



# DOWNTOWN INVESTMENT AUTHORITY

117 West Duval Street #310, Jacksonville, Florida 32202  
(904) 255-5302 | <https://dia.coj.net/>

April 9, 2024

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Downtown Development Review Board Advisory Report**  
**Ordinance No.: 2024-0152**  
**Application for: Downtown Southbank Multi-Family Mixed-Use PUD**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 656.361.9 and Section 656.129, *Ordinance Code*, the Downtown Development Review Board respectfully offers this report for consideration by the Land Use and Zoning Committee.

Downtown Investment Authority Recommendation: **Deny**

Downtown Development Review Board Recommendation: **Approve with Conditions**

This rezoning is subject to the following exhibits:

The original legal description dated December 27, 2023.  
The original written description dated December 27, 2023.  
The original site plan dated December 27, 2023.

Recommended Downtown Development Review Board Conditions to the Ordinance:

1. A minimum of 8,500 square feet of the ground floor space must be dedicated for retail uses unrelated to self-storage or residential leasing activities.
2. Of the 8,500 square feet of ground floor retail uses unrelated to self-storage or residential leasing activities, part must be dedicated to a restaurant/café and part must be dedicated to retail, to promote a mixture of retail uses and hours of operation.
3. The self-storage access and hours of operation shall be limited daily beginning at 6:00AM and ending at 10:00PM.

Downtown Development Review Board Commentary: Regarding public comment, 12 speakers were in opposition, and one (1) speaker was in support of the proposed rezoning. Public comments in opposition were centered around the inclusion of personal property self-storage use within the PUD written description. Board Members discussed all uses within the project as well the use of a PUD as a path to achieve the proposed uses. In general, the Board felt that the

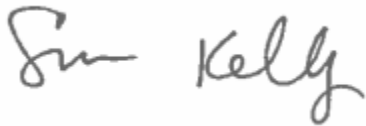
benefits of the project outweighed the potential negative impacts of the proposed rezoning, and that enhancements could be made to the design in order to make the project more palatable to the public.

Downtown Development Review Board Vote: 7-1

Matt Brockelman, Chair	Aye
Linzee Ott, Vice Chair	Nay
Gary Monahan, Secretary	Aye
Joana Berling	Aye
Ennis Davis	Aye
Carl Dawson, Jr.	Aye
Fred Jones	Aye
Trevor Lee	Aye
Joseph Loretta	Absent

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Susan Kelly  
Redevelopment Coordinator  
City of Jacksonville – Downtown Investment Authority  
117 West Duval Street, Suite 310  
Jacksonville, FL 32202  
(904) 255-5307  
ksusan@coj.net

**REQUEST FOR REZONING - ORDINANCE 2024-0152**  
**STAFF REPORT**  
**APRIL 9, 2024**

**REVISED<sup>1</sup>**

The Downtown Development Review Board staff hereby forwards to the Downtown Development Review Board, Land Use and Zoning Committee, and City Council its report and recommendation regarding Application for Rezoning Ordinance **2024-0152** to Planned Unit Development.

<b>Project Name:</b>	Downtown Southbank Multi-Family Mixed-Use PUD
<b>Location:</b>	1004 Hendricks Avenue, at the southwest corner of Prudential Drive and Hendricks Avenue
<b><i>Real Estate Number(s):</i></b>	080289-0000; 080290-0000; 080288-0000; and 080297-0000
<b>Downtown Overlay District:</b>	Southbank District
<b>Current Zoning District:</b>	Commercial Central Business District (CCBD)
<b>Proposed Zoning District:</b>	Planned Unit Development (PUD)
<b>Current Land Use Category:</b>	Central Business District (CBD)
<b>Planning District:</b>	Urban Core, District 1
<b>Applicant/Agent:</b>	Steve Diebenow, Esq. Driver, McAfee, Hawthorne and Diebenow, PLLC One Independent Drive, Suite 1200 Jacksonville, Florida 32202
<b>Owner:</b>	G.I.S. Holdings, Inc. 570 Jacksonville Drive Jacksonville Beach, FL 32250  A. Walter Hirshberg Family Trust 1994 River Road Jacksonville, FL 32207  Karen Hirshberg 1994 River Road Jacksonville, FL 32207
<b>Staff Recommendation:</b>	<b>Deny</b>

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<sup>1</sup> Staff report revised on page 2, replacing language from a prior Written Description with language from the Written Description dated December 27, 2023.

### GENERAL INFORMATION

Application for Planned Unit Development, Ordinance 2024-0152, seeks to rezone approximately 1.01 acres of land from Commercial Central Business District (CCBD) to Planned Unit Development (PUD). The site ("Project") consists of four (4) parcels – three contiguous and one separated by an alleyway, which is being sought for closure via separate legislation. The Project is within the Downtown Overlay Zone, Subpart H of Chapter 656, and as such, development is subject to the Downtown District Use and Form Regulations.

This rezoning to PUD is being sought to allow for a building vertically integrated with ground floor retail or office or office, upper floor self storage and upper floor residential. The development plan, more specifically, is as follows:

Ground floor retail or office: 14,500 square feet *Note: a portion of the retail or office will be related to the operation of the self storage facility, and, although not more fully illustrated by the site plan included with the application, the actual ground floor retail or office/office unrelated to the operation of the self storage or residential is approximately 8,500 square feet.*

***Note: The PUD Written Description does not mandate ground floor retail. It should not be expected that ground floor retail or ground floor restaurants will be part of this Project. The Written Description states:***

*"...Applicant intends to develop a mixed-use structure with ground floor retail, office, restaurant, or other commercial programming with vertically integrated personal property self-storage uses on the third through sixth floors and multi-family residential dwellings on the seventh through tenth floors..."*

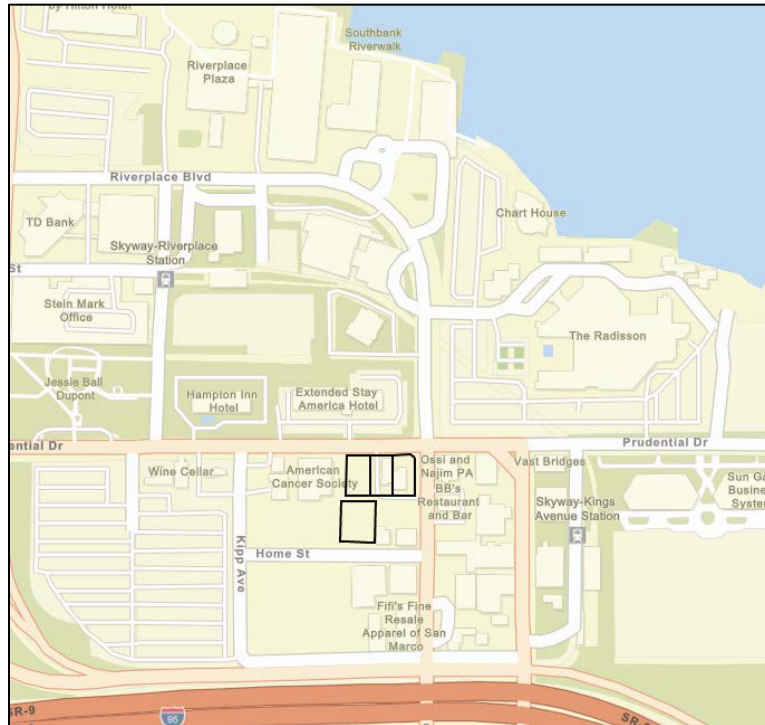
*"...The Project provides a mixture of uses so that housing, activities, retail, and other businesses are within useful walking distance. The Project will have active facades at street level through a mixture of nonresidential uses which may include restaurants, retail, and services, office, and direct doorways with access to the street. The Project will minimize blank walls and surface parking..."*

Floor 2: Parking

Floors 3 through 6: Self Storage; 136,000 square feet

Floors 7 through 10: Residential, multi-family; 100 units

The Project is located at the southwest corner of Hendricks Avenue and Prudential Drive. The Project abuts office and retail or office development, noting that office, hotel and restaurant uses are also within proximity to the Project. The intersection of Prudential Drive and Hendricks Avenue is a major commercial node as it establishes a change in character from mid-rise office and commercial uses to high-rise, hospitality-driven uses that address, or cater to, the Southbank Riverwalk, which is less than 1,000 feet from the subject site.



*Location Map*

Across Prudential Drive, Hendricks Avenue becomes Riverplace Boulevard. The intersection of Hendricks/Riverplace with Prudential is a significant cycling node according to the City's On-street Bikeways and Trails Network. Bike lanes and shared lanes are provided on both sides of each roadway at this location, as shown on the map below.



*Hendricks Avenue/Riverplace and Prudential Drive intersection, On-street Bikeways and Trails Network*

## **REVIEW**

**Note:** *this PUD does not establish expectations in design, or otherwise speak to the actual design of a building. Any previous building designs shown in other forums should not be relied upon. The site plan shown in the PUD should not be considered final.*

Downtown Jacksonville is intended to be a dynamic, resilient, people friendly, urban center that capitalizes on the importance of the River and is the premier center for business, sports and entertainment, culture, and urban living. The Business Investment and Development (BID) Plan is, in large part, the governing document for development and redevelopment within Downtown. While the residential and ground floor retail or office or office aspects of the Project are in furtherance of the BID Plan, the self storage<sup>2</sup> is not. This is more fully discussed later in this report.

Self storage, or rather personal property storage, is not a permitted use or permissible use by exception within the Southbank (Overlay) District<sup>3</sup>. This is important to acknowledge early as the purpose of this Rezoning is to allow for the self storage use. All other uses listed are permitted within the existing CCBD Zoning and Southbank District, noting further that this particular PUD does not implement the intent and purpose of a PUD “district” as articulated in Section 656.340, Jacksonville Code of Ordinances.

### **Section 656.125(b) – Limitations on rezoning of land**

Per Section 656.125(b), an applicant for a proposed rezoning is required to prove by substantial, competent evidence that the proposed rezoning:

- (1) Is consistent with the Comprehensive Plan;
- (2) Furthers the goals, objectives and policies of the Comprehensive Plan; and
- (3) Is not in conflict with any portion of the City’s Land Use Regulations.

