage shall not obstruct horizontal sight distance as provided for in the Land Development Regulations.
- D. **Landscaping:** Landscaping shall be provided as required pursuant to Part 12 of the Zoning Code, except that buffers and landscaping shall not be required between internal uses within the Property nor shall a landscape buffer be required between trailer parking spaces and the access road at the southern end of the property. No walls, fences or landscaping shall obstruct horizontal sight distance as provided for in the Land Development Regulations.
- E. **Recreation and Open Space:** Recreation and open space shall be provided as required by the 2045 Comprehensive Plan.
- F. **Utilities:** Essential services, including water, sewer, and gas, as required to serve the project shall be permitted on the site. Water, sanitary sewer and electric will be provided by JEA.



- G. Wetlands: Development which would impact wetlands will be permitted in accordance with local, state and federal requirements. Prior to final site plan approval, the developer shall obtain a final wetlands jurisdictional designation line from the appropriate regulatory agency or agencies.
- H. Conservation Easement: Prior to issuance of a certificate of occupancy for the residential development, Developer shall provide a conservation easement in favor of the St. Johns River Water Management District over the three (3) acres of land depicted in the sketch and legal description prepared by Survey and Mapping, LLC, dated May 13, 2022 filed herewith as Exhibit J.
- I. Waiver of minimum distance for a liquor license location: The minimum distance for a liquor license location is waived for the Property as the majority of land surrounding the Property was deeded to the Board of Trustees of the Internal Improvements Trust Fund of the State of Florida in 2011. Accordingly, the Property is surrounded to the west, north and east by conservation land and water, and is bounded by the raised ramp for Atlantic Boulevard, a construction company and marine component supplier to the south.
- J. Emergency Preparedness: The Property lies within Evacuation Zone A and fronts Atlantic Boulevard, which serves as a hurricane evacuation route for the beaches. The owner of any residential development within the Property will establish protocols for providing emergency preparedness information to residents addressing evacuation procedures and sources for hurricane related updates. Such information will be provided to new residents and available within the management office.

## VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

In accordance with Section 656.341(d) of the Code the PUD meets the applicable Criteria for review as follows:

- A. **Consistency with the Comprehensive Plan.** The proposed PUD is consistent with the general purpose and intent of the City's 2045 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2045 Comprehensive Plan and specifically contributes to:

### *Future Land Use Element*

- 1. Policy 1.1.6 - 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. Policy 1.1.9 - Promote the use of Planned Unit Development (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:
  - a. Potential for the development of blighting or other negative influences on abutting properties
  - b. Traffic Impacts
  - c. Site Access
  - d. Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
  - e. Configuration and orientation of the property
  - f. Natural or man-made buffers and boundaries
  - g. Height of development
  - h. Bulk and scale of development
  - i. Building orientation
  - j. Site layout
  - k. Parking layout
  - l. Opportunities for physical activity, active living, social connection, and access to healthy food
3. Policy 1.1.13 - Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:
  - a. Creation of complementary uses;
  - b. Enhancement of transportation connections;
  - c. Use of noise, odor, vibration and visual/ aesthetic controls; and/or
  - d. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.
4. 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.
5. Objective 1.2 - Manage the use of land in the City by approving new development and redevelopment only if necessary public facilities are provided concurrent with the impacts of development. Ensure the availability of adequate land suitable for utility facilities necessary to support proposed development. Verify prior to development order issuance that all new development and redevelopment will be served with potable water, wastewater, solid waste disposal, stormwater

management facilities, and parks that meet or exceed the adopted Levels of Service established in the Capital Improvements Element.

6. Policy 1.2.8 - Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance with the following provisions:

- a. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
  - b. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
  - c. Subdivision (non-residential and residential) where:
    - i. The collection system of a regional utility company is greater than  $\frac{1}{4}$  mile from the proposed subdivision.
    - ii. Each lot is a minimum of  $\frac{1}{2}$  acre unsubmerged property.
    - iii. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections to the JEA Collection Systems available within a five-year period.
7. 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.
  8. Policy 4.1.2 - The City shall require that all development conform to the densities and intensities established in the Future Land Use Map series and Operative Provisions of this element and be consistent with the plan.

### *Housing Element*

9. Objective 1.1 The City shall assist the private sector in providing an adequate supply of new dwelling units of various types, sizes and costs. The City needs to add an estimated 92,282 units between 2020 and 2045 in order to keep pace with population growth and/or fluctuations in market forces and migration patterns.
10. Policy 1.1.1: The City in its Land Development Regulations, shall continue to provide incentives such as higher densities or special design considerations, to

encourage the building of a wide variety of housing types, designs, and price ranges; and promote an equitable distribution of housing choices throughout the City.

11. Policy 1.1.3: The City's Planning and Development Department shall ensure that the Future Land Use Element shall include an adequate supply of land for various types of residential uses needed in the City and that the required infrastructure will be in place concurrent with the impact of proposed developments.

**B. Consistency with the Concurrency Management System.** All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.

**C. Allocation of residential land use.**

The Property is located within the CGC – Suburban Development Area, which permits a maximum of twenty (20) units per acre. The proposed density of five hundred sixty (560) units is less than the total number of units permitted pursuant to the remedial land use amendment adopted in Ordinance 2009-0621.

**D. Internal compatibility.** The Site Plan attached as Exhibit E addresses access and circulation within the site. Access to the site is available from the Atlantic Boulevard service road. Location of the access points shown on the Site Plan as well as final design of the access points is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

**E. External compatibility / Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area. This PUD proposes uses consistent with the CCG-1 category and similar uses as originally approved by Ordinances 2007-0356 and 2009-0621 with an updated site design. Buffers and preservation of environmentally sensitive lands are utilized, and residential development will be clustered outside the published 2013 Coastal High Hazard Area and comply with applicable Coastal High Hazard Area regulations.

**F. Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2045 Comprehensive Plan will be provided substantially provided as shown on the Site Plan attached as Exhibit E.

**G. Impact on wetlands.** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

**H. Listed species regulations.** The Property is less than fifty (50) acres and therefore a listed species survey is not required.

**I. Off-Street parking including loading and unloading areas.** The proposed PUD provides a minimum rate of one (1) space per residential unit, three (3) spaces per one

thousand (1,000) square feet of commercial square feet, two (2) spaces per three (3) wet slips, and one (1) space per four (4) dry slips. The proposed PUD will also provide thirty (30) trailer spaces for the public boat ramp.

- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the City regulations.
- K. **Resilience components.** Flood resilience and reducing risk of sea level rise will be an important engineering element through design development. The project will promote preservation of low areas and development in upland areas, with structures designed to preserve flood storage areas with parking decks open for flood attenuation and residential units above. Residential buildings are proposed to be built land side behind the LIMWA and high hazard flood area. Building foundations will be on piles. All residential finished floor elevation will be at least two feet above applicable flood plain with an anticipated finished floor elevation of eleven feet for the apartments. Non-residential buildings will be either two feet above the flood plain or flood protected. Flood protection elements include water tight construction with any openings two feet above the flood plain or protected with flood panels. All first floor construction is proposed to be CIP concrete.