If the applicant proves the proposed rezoning complies with this criterion, the City Council shall grant the rezoning request unless they determine that there is substantial, competent evidence that maintaining the current zoning district accomplishes a “legitimate public purpose.” This is defined in Section 656.125(c) and includes that the proposed rezoning not constitute “spot zoning” and the uses permitted under the proposed rezoning not be inconsistent and incompatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area, or deviate from an established or developing logical and orderly development pattern.

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board (serving as Planning Commission) and City Council (including the appropriate committee) shall evaluate and consider the following criteria for review of an application for rezoning to Planned Unit Development.

#### **(1) Is consistent with the Comprehensive Plan**

- Finding: Staff finds that the subject property is located in the Central Business District (CBD) functional land use category as defined by the Future Land Use Map series (FLUMs) of the

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<sup>2</sup> “Self Storage” and “Personal Property Storage” are used synonymously throughout this report.

<sup>3</sup> “Southbank District” and “Southbank (Overlay) District” are used synonymously throughout this report.

Future Land Use Element (FLUE) adopted as part of the *2045 Comprehensive Plan*. The CBD category is a mixed-use category that is coterminous with the DIA jurisdictional boundaries.

PUD zoning districts are permitted as secondary zoning districts in the CBD category, and as such, the request for a proposed rezoning to a PUD is allowed, but not guaranteed, within the CBD land use category.

The BID Plan, at time of adoption, was reviewed both by the Planning and Development Department and by the City's Planning Commission, with the Planning Commission as the City's Local Planning Agency finding the BID Plan consistent with the Comprehensive Plan.

Being that the proposed PUD is inconsistent with the BID Plan, by extension staff finds that this PUD rezoning is inconsistent with the Comprehensive Plan, in part, because it is inconsistent with the BID Plan.

(2) Furthers the goals, objectives and policies of the Comprehensive Plan?

- Finding: The PUD does not further the Goals, Objectives and Policies of the Comprehensive Plan, rather maintaining the current CCBD Zoning would because it currently permits residential and retail or office or office, which are the uses<sup>4</sup> of the Project that are consistent with the Comprehensive Plan, listing 25 Goals, Objectives and Policies.

Staff finds, using the same 25 Goals, Objectives and Policies, that the Project's furtherance of these is actually by virtue of the existing CCBD Zoning and Southbank (Overlay) District as well as by the Downtown Overlay Form Regulations (Section 656, Part 3, Subpart H, Jacksonville Code of Ordinances) and the Downtown Development Review Board process. Consequently, the PUD does not contribute to furtherance of the Goals, Objectives and Policies of the Comprehensive Plan.

The Applicant justifies consistency with the Comprehensive Plan by citing the following Future Land Use Goals, Objectives and Policies:

#### **Future Land Use Element**

Goal 1; Objective 1.1; Policy 1.1.1; Policy 1.1.6; Policy 1.1.9; Policy 1.1.10; Policy 1.1.11; Policy 1.1.13; Policy 1.1.22; Objective 1.2; Policy 1.2.7; Policy 1.2.8; Objective 2.3; Policy 2.3; Policy 2.3.3; Policy 2.3; Policy 2.3; Goal 3; Objective 3.1; Policy 3.1; Policy 3.1.12; Objective 3; Policy 3.2.2; Objective 3; Policy 3.4.2.

The exact language of each is incorporated into the PUD application. Staff finds that the retail, office and residential components of the Project further the above Goals, Objective and Policies as cited in the PUD Application, but the PUD Rezoning itself is not. The below Goals, Objectives and Policies are furthered by the residential and retail or office or office aspects of the Project, which do not require a rezoning of the Project site.

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<sup>4</sup> Staff realizes that the PUD Written Description allows for all permitted uses within the CCBD and Southbank District and any use currently permitted within those districts would be presumed to further the Goals, Objectives and Policies of the Comprehensive Plan. However, this PUD mandates retail or office and residential, so staff is relying on these uses in its analysis.

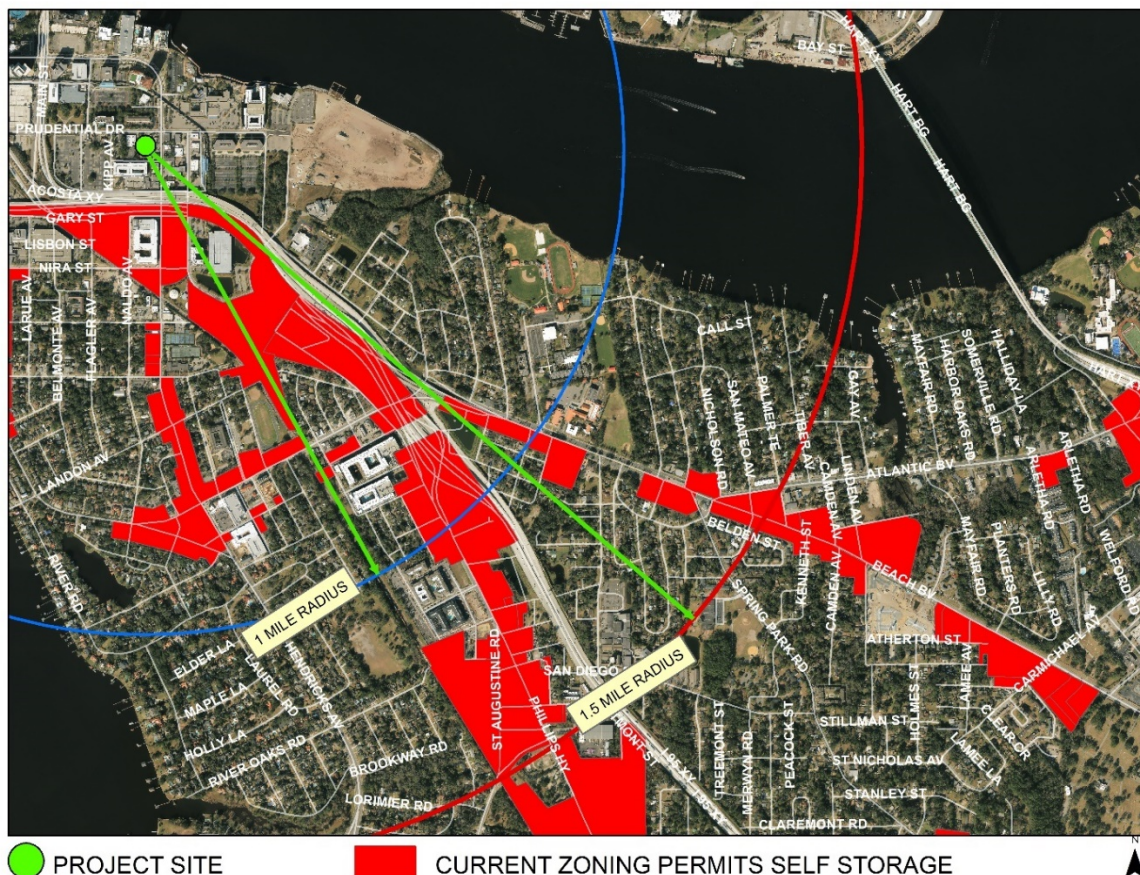


(3) Is not in conflict with any portion of the City's Land Use Regulations

Staff finds the rezoning to PUD is in conflict with the purpose and the intent of Planned Unit Development rezonings as articulated in Section 656.340<sup>5</sup>, Jacksonville Code of Ordinances. The following is a bullet point summary of Section 656.340 and a PUD zoning district's intent, with staff's analysis and findings. All text preceded by a "bullet point" is as written in Section 656.340, Jacksonville Code of Ordinances.

- It is the intent and purpose of this [PUD] district that Planned Unit Developments, both large scale, which consists of five acres or more, and small scale, which consists of less than five acres, be utilized to create living environments that are responsive to the needs of their inhabitants.

**Analysis / Findings:** *this is a small scale PUD and although self storage facilities serve a purpose, as illustrated by the map on the following page, there are numerous properties within 1 and 1.5 miles that are currently zoned appropriately (i.e. self storage / personal property storage are permitted uses). Staff's conclusion in this regard is that this PUD is not responding to a presumed need of the area that cannot otherwise be provided for within short driving proximity to the Project.*



<sup>5</sup> Section 656.340 is contained with the Chapter 656, Jacksonville Code of Ordinances, which contains the City's Land Use Regulations



*This Project provides for retail or office or office and housing, and more particularly affordable housing, but it is not because of the PUD. Retail or office and housing are permitted, both separately and vertically integrated into a single building, as a matter of right within the existing CCBD Zoning District and the Southbank (Overlay) District.*

- To provide flexibility in planning, design and development.

**Analysis / Findings:** *this PUD, aside from incorporating a currently not-permitted use, does not provide flexibility in planning, design and development. Section V of the written description essentially “punts” all design considerations, appropriately so, to the existing Downtown Overlay Zone and Downtown District Use and Form Regulations within the Jacksonville Code of Ordinances.*

- To encourage innovative approaches to the design of community environments.

**Analysis / Findings:** *as previously stated, this PUD, aside from incorporating a currently not-permitted use, does not provide flexibility in planning, design and development. Section V of the written description essentially “punts” all design considerations, appropriately so, to the existing Downtown Overlay Zone and Downtown District Use and Form Regulations within the Jacksonville Code of Ordinances.*

- To encourage the fulfillment of housing needs appropriate to various lifestyles and income levels; to encourage the integration of different housing types within a development; provide an opportunity for new approaches to ownership.

**Analysis / Findings:** *the PUD does mandate that at least 80% of the 100 housing units be affordable. Affordable housing is a need within the Southbank, with staff basing this assertion on knowledge of rental prices in the Southbank. By way of example:*

*SoBa Apartments:            1 bed/1 bath, 648 square feet – starting at \$1,426  
   2 bed/2 bath, 958 square feet – starting at \$1,894*

*Southerly:                    1 bed/1 bath, 754 square feet - \$1,372 – \$2,626 (Model Unit A5)  
   2 bed/2 bath, 1,178 square feet - \$2,275 - \$4,341 (Model Unit B10)*

- To provide for an efficient use of land.

**Analysis / Findings:** *essentially creating four (4) floors of low-density self storage in an urban area is not an efficient use of the land. Staff acknowledges that self storage may be financially feasible, but financial feasibility in the context of land use does not equate to an efficiency. Should the Project replace those four floors with office or residential or another permitted, higher density use then an efficient use of land would be accomplished, again noting that this would not require a rezoning. In short, the efficient uses of land within the proposed PUD are already permitted (i.e. retail, office and residential).*

- To provide an environment compatible with surrounding land use; to adapt the zoning process to changes in construction and development technology.

**Analysis / Findings:** *compatibility, from a design perspective, will be determined by the Downtown Development Review Board who will review the Project, with design itself guided by the*

*requirements of the existing Downtown Overlay Zone and Downtown District Use and Form Regulations.*

*Specific to compatibility, again from a design perspective, with surrounding land use, the PUD Written Description reads, in part, that “Design is controlled by the Downtown Overlay Form Regulations and Downtown Design Guidebook. The proposed development will be subject to review by the DDRB in accordance with such guidelines. Applicant may apply for, and DDRB may approve, any deviation permitted under the Downtown Overlay.” This compatibility review does not require a PUD as the process for such review and the opportunity for creation of compatible land use design already exists within Downtown.*

*There are no changes in construction or development technology that necessitate this PUD or that otherwise cannot be accommodated for by the existing Downtown Development Review Board process and the opportunities for deviations, if at all required, afforded by the Downtown Overlay Zone and Downtown District Use and Form Regulations.*

- To encourage the preservation of the natural site features; to provide community environments that are so designed and located as to be an integral part of the total ecosystem; to encourage the design of communities and structures adapted to the local climate; thereby promoting the public health, safety, morals, order, comfort, convenience, appearance, prosperity, and general welfare of the City of Jacksonville.

**Analysis / Findings:** *the Project is not located in an area where natural resources, site features, or ecosystems (environmental, not financial) require protection. A rezoning is not a requirement to meet this “intent” of a PUD in this regard.*

- It is further intended that the Planned Unit Development district may be utilized to implement the Comprehensive Plan.

**Analysis / Findings:** *although the Project incorporates uses (i.e. retail, office and residential) that further certain Goals, Objectives and Policies of the Comprehensive Plan, the PUD is not the reason for this furtherance or implementation. As discussed later in this staff report, staff disagrees with the assertions in the PUD Written Description ascribing Comprehensive Plan consistency of this Project to the PUD.*

- It is not the intent to utilize the Planned Unit Development district solely to diminish the usual application of the provisions of the Zoning Code.

**Analysis / Findings:** *the only purpose of this PUD is to add a use not otherwise permitted at the Project location. If the self storage were removed from this PUD, there would be no need for this PUD. While the Project does contain affordable housing, the existing Zoning would allow for it as well. In other words, the PUD does not create the opportunity for affordable housing.*

- The Planned Unit Development district process shall not be used to discriminate against or otherwise violate civil rights of the existing or future residents, users or occupants of the PUD. The rights of people with disabilities to access and use housing in the form of dwelling units, community residential homes or group homes shall not be more restrictive in a PUD than in equivalent conventional zoning districts.

**Analysis / Findings:** *this PUD is not sought to discriminate or otherwise violate civil rights or deny or prevent access to housing.*

### Section 656.341(d) Criteria for Review

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

#### (1) Consistency with the 2045 Comprehensive Plan

- Finding: Staff finds that the subject property is located in the Central Business District (CBD) functional land use category as defined by the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) adopted as part of the *2030 Comprehensive Plan*. The CBD category is a mixed-use category that is coterminous with the DIA jurisdictional boundaries.

PUD zoning districts are permitted as secondary zoning districts in the CBD category, and as such, the request for a proposed rezoning to a PUD is allowed within the CBD land use category.

That said, it is not a true statement that the PUD, either through the incorporation of uses not otherwise permitted or design, furthers the Goals, Objectives and Policies of the Comprehensive Plan while maintaining the current CCBD Zoning would not.

#### (2) Consistency with the Concurrency Mobility and Management System

- Finding: Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the developer would be obliged to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals. Because the project is located within the Downtown Investment Authority (DIA) jurisdictional boundaries, an allocation of development rights from the DIA would be required.

That said, the PUD rezoning in and of itself does not create a consistency with this criteria, noting that all projects within the CCBD would go through the CMMSO process.

#### (3) Allocation of residential land use

- Finding: The Project contains residential uses and mandates that, at a minimum, the Project contains 100 housing units, of which 80% would be affordable.

#### (4) Internal compatibility

- Finding: Per Section 656.341.d(4), all land uses proposed within a Planned Unit Development should be compatible with other proposed uses and not have any undue adverse impact on any neighboring use. The criteria, or “factors”, are the basis for staff and City Council’s review:

- (i) The streetscape;
- (ii) The existence or absence of, and the location of, open spaces, plazas, recreational areas and common areas;
- (iii) The use of existing and proposed landscaping;
- (iv) The treatment of pedestrian ways;
- (v) Focal points and vistas;
- (vi) The use of the topography, physical environment and other natural features;

- (vii) Traffic and pedestrian circulation pattern;
- (viii) The use and variety of building setback lines, separations and buffering;
- (ix) The use and variety of building groupings;
- (x) The use and variety of building sizes and architectural styles;
- (xi) The use and variety of materials;
- (xii) The separation and buffering of vehicular use areas and Sections of vehicular use areas;
- (xiii) The variety and design of dwelling types;
- (xiv) The particular land uses proposed and the conditions and limitations thereon;
- (xv) The form of ownership proposed for various uses;
- (xvi) Compatible relationship between land uses in a mixed use project; and
- (xvii) Any other factor deemed relevant to privacy, safety, preservation, protection or welfare of any use within the proposed

The proposed PUD cannot be evaluated against the above internal compatibility factors, as Section V *Design Guidelines* leaves, correctly so, all design subject to the Downtown Overlay Form Regulations, the Downtown Design Guidebook and review and approval of the Downtown Development Review Board:

*Design is controlled by the Downtown Overlay Form Regulations and Downtown Design Guidebook. The proposed development will be subject to review by the DDRB in accordance with such guidelines. Applicant may apply for, and DDRB may approve, any deviation permitted under the Downtown Overlay. **The Site Plan filed herewith is conceptual in nature and subject to review and approval by DDRB. Any changes to the site plan resulting from said DDRB approval shall not require modification of this PUD.***

#### (5) External Compatibility

- Finding: Per Section 656.341.d(5), all land uses within a proposed Planned Unit Development should be compatible with existing and planned uses of properties surrounding the proposed PUD and not have any avoidable or undue adverse impact on existing or planned surrounding uses. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following external compatibility factors:

(i) Those areas of the proposed Planned Unit Development located on or near its perimeter and the conditions and limitations thereon: The development pattern of this portion of the Southbank consists of blocks that contain several lots and individual structures on each block. As such, the buildings themselves are separate from one another with smaller footprints. Buildings along Prudential Drive and Hendricks Avenue in this area are generally one (1) to three (3) stories and offer residents and visitors a lot of variety in terms of facades, materials, and character. While a taller building could be compatible with the area, this compatibility would be determined outside of this PUD rezoning because the PUD Written Description puts, appropriately so, design subject to the parameters of Downtown Overlay Form Regulations; however, the PUD also says deviations may be sought.

(ii) The type, number and location of surrounding external uses: The subject site is located at the southwest corner of Hendricks Avenue. Offices and restaurants are located across Hendricks Avenue from the subject site, and hotels are located across Prudential Drive from the subject site. Residential and ground floor retail or office would complement the surrounding

external uses and create vibrancy at this intersection, while the self storage aspect to the Project would not.

(iii) The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning districts and land use categories are shown below. Granting a PUD zoning district at this location would promulgate spot zoning and be inconsistent with the spirit and intent of the Code as stated in Section 656.340, Jacksonville Code of Ordinances<sup>6</sup>.

Adjacent Property	Land Category	Use	Zoning District	Current Use
North	CBD		CCBD	Hotel
South	CBD		CCBD	Hair/Nail Salon and Offices
East	CBD		CCBD	Offices/Restaurant
West	CBD		CCBD	Offices

(iv) Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: It is relevant to analyze the four floors of self storage in terms of the trade off of building height to contribution to the welfare of the area. In staff's analysis, we balance the anticipated building height<sup>7</sup> with the contribution of the uses within that space to the welfare of the surrounding area. Staff's professional opinion is that deviating from the established building heights in the area in order to incorporate a use that does not add to the vibrancy or activation of the area or otherwise contributes to the quality of life will detract from the welfare of adjoining lands.

#### (6) Intensity of Development

- Finding: Per Section 656.341.d(6), the intensity of a proposed Planned Unit Development should be compatible with and have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following factors:

(i) The locations of various proposed uses within the proposed Planned Unit Development and the degree of compatibility of such uses with each other and with surrounding uses: Staff reiterates that a use that does not create housing, provide for retail or office, or otherwise contribute to the quality of life, is incompatible with surrounding uses.

(viii) The access to and suitability of transportation arteries within the proposed Planned Unit Development and existing external transportation systems and arteries: The Transportation Planning Division of the Planning and Development Department reviewed the application and found that Hendricks Avenue between I-95 and Prudential Drive is currently operating at below capacity and that the proposed development would not impact the roadway link in that area with regards to traffic volume.

<sup>6</sup> Inconsistency with Section 656.340 is substantiated earlier in this report.

<sup>7</sup> Staff uses "anticipate" to reinforce that the building's design is unknown at this point.

(7) Usable open spaces plazas, recreation areas.

- Finding: This criterion is not applicable as property within the Central Business District is not subject to minimum open space requirements.

(8) Impact on wetlands

- Finding: Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site.

(9) Listed species regulations

- Finding: This criterion is not applicable as wildlife surveys are not required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

- Finding: There are no off-street parking requirements in the Downtown Overlay Zone. That said, the PUD application states that “approximately sixty-three (63) shared parking spaces will be put into service.” Additionally, there are public parking spaces available approximately 600’ to the north of the Project. Loading and unloading is internal to the site, noting that there is one (1) access point to the parking from Prudential Drive and two from Home Street<sup>8</sup>.

(11) Sidewalks, trails, and bikeways

- Finding: Sidewalks and bicycle facilities are located on Prudential Drive and Hendricks Avenue. These corridors and this intersection are notable bicycle and shared use pathways. As such, uses along these corridors should provide destinations for residents and visitors. The Project’s retail or office and residential components provide these destinations, while the self storage component does not.

#### **Subpart H – Downtown Overlay Zone and Downtown District Use and Form Regulations**

Per Section 656.361.4, General Standards, all development and redevelopment within the Downtown Overlay Zone shall be subject to the Use Regulations, Form Regulations, Design Guidelines, Riverwalk Park Design Criteria, and the following general standards:

- A. The use shall be consistent with the BID Plan which includes the Community Redevelopment Plans and with the Central Business District Future Land Use Category as described in the Future Land Use Element of the City’s adopted Comprehensive Plan.

Finding: In the context of where this Project is located, a self storage component is inconsistent with the BID Plan. The Project is within an area described as being on the north side of Prudential Drive, west of Hendricks Avenue and bordered to the west by the Main Street Bridge and the south by I-95, as illustrated by the image on the following page:

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<sup>8</sup> One of the Home Street access points may just be for trash pick up, but the site plan is unclear.



The Project's area as shown above already has an inefficient use of lands with approximately 50% devoted to surface parking. The remainder of the lands are generally low rise buildings, noting that SoBa Apartments may be considered a mid-rise. The following BID Plan Redevelopment Goals, which the self storage component of the PUD is inconsistent with, were adopted by City Council in order to redevelop underutilized, inefficient urban areas such as the one described on the preceding page with housing, retail, offices, and uses that generally promote vibrancy and a live-work-play environment.

**This PUD, and more specifically the self storage component, is inconsistent with the following BID Plan Redevelopment Goals.**

Redevelopment Goal No. 1: Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region's epicenter for business.

*Finding: While the proposed development will create jobs and residential, 40% of the floors are dedicated to a low-job creating use (i.e. self storage) and do not reinforce the Downtown as the region's epicenter for business.*

Redevelopment Goal No. 3: Increase and diversify the number and type of retail, food and beverage, and entertainment establishments within Downtown.

*Finding: Because the Project contains two uses (retail and residential) that are consistent with Redevelopment Goal No. 3 does not, by extension, make the entire Project consistent; further, the parts of the Project that are consistent with Redevelopment Goal No. 3 are already permitted within the CCBD and Southbank District zoning. Therefore, the PUD, in essence, takes a Project that*



*otherwise would be consistent with Redevelopment Goal No. 3 and adds an inconsistent element (i.e. self storage).*

*The 40% of the building floors / 136,000 square feet of the Project that is self storage, combined with the additional 4,000 square feet of ground floor office, which the PUD includes in their 14,500 square feet of ground floor retail or office, does not increase or diversity retail, food and beverage, and entertainment establishments with Downtown and particularly this area (see above map).*

Redevelopment Goal No. 6: Improve the walkability/bike-ability of Downtown and pedestrian and bicycle connectivity between Downtown and adjacent neighborhoods and the St. Johns River.

*Finding: Because the Project contains uses (retail or office and residential) that are consistent with Redevelopment Goal No. 6 does not, by extension, make the entire Project consistent; further, the parts of the Project that are consistent with Redevelopment Goal No. 6 are already permitted within the CCBD and Southbank District zoning. Therefore, the PUD, in essence, takes a Project that otherwise would be consistent with Redevelopment Goal No. 6 and adds an inconsistent element (i.e. self storage).*

*Self storage is a use that is inherently contradictory to walkability and bikeability because it is so vehicle dependent.*

- B. The form shall be in keeping with the general purpose and intent of the Downtown Overlay Zone, and Downtown Districts, including the Downtown Design Guidelines, or any amendments thereto, and the Riverwalk Park Design Criteria.

*Finding: The proposed PUD cannot be determined to be in keeping with the general purpose and intent of the Downtown Overlay Zone and Downtown Districts as the sole need for the PUD rezoning is to add a use that City Council has determined not appropriate within the Southbank District. Further, as Section V of the PUD Written Description mandates, correctly so, all design would be subject to the Downtown Overlay Form Regulations, the Downtown Design Guidebook and review and approval of the Downtown Development Review Board. Therefore, it is the separate Conceptual and Final Approval processes of the DDRB that would establish consistency with the Downtown Design Guidelines and Downtown District Use and Form Regulations.*

- C. The use, building or structure will not negatively impact or injure the value of adjacent properties by noise, lights, traffic or other factors or otherwise detract from the immediate environment.

*Finding: For the developed properties adjacent to the Project, they are primarily low rise buildings. Staff's findings, in part, are that any deviation from the established building heights should result in uses that contribute to the vibrancy of the area – increase residential, increase retail or office or offices, etc. The four floors of building height dedicated to self storage do not contribute to the vibrancy and simply detract from the building pattern within the immediate area (i.e. environment) without the creation of an offsetting benefit.*

- D. All applications and plans submitted shall be considered within the context of the BID Plan, the Downtown District Regulations, the Downtown Design Guidelines, and the Riverwalk Park Design Criteria to assure a consistency and compatibility among proposed and existing development, with respect to parking requirements, access, setbacks, building height, mass and transparency, etc.

*Finding: Because the Project contains two uses (retail, office and residential) that are consistent with the BID Plan does not, by extension, make the entire Project consistent. The parts of the Project that are consistent – retail, office and residential - are already permitted within the CCBD and Southbank District zoning. Therefore, the PUD, in essence, takes a Project that otherwise would be consistent and adds an inconsistent element (i.e. self storage).*

*Further, as Section V of the PUD Written Description mandates, correctly so, all design would be subject to the Downtown Overlay Form Regulations, the Downtown Design Guidebook and review and approval of the Downtown Development Review Board. Therefore, it is the separate Conceptual and Final Approval processes of the DDRB that would establish consistency with the Downtown Design Guidelines and Downtown District Use and Form Regulations.*

E. All applications and plans submitted shall be consistent with the City's adopted Mobility Plan and Public Facility Level of Service Standards identified in the Capital Improvements Element of the Comprehensive Plan. The requirements associated with the above are implemented separately with DIA through the approval of a redevelopment agreement and associated allocation of development rights which includes mitigation of impacts (transportation, utilities, police and fire protection, and similar impacts) by the applicant resulting from the development. Approval of the application and plans can occur during the above review, or before the above review, at the discretion of the applicant, subject to compliance with the above requirements before building permit applications are filed with the Building Official.

*Finding: If approved, the proposed development would be required to comply with the City's Mobility Plan.*

F. All permitted activities (sale, service and display, preparation and storage) within the Downtown Overlay Zone shall be conducted within a completely enclosed building, unless specifically provided otherwise. Any person or entity seeking to hold an outdoor commercial or recreational activity shall first obtain a permit from the City's Special Events Division, pursuant to Part 1 of Chapter 191, Ordinance Code.

*Finding: The proposed written description states that all personal property self-storage shall be located within the building. No outside storage shall be permitted.*

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on March 30, 2024, the required Notice of Public Hearing signs were posted.

### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Downtown Development Review Board staff that Application for Rezoning **2024-0152** be **Denied**, with a further recommendation the DDRB recommend to City Council that Ordinance 2024-0204 (alleyway closure) be **Denied**.

## Application For Rezoning To PUD

### Planning and Development Department Info

Ordinance # N/A Staff Sign-Off/Date N/A / N/A

Filing Date N/A Number of Signs to Post N/A

#### Hearing Dates:

1st City Council N/A Planning Commission N/A

Land Use & Zoning N/A 2nd City Council N/A

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

### Application Info

Tracking # 5392

Application Status FILED COMPLETE

Date Started 12/29/2023

Date Submitted 12/29/2023

### General Information On Applicant

Last Name

DIEBENOW

First Name

STEVE

Middle Name

Company Name

DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address

ONE INDEPENDENT DRIVE, STE. 1200

City

JACKSONVILLE

State

FL

Zip Code 32202

Phone

9043011269

Fax

9043011279

Email

SDIEBENOW@DRIVERMCAFEE.COM

### General Information On Owner(s)

☐ Check to fill first Owner with Applicant Info

Last Name

HIRSHBERG

First Name

KAREN

Middle Name

R.

Company/Trust Name

Mailing Address

1994 RIVER ROAD

City

JACKSONVILLE

State

FL

Zip Code

32207

Phone

Fax

Email

Last Name

HIRSHBERG

First Name

KAREN

Middle Name

R.

Company/Trust Name

A. WALTER HIRSHBERG FAMILY TRUST

Mailing Address

1994 RIVER ROAD

City

JACKSONVILLE

State

FL

Zip Code

32207

Phone Fax Email

Last Name First Name Middle Name  
N/A N/A

Company/Trust Name  
G.I.S. HOLDINGS, INC.

Mailing Address  
570 JACKSONVILLE DRIVE

City State Zip Code  
JACKSONVILLE BEACH FL 32250

Phone Fax Email

### Property Information

Previous Zoning Application Filed For Site? ☒

If Yes, State Application No(s) 2023-007

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	080288 0000	5	1	CCBD	PUD
Map	080289 0000	5	1	CCBD	PUD
Map	080290 0000	5	1	CCBD	PUD
Map	080297 0000	5	1	CCBD	PUD

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category  
CBD

Land Use Category Proposed? ☐

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.01

Development Number

Proposed PUD Name DOWNTOWN SOUTHBANK MULTI-FAMILY MIXED-USE PUD

### Justification For Rezoning Application

THIS PUD IS SOUGHT AS A PERMITTED SECONDARY ZONING DISTRICT UNDER THE CBD LAND USE CATEGORY. CONSISTENT WITH SUBPART G, SECTION 656.350(P) OF THE ZONING CODE AND THE CBD LAND USE CATEGORY, APPLICANT INTENDS TO DEVELOP A MIXED-USE STRUCTURE WITH GROUND FLOOR RETAIL, OFFICE, RESTAURANT, OR OTHER COMMERCIAL PROGRAMMING WITH VERTICALLY INTEGRATED PERSONAL PROPERTY SELF-STORAGE USES ON THE THIRD THROUGH SIXTH FLOORS AND MULTI-FAMILY RESIDENTIAL DWELLINGS ON THE SEVENTH THROUGH TENTH FLOORS.

### Location Of Property

General Location  
SOUTHWEST CORNER OF PRUDENTIAL DRIVE AND HENDRICKS AVENUE

House # Street Name, Type and Direction Zip Code  
1004 HENDRICKS AVE 32207

**Between Streets**

PRUDENTIAL DRIVE

and HENDRICKS AVENUE

**Required Attachments For Formal, Complete application**

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** ☒ A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** ☒ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ☒ Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** ☒ Binding Letter.
- Exhibit D** ☒ Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** ☒ Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** ☒ Land Use Table
- Exhibit G** ☒ Copy of the deed to indicate proof of property ownership.

**Supplemental Information**

Supplemental Information items are submitted separately and not part of the formal application

- Exhibit H** ☒ Aerial Photograph.
- Exhibit I** ☐ Listed Species Survey (If the proposed site is greater than fifty acres).
- Exhibit J** ☒ Other Information as required by the Department (i.e.-\*building elevations, \*signage details, traffic analysis, etc.).
- Exhibit K** ☒ Site Location Map.

**Public Hearings And Posting Of Signs**

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

### Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

☒ Agreed to and submitted

### Filing Fee Information

**1) Rezoning Application's General Base Fee:** \$2,269.00

**2) Plus Cost Per Acre or Portion Thereof**

**1.01 Acres @ \$10.00 /acre:** \$20.00

**3) Plus Notification Costs Per Addressee**

**Notifications @ \$7.00 /each:**

**4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):**

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**EXHIBIT 1**

**LEGAL DESCRIPTION**

**December 27, 2023**

**PARCEL 1:**

Lot 7, the West 18 feet of Lot 6 and the East 18 feet of Lot 8, Hendricks Subdivision of Homestead Tract, according to the plat thereof, as recorded in Plat Book 2, Page 8, of the Public Records of Duval County, Florida.

**PARCEL 2:**

Lot 3, Hendricks Subdivision of Homestead Tract South Jacksonville, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 8, of the Public Records of Duval County, Florida.

**PARCEL 3A:**

Lot one (1) Hendrick's subdivision of the homestead tract in South Jacksonville, Plat Book 2, Page 8, current public records of Duval County, Florida, said lot being located at the Southwest corner of Prudential Drive and Hendricks Avenue, South Jacksonville, less and except the following described triangular portion conveyed for street purposes to the City of Jacksonville by Standard Oil Company (incorporated in Kentucky) by Deed dated February 14, 1952, commencing at the southeasterly corner of said Lot 1, said corner being the westerly line of Hendricks Avenue; thence northerly along the easterly line of said Lot 1, also being the westerly line of Hendricks Avenue, a distance of 105.62 feet for a point of beginning; thence continuing northerly along said westerly line of Hendricks Avenue a distance of 19.38 feet to the northeasterly corner of said Lot 1, said corner being the southwesterly corner of Hendricks Avenue and Prudential Drive; thence westerly along the southerly line of Prudential Drive a distance of 19.38 feet to a point; thence southeasterly along an arc being a radius of 45 feet a distance of 27.85 feet to the point of beginning; said arc being convex to the northeast and not tangent to the northerly or easterly line of said Lot 1.

**PARCEL 3B:**

Lot 2, Hendricks Subdivision of Homestead Tract South Jacksonville, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 8, of the Public Records of Duval County, Florida.

**ALLEY**

A PORTION OF A 20 FOOT ALLEY, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; ALSO LYING IN SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, SAID DUVAL COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 5, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE WESTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED), ALSO BEING A POINT ON THE SOUTH LINE OF A 20 FOOT ALLEY, SAID



HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 89°46'14" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 145.13 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 89°46'14" WEST, CONTINUE ALONG SAID SOUTH LINE, A DISTANCE OF 90.70 FEET TO THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EAST 18 FEET OF LOT 8, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 00°20'33" EAST, ALONG SAID PROLONGATION AND ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO THE NORTH LINE OF SAID 20 FOOT ALLEY; THENCE SOUTH 89°46'14" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 90.65 FEET; THENCE SOUTH 00°12'03" WEST, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH:

COMMENCING AT THE NORTHEAST CORNER OF LOT 5, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE WESTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED), ALSO BEING A POINT ON THE SOUTH LINE OF A 20 FOOT ALLEY, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 89°46'14" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 127.23 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 89°46'14" WEST, CONTINUE ALONG SAID SOUTH LINE, A DISTANCE OF 17.90 FEET; THENCE NORTH 00°12'03" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°46'14" EAST, A DISTANCE OF 17.99 FEET TO THE NORTHERLY PROLONGATION OF THE EAST LINE OF THE WEST 18 FEET OF LOT 6, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE SOUTH 00°27'28" WEST, ALONG SAID PROLONGATION AND ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2172 SQUARE FEET (0.05 ACRES), MORE OR LESS.

**EXHIBIT A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re:   Property Ownership Affidavit for 0 Home Street, Jacksonville, FL 32207  
      (RE# 080297 0000)**

Ladies and Gentlemen:

I, ROBERT BASS, as President of G.I.S. Holdings, Inc., a Florida corporation, hereby certify that said entity is the Owner of the property described in **Exhibit 1**, in connection with filing a land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

G.I.S. HOLDINGS, INC., a Florida  
corporation

[Signature]  
Signed

ROBERT BASS JR  
Printed

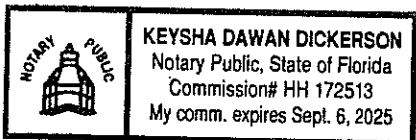
President  
Title

STATE OF FL  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of Aug, 2022 by, Robert Bass as owner of G.I.S. Holdings, Inc., a Florida corporation, on behalf of the corporation, who is ☒ personally known to me or ☐ has produced known client as identification.

[Notary Seal]

[Signature]  
(Notary Signature)



**EXHIBIT A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re:   Property Ownership Affidavit for 1454 Prudential Drive, Jacksonville, FL  
32207 (RE# 080289 0000)**

Ladies and Gentlemen:

I, KAREN R. HIRSHBERG as trustee of the A. Walter Hirshberg Family Trust, hereby certify that said trust is the Owner of the property described in **Exhibit 1**, in connection with filing a land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen R. Hirshberg  
Signed

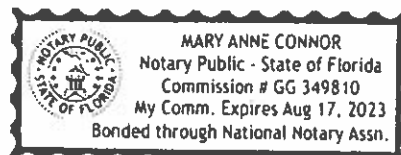
KAREN R. HIRSHBERG  
Printed

speculator  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>RD</sup> day of AUGUST, 2022 by, Karen R. Hirshberg as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

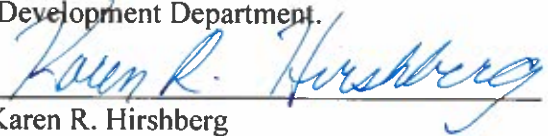
**EXHIBIT A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re:   Property Ownership Affidavit for 0 Prudential Drive, Jacksonville, FL 32207  
      (RE# 080290 0000)**

Ladies and Gentlemen:


I, Karen R. Hirshberg, hereby certify that I am the Owner of the property described in **Exhibit 1**, in connection with filing a land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

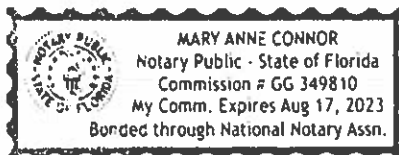
  
\_\_\_\_\_  
Karen R. Hirshberg

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]

  
\_\_\_\_\_  
(Notary Signature)



**EXHIBIT A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re:   Property Ownership Affidavit for 1004 Hendricks Avenue, Jacksonville, FL  
32207 (RE# 080288 0000)**

Ladies and Gentlemen:

We, KAREN HIRSHBERG, as trustee of the A. Walter Hirshberg Family Trust and KAREN HIRSHBERG, as trustee of the Karen R. Hirshberg Living Trust, hereby certify that said trusts are the Owner of the property described in **Exhibit 1**, in connection with filing a land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen Hirshberg  
Signed

KAREN HIRSHBERG  
Printed

Speciator  
Title

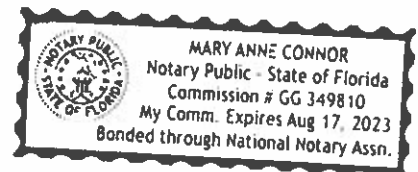
STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen Hirshberg as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]

Mary Anne Connor  
(Notary Signature)

[signatures continue to next page]



KAREN R. HIRSHBERG LIVING TRUST

Karen R. Hirshberg  
Signed

KAREN R. HIRSHBERG  
Printed

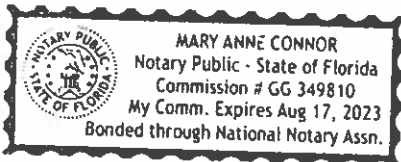
executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg as trustee of the Karen R. Hirshberg Living Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]

Mary Anne Connor  
(Notary Signature)



**EXHIBIT B**  
**Agent Authorization**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Agent Authorization for 0 Home Street, Jacksonville, FL 32207 (RE# 080297 0000)**

Ladies and Gentlemen:

You are hereby advised that ROBERT BASS JR. as President of G.I.S. Holdings, Inc., a Florida corporation, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file application(s) for land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

G.I.S. HOLDINGS, INC., a Florida  
corporation

[Signature]  
Signed

ROBERT BASS JR.  
Printed

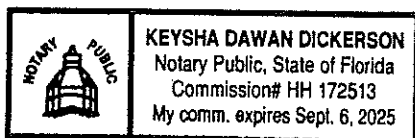
President  
Title

STATE OF FL  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of Aug, 2022 by, Robert Bass as owner of G.I.S. Holdings, Inc., a Florida corporation, on behalf of the corporation, who is ☒ personally known to me or ☐ has produced known client as identification.

[Notary Seal]

[Signature]  
(Notary Signature)





**EXHIBIT B**  
**Agent Authorization**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Agent Authorization for 1454 Prudential Drive, Jacksonville, FL 32207 (RE# 080289 0000)**

Ladies and Gentlemen:

You are hereby advised that KAREN HIRSHBERG, as trustee of the A. Walter Hirshberg Family Trust, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file application(s) for land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen Hirshberg  
Signed

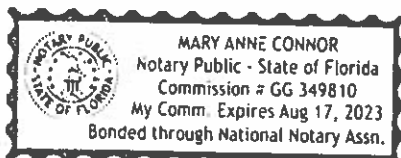
KAREN HIRSHBERG  
Printed

specutor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen Hirshberg as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

**EXHIBIT B**  
**Agent Authorization**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Agent Authorization for 0 Prudential Drive, Jacksonville, FL 32207 (RE# 080290 0000)**

Ladies and Gentlemen:

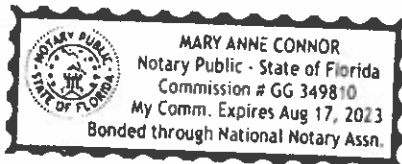
You are hereby advised that Karen R. Hirshberg, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file application(s) for land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

  
Karen R. Hirshberg

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



  
(Notary Signature)

**EXHIBIT B**  
**Agent Authorization**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Agent Authorization for 1004 Hendricks Avenue, Jacksonville, FL 32207 (RE# 080288 0000)**

Ladies and Gentlemen:

You are hereby advised that KAREN R. HIRSHBERG, as trustee of the A. Walter Hirshberg Family Trust and KAREN R. HIRSHBERG, as trustee of the Karen R. Hirshberg Living Trust, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file application(s) for land use amendment, rezoning, administrative deviation, exception, waiver, variance and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen R. Hirshberg  
Signed

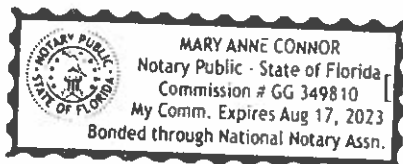
KAREN R. HIRSHBERG  
Printed

executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, KAREN R. HIRSHBERG as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

[Signatures continue to next page]

KAREN R. HIRSHBERG LIVING TRUST

Karen R. Hirshberg  
Signed

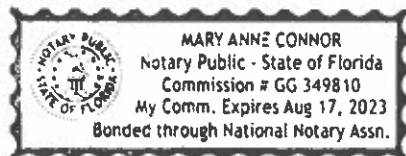
KAREN R. HIRSHBERG  
Printed

executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg as trustee of the Karen R. Hirshberg Living Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

**EXHIBIT C**  
**Binding Letter**

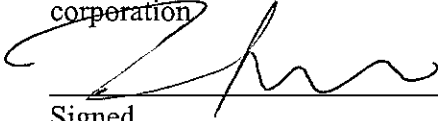
City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Binding Letter for 0 Home Street, Jacksonville, FL 32207 (RE# 080297 0000)**

Ladies and Gentlemen:

You are hereby advised that the undersigned, ROBERT BASS JR. as President of G.I.S. Holdings, Inc., a Florida corporation, Owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

G.I.S. HOLDINGS, INC., a Florida  
corporation

  
Signed

ROBERT BASS JR.  
Printed

President  
Title

STATE OF FL  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of Aug, 2022 by, Robert Bass as Owner of G.I.S. Holdings, Inc., a Florida corporation, on behalf of the corporation, who is ☒ personally known to me or ☐ has produced known client as identification.

[Notary Seal]

  
(Notary Signature)



**EXHIBIT C**  
**Binding Letter**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Binding Letter for 1454 Prudential Drive, Jacksonville, FL 32207 (RE# 080289 0000)**

Ladies and Gentlemen:

You are hereby advised that the undersigned, KAREN R. HIRSHBERG, as trustee of the A. Walter Hirshberg Family Trust, Owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen R. Hirshberg  
Signed

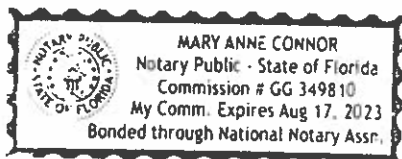
KAREN R. HIRSHBERG  
Printed

executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

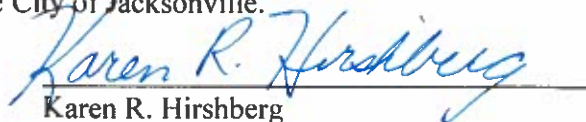
**EXHIBIT C**  
**Binding Letter**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Binding Letter for 0 Prudential Drive, Jacksonville, FL 32207 (RE# 080290 0000)**

Ladies and Gentlemen:

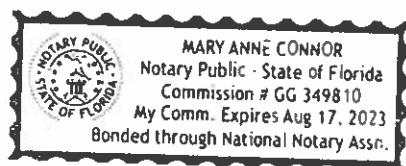
You are hereby advised that the undersigned, Karen R. Hirshberg, Owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

  
Karen R. Hirshberg

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



  
(Notary Signature)



**EXHIBIT C**  
**Binding Letter**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

**Re: Binding Letter for 1004 Hendricks Avenue, Jacksonville, FL 32207 (RE# 080288 0000)**

Ladies and Gentlemen:

You are hereby advised that the undersigned, KAREN HIRSHBERG, as trustee of the A. Walter Hirshberg Family Trust and KAREN HIRSHBERG, as trustee of the Karen R. Hirshberg Living Trust, Owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

A. WALTER HIRSHBERG FAMILY  
TRUST

Karen Hirshberg  
Signed

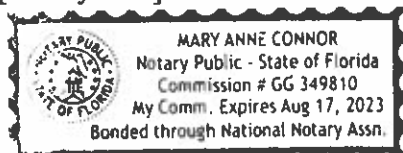
KAREN HIRSHBERG  
Printed

executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen Hirshberg as trustee of the A. Walter Hirshberg Family Trust, on behalf of the trust and beneficiaries, who is ☒ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]



Mary Anne Connor  
(Notary Signature)

KAREN R. HIRSHBERG LIVING TRUST

Karen R. Hirshberg  
Signed

KAREN R. HIRSHBERG  
Printed

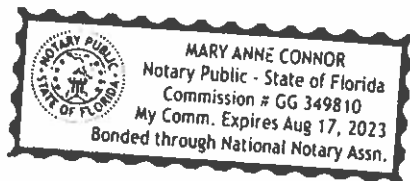
executor  
Title

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23<sup>rd</sup> day of AUGUST, 2022 by, Karen R. Hirshberg as trustee of the Karen R. Hirshberg Living Trust, on behalf of the trust and beneficiaries, who is ☐ personally known to me or ☐ has produced \_\_\_\_\_ as identification.

[Notary Seal]

Mary Anne Connor  
(Notary Signature)



**EXHIBIT D**  
**PUD Written Description**

**DOWNTOWN SOUTHBANK MULTI-FAMILY MIXED-USE PUD**  
**December 27, 2023**

**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 1.01 acres of property to allow for a mixed use, vertically integrated development (the “Project”) on the property located at 1004 Hendricks Avenue, 1454 and 0 Prudential Drive, 0 Home Street and abutting alley right-of-way (RE#s 080288 0000, 080289 0000, 080290 0000, and 080297 0000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property falls within the CBD land use category, is zoned CCBD, and is subject to Chapter 656, Part 3, Subpart H of the Zoning Code (the “Downtown Overlay”) and located within the Downtown Southbank District.

This PUD is sought as a permitted secondary zoning district under the CBD land use category. Consistent with Subpart G, Section 656.350(p) of the Zoning Code and the CBD land use category, Applicant intends to develop a mixed-use structure with ground floor retail, office, restaurant, or other commercial programming with vertically integrated personal property self-storage uses on the third through sixth floors and multi-family residential dwellings on the seventh through tenth floors. There shall be a minimum of one hundred (100) multi-family residential dwelling units. At least eighty percent (80%) of the proposed multi-family dwellings shall be affordable as defined in Section 420.0004, Florida Statutes.

This PUD requires the Project to obtain conceptual and final design approval (the “DDRB Applications”) from the Downtown Development Review Board (“DDRB”) as any other proposed development in the Southbank. The Site Plan filed with this PUD application is conceptual, and the DDRB Applications will set forth in further detail the design of the Project.

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	CBD	CCBD	Prudential Drive/Hotel
East	CBD	CCBD	Hendricks Ave/Office/Restaurant
South	CBD	CCBD	Retail/Multi-family
West	CBD	CCBD	Office/Surface Parking

- B. Project name: Downtown Southbank Multi-Family Mixed-Use PUD.

- C. Project engineer: Eisman and Russo, Inc.
- D. Project developers: The Simpson Organization, Inc. and TVC Development, Inc.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: CBD.
- G. Current zoning district: CCBD.
- H. Requested zoning district: PUD.
- I. Real estate numbers: 080288 0000, 080289 0000, 080290 0000, and 080297 0000.

## **II. QUANTITATIVE DATA**

- A. Total acreage: 1.01 acres.
- B. Total amount of first floor commercial retail/office: ±14,500 square feet (with no maximum).
- C. Total amount of personal property self-storage: ±136,000 square feet. Personal property self-storage uses shall not exceed 140,000 square feet (not including office leasing area on ground floor, which is included in II.B. above).
- D. Minimum number of multi-family residential dwelling units: 100 (with no maximum).

## **III. STATEMENTS**

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

This PUD is filed to permit a mixed-use, vertically integrated mixed-use development that may include personal property self-storage.

The first sentence of the Downtown Overlay in Section 656.361.5.1 of the Zoning Code effectively prohibits personal property self-storage uses in the Southbank District when read together with Section 656.361.5.2.H. These sections of the Zoning Code were based on The Downtown Community Redevelopment Area Plan adopted in August 2019 (“CRA Plan”) and implemented pursuant to Ordinance 2019-196. While the CRA Plan specifically prohibits personal property self-storage establishments<sup>1</sup>, it does not prohibit mixed-use developments that include integrated personal property self-storage uses. Furthermore, this prohibition was established before more than five thousand (5,000) multi-family development units were proposed, entitled, or developed as detailed in Section VI.E. below. As a result, and consistent with Section 656.350(p) of the Zoning Code, the uses (including personal property self-storage) set forth in Section

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<sup>1</sup> See page VII-8 of the CRA Plan.

IV are consistent with the CBD land use category and shall be allowed by right within the PUD.

- B. 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, a property owners association or similar entity will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated, or maintained by the City.

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

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

1. Any permitted use under Chapter 656, Part 3, subpart H for the Southbank District.
2. Personal property self-storage facilities, provided that such use is integrated with commercial and multi-family residential uses.

##### **B. Permissible Uses by Exception:**

1. Any permissible use by exception under Chapter 656, Part 3, Subpart H for the Southbank District.

- C. General Use Regulations: Consistent with Section 656.361.1 of the Zoning Code and given the Project is subject to the Downtown Zoning Overlay, none of the supplemental standards, including those for personal property storage facilities in Section 656.401 of the Zoning Code, apply to any allowed use or the Property redevelopment.

- D. Prohibited Uses: Sale of medical marijuana and/or treatment centers providing medical marijuana.

#### **V. DESIGN GUIDELINES**

Design is controlled by the Downtown Overlay Form Regulations and Downtown Design Guidebook. The proposed development will be subject to review by the DDRB in accordance with such guidelines. Applicant may apply for, and DDRB may approve, any deviation permitted under the Downtown Overlay. The Site Plan filed herewith is conceptual in nature and subject to review and approval by DDRB. Any changes to the site plan resulting from said DDRB approval shall not require modification of this PUD.

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

In accordance with Section 656.341(d) of the Zoning 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. Goal 1 - To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
2. Objective 1.1 - Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
3. Policy 1.1.1 - The City shall ensure that all new development and redevelopment after the effective date of the 2010 Comprehensive Plan, and all subsequent Plan updates, is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).
4. 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.
5. 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
6. Policy 1.1.10 - Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:
- a. The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;
  - b. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and
  - c. The proposed development is compatible with surrounding existing land uses and zoning.
7. Policy 1.1.11 - Exempt the internal arrangement of uses within the Central Business District (CBD) Land Use Category and Developments of Regional Impacts (DRIs) from the nodal and other locational criteria of the Comprehensive Plan, subject to required local and regional reviews.
8. 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.
9. 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.

10. 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.
11. Policy 1.2.7 - Ensure that projected growth in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) will be provided with sufficient system capacity through updated transmission/collection mains to obtain centralized wastewater and potable water, through implementation of the Capital Improvements Element, which shall be updated annually and shall be coordinated with the growth projections for the City.
12. Policy 1.2.8 - Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

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.
13. Objective 2.3 - Continue to strengthen the Central Business District (CBD) as the regional center of finance, government, retail and cultural activities for Northeast Florida.



14. Policy 2.3.1 - Recognize the Central Business District (CBD) and its periphery as a significant urban area of the City appropriate for residential and mixed-use projects at higher densities/intensities than the remainder of the City.
15. Policy 2.3.3 - The Downtown Investment Authority (DIA) and the Jacksonville Planning and Development Department have developed Downtown urban design guidelines that will promote high quality private and public development in the Downtown area.
16. Policy 2.3.5 - The Land Development Regulations shall establish urban design, site design and building form guidelines that create high quality site designs and will require that pedestrian walkways and other pedestrian and public transit use amenities are provided in site development plans within the CBD.
17. Policy 2.3.6 - Development within the CBD shall maintain adopted Levels of Service in the Comprehensive Plan for all public facilities (drainage, sanitary sewer, solid waste, potable water, recreation, and when applicable, schools) reviewed under concurrency, except for transportation facilities, which shall be governed by the Mobility System.
18. 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.
19. Objective 3.1 - Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for residents. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the Comprehensive Plan and Land Development Regulations.
20. Policy 3.1.5 - The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.
21. Policy 3.1.12 - The City shall, through Land Development Regulations and land use category descriptions, require higher density residential development and supporting commercial uses to locate on or near arterial or collector roads used for mass transit routes and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.
22. Objective 3.2 - Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric

which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

23. Policy 3.2.2 - The City shall encourage, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.
24. Objective 3.4 - Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use diversity and improved interrelationships among residential, business, commercial, recreational, and institutional uses.
25. Policy 3.4.2 – The City shall encourage development and redevelopment opportunities for mixed and multi-use projects. The Land Development Regulations should be amended, as appropriate, to facilitate such development through regulatory measures.

### **Downtown Community Redevelopment Area Plans**

The CRA Plan originally set forth seven (7) Redevelopment Goals. The CRA Plan was updated in June 2022 and adopted by the Jacksonville City Council pursuant to Ordinance 2022-372 (“Updated CRA Plan”). The Updated CRA Plan sets forth eight (8) Redevelopment Goals. The proposed PUD meets no fewer than five (5) of these new Redevelopment Goals as set forth in detail below.

26. **Redevelopment Goal No. 1** | Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region’s epicenter for business.

#### **Strategic Objectives:**

- Grow or maintain the Downtown workforce each year by adding new permanent jobs and/or retaining existing permanent jobs within Downtown.

*Permanent jobs will be created by the Project.*

- Encourage more efficient utilization of existing parking structures and discourage the construction of new parking structures exclusively for use of single building tenants by employing tools such as shared-use parking, employer provided shuttles and trolleys, transit vouchers and similar programs.

*The Project is a mixed-use project with integrated parking available for multiple building tenants.*

#### **Benchmarks:**

- Number of Permanent Jobs/FT in Downtown Jacksonville

*The Project will cause the number of jobs to increase.*

- Total office square footage within Downtown Jacksonville

*The Project will cause the amount of office space to increase.*

**27. Redevelopment Goal No. 3 | Increase and diversify the number and type of retail, food and beverage, and entertainment establishments within Downtown.**

**Strategic Objectives:**

- Increase the number of retail, food and beverage, and entertainment establishments that are open for business weekends and other times outside of weekday business hours.

*The Project will cause the number of retail, food and beverage, and/or entertainment establishments that are open for business weekends and at other times outside of weekday business hours to increase.*

- Pursue the addition of one or more new neighborhood restaurant/entertainment venues in each District by 2025 and a second by 2030.

*The Project may add one or more new neighborhood restaurant/entertainment venues in the Southbank by 2025.*

**Benchmarks:**

- Number of operating restaurants/entertainment venues by District.

*The Project may cause the number of operating restaurants/entertainment venues to increase.*

- Number of storefronts incentivized for retail redevelopment.

*The Project will cause the amount of retail redevelopment to increase without incentives for such use.*

- Tax Value of freestanding single tenant or multi-tenant retail, restaurant and entertainment venues and Impact to TIF and Future Projections.

*The Project will cause the Tax Value of multi-tenant retail venues to increase and positively impact the TIF and Future Projections.*

- Number of retail, food and beverage, and entertainment venues open weekends and after work hours on weekdays.

*The Project will cause the number of retail, food and beverage and/or entertainment venues that are open weekends and after work hours on weekdays to increase.*

- Number of new shared use parking spaces put into service or existing spaces formally made available for shared use pursuant to DIA agreements or incentives.

*Approximately sixty-three (63) shared parking spaces will be put into service without DIA agreements or incentives for the parking spaces.*

**28. Redevelopment Goal No. 5 | Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.**

**Strategic Objectives:**

- Support a clean and safe Downtown 24-7, including the work of Downtown Vision Inc.

*The Project will support a clean and safe Downtown 24-7 and join DVI.*

- Expand the installation of public infrastructure that enhances safety such as countdown timer pedestrian signals, enhanced lighting, security cameras, etc.

*The Project will rebuild the existing sidewalks to enhance pedestrian safety and utilize cameras to enhance public safety generally.*

- Support and enforce proper cleaning, maintenance, and repair of public spaces.

*The Project will ensure that the surrounding sidewalks and landscaping in the public right-of-way will be maintained in a Class A condition.*

- Enforce proper maintenance of private property.

*The Project will include covenants to various tenants to ensure that it will be maintained in a Class A condition.*

- Promote safe and equitable access to all Downtown Jacksonville facilities by improving access to buildings and other properties, amenities, transit,

events, and attractions; by eliminating obstacles; and by designing for all ages and abilities.

*The Project will comply with all ADA requirements. It should be noted that this condition does not exist on the current gravel parking lots.*

**Benchmarks:**

- Number of JSO officers assigned to Downtown Jacksonville.

*The taxes generated by the Project will be sufficient to support additional JSO officers if deemed appropriate through the budget process.*

- Number of pedestrian injuries reported by JSO and Risk management.

*With new sidewalks and ADA compatible parking spaces the risk of pedestrian injuries should be reduced.*

- Number of citations issued by Code Compliance for private property maintenance violations.

*The developer has never been cited for private property maintenance violations and they will not occur at the Project.*

29. **Redevelopment Goal No. 6** | Improve the walkability/bike-ability of Downtown and pedestrian and bicycle connectivity between Downtown and adjacent neighborhoods and the St. Johns River.

**Strategic Objectives:**

- Optimize the design of Downtown streets for pedestrians; require sidewalks of sufficient width to ensure an adequate pedestrian clear zone; reduce travel lane widths to reduce vehicle speed. Increase shade on sidewalks and in public spaces in accordance with design standards and plant shade trees wherever feasible.

*The Project will be designed in accordance with Section 656.361.6.2 – Private Realm regulations, and Section 656.361.6.3 – Public Realm regulations to ensure adequate pedestrian space and shade on the sidewalks.*

- Support the creation of wide, visible dedicated bike lanes or cycle tracks on designated streets; Install and maintain interesting and safe bicycle racks in appropriate locations throughout Downtown Jacksonville

*The Project will have bicycle racks.*

- Enforce the requirement to bring buildings forward to the existing or new sidewalk edge to create a sense of enclosure for adjacent sidewalks and streets

*The Project will be built forward to the sidewalk edge as permitted by the Downtown and Southbank-specific Design Guidelines.*

- Create a compact and walkable Downtown Jacksonville through requiring a mixture of uses in each district so that housing, activities, retail, and other businesses are within useful walking distance, requiring buildings to have active facades at street level through a mixture of restaurants (including cafes with outdoor seating), retail, and services, and by requiring direct doorways and access to the street. Minimize blank walls and surface parking.

*The Project provides a mixture of uses so that housing, activities, retail, and other businesses are within useful walking distance. The Project will have active facades at street level through a mixture of nonresidential uses which may include restaurants, retail, and services, office, and direct doorways with access to the street. The Project will minimize blank walls and surface parking.*

#### **Benchmarks:**

- Walk Score greater than 90 in all Districts other than Sports and Entertainment and Working Waterfront. Walk Score greater than 80 in all other parts of Downtown Jacksonville.

*The Project will enhance the Southbank Walkability Score.*

- Number of shade trees planted on Downtown Jacksonville sidewalks.

*The Project will increase the number of shade trees on Downtown sidewalks.*

- Number of artistic and standard bike racks installed within Downtown Jacksonville.

*The Project will have bicycle racks.*

- Number of deviations from Build-to line granted by DDRB.

*The Project does not anticipate seeking any deviations from Build-to lines.*

- Number of new mixed-use developments approved.

*The proposed Project would be a new mixed-use development Downtown.*

**30. Redevelopment Goal No. 8** | Simplify and increase the efficiency of the approval process for Downtown development and improve departmental and agency coordination.

**Strategic Objectives:**

- Reconcile city plan policies and regulations to ensure policy consistency and uniform application.

*During the consideration of Ordinance 2021-821 the City Council and DIA staff indicated that they would prefer to evaluate the Project as a PUD rather than as a wholesale change to the Downtown Overlay.*

- Establish a clear, efficient, and maximally predictable process for reviewing development permits and incentive requests, including development and use of model applications, forms, and agreements where appropriate.

*The Zoning Code and Comprehensive Plan permit the use of a PUD to seek the proposed use Downtown and the DIA staff has indicated that this is a legal approach they will evaluate.*

- Continually look for ways to simplify application and permitting processes.

*Evaluating unique proposed uses as PUDs instead of modifying the Downtown Overlay to permit a use by exception, and subsequently evaluating the proposed use as part of a vertically integrated mixed use project pursuant to the modified Downtown Overlay, is simpler.*

**Benchmarks:**

- Duration of DIA approval process from receipt of sufficient application for incentive requested and project profile form through DIA Board action

*Evaluating a PUD should take less time than changing the Downtown Overlay and then pursuing a Zoning Exception.*

- Acreage/value of City-owned property held for redevelopment

*Should the closure of the alleyway be approved the City will have converted property that it presently owns for development that generates taxes for the benefit of the CRA.*

- Number of DDRB approvals granted per year

*Should the Project be approved DDRB will be able to increase the number of approvals.*

- B. Consistency with the Concurrency Management System.** All development will secure any necessary approvals from the CMMSO and DIA in accordance with Chapter 655 of the Code.
- C. Allocation of residential land use.** A minimum of one hundred (100) multi-family residential dwellings will be provided as part of the Project.
- D. Internal compatibility.** The Site Plan attached as Exhibit E addresses access and circulation within the site. The vertical and horizontal integration of retail, multi-family and self-storage uses create a complementary mixed-use project. The retail and self-storage uses will be available to the residents of the multi-family dwellings, which will provide convenient services as well as reduce external traffic impacts. Parking is provided on the first and second floors to serve the development.
- E. External compatibility / Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area and will enhance an otherwise distressed corridor that provides a vital transition from the Downtown core to San Marco. Permitted ground floor uses, personal property self-storage uses, and multi-family residential dwellings are all compatible with the surrounding office, retail, restaurant and multi-family uses in the area.

The PUD also adopts the Form Regulations set forth in Part 3, Subpart H, including the ability to seek deviations, and requires DDRB approval. This contrasts with the current restaurant on the Property that does not conform with Part 3, Subpart H and has parking visible from Hendricks Avenue and Prudential Drive on three sides (3) of the structure.

Since the adoption of the CRA Plan in 2019, two thousand five hundred fifty-seven (2,557) multi-family units have either been developed, are under construction, or moving through entitlement processes within the Southbank<sup>2</sup>. Substantial multi-family growth is likewise occurring in San Marco and the Northbank. These projects include:

**SOUTHBANK**

Broadstone	opened 2019	264 du
SoBa	opened 2021	143 du
Southerly	opens 2022	185 du

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<sup>2</sup> This does not count the previously constructed 682 du including: The Peninsula (234 du), The Strand (295 du), San Marco Place (141 du) and Home Street Lofts (12 du).



Rivers Edge (fka The District)	under construction 2022	950 du
Related	construction to start 2024	325 du
Artea	under construction 2023	340 du
JTA Southbank Residential	proposed	<u>350 du</u>
		2,557 du

**SAN MARCO (within 1 mile of Southbank)**

Promenade	opened 2019	284 du
Exchange/Barlow (f/k/a San Marco Crossing)	opens 2021	486 du
Eastborough	under construction 2021	226 du
1230 Hendricks	under construction 2022	345 du
Hendricks	under construction 2022	<u>133 du</u>
		1,474 du

**NORTHBANK**

Barnett Tower	opened 2019	107 du
Vista Brooklyn	opened 2021	308 du
DORO	under construction 2021	247 du
1 Riverside Ave	under construction 2023	271 du
Ford on Bay	RFP awarded 2022	~300 du
The Landing	RFP awarded 2022	~300 du
Pearl St. District	DDRB approved 2023	<u>1,021 du</u>
		2,554 du

The Downtown Jacksonville Market Feasibility Study completed on September 15, 2021 (the “Study”) noted on page 41 that:

The current combination of high vacancy rates, rapid absorption, and relatively higher asking rents in comparison to achieved rents suggest that multifamily housing in the Brooklyn and Southbank Districts are in demand as newly built product continues to be added and absorbed and pipeline development becomes reality. Current activity indicates a substantial number of units will be coming online in these Districts through 2023, which will increase competitive pressure on market rents and negatively impact vacancy rates as the market restabilizes.

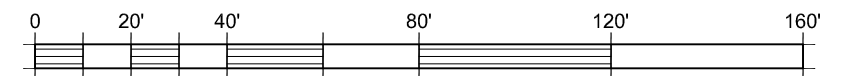
The Study concluded that the “Southbank has seen significant mid-rise and high-rise residential development, leveraging the waterfront and views of Downtown. It is expected that residential opportunities will continue, as land prices away from the river remain low and rents and demand remain high relative to the rest of the City.” See page 105 of the Study.

Although it does not address recent developments in San Marco, the Study confirms developments described above throughout the Southbank and Northbank. The Study also explains why further multi-family development can be expected in the Southbank.

In addition to being compatible with adjacent properties, the proposed ground floor uses and integrated personal property self-storage uses are consistent with and supportive of the current and developing multi-family residential uses in the Southbank and nearby San Marco and Northbank neighborhoods.

The influx of residential development, particularly multi-family development, is indicative of substantial demand for personal property self-storage uses considering that approximately seventy percent (70%) of all personal property self-storage tenants are residential. The proposed mixed-use development providing both ground floor uses and personal property self-storage uses will specifically cater to the needs of those individuals currently living in or moving into the new multi-family developments. A letter further expanding upon the marketability and demand of the Project is filed herewith as Exhibit J.

- F. **Usable open spaces, plazas, recreation areas.** Open space and active recreation shall be provided as approved by DDRB in the DDRB Applications.
- 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 PUD provides parking on the first and second floor and loading on the first floor. There shall be no minimum required parking or loading spaces.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with City regulations.
- K. **Signage.** Signage will be consistent with Part 13, Subpart B, of the Zoning Code.



SCALE: 1" = 40'-0"



**EXHIBIT F**  
**Land Use Table**

Total gross acreage	<u>1.01</u> Acres	<u>100</u> %
Amount of each different land use by acreage		
Single family	_____ Acres	_____ %
Total number of dwelling units	_____ D.U.	
Multiple family	_____ Acres	_____ %
Total number of dwelling units	<u>100</u> D.U.	
Commercial / Mixed Use	<u>1.01</u> Acres	<u>100</u> %
Industrial	_____ Acres	_____ %
Other land use (Hospital and related uses)	_____ Acres	_____ %
Active recreation and/or open space	_____ Acres	_____ %
Passive open space	_____ Acres	_____ %
Public and private right-of-way	_____ Acres	_____ %

The land use estimates in this table are subject to change within the allowable densities and intensities of use, as set forth in the PUD Written Description. The maximum coverage by buildings and structures is subject to the PUD Written Description.

Doc# 2004268368  
 Book: 11995  
 Pages: 2416 - 2419  
 Filed & Recorded  
 08/18/2004 04:41:52 PM  
 JIM FULLER  
 CLERK CIRCUIT COURT  
 DUVAL COUNTY  
 RECORDING \$ 17.00  
 TRUST FUND \$ 2.50  
 DEED DOC STAMP \$ 8.78  
 REC ADDITIONAL \$ 16.00

*Ret Rogers, Towers*

**TRUSTEE'S DEED**

THIS INDENTURE is made effective as of the 1st day of July, 2004, by and between **KAREN R. HIRSHBERG, as Successor Trustee of the A. WALTER HIRSHBERG REVOCABLE TRUST** under Agreement dated March 22, 1979, as amended, as Party of the First Part, and **KAREN R. HIRSHBERG, as Trustee of the A. WALTER HIRSHBERG FAMILY TRUST** established under Article IX of the A. WALTER HIRSHBERG REVOCABLE TRUST, the mailing address of which is 1994 River Road, Jacksonville, Duval County, Florida 32207, as Party of the Second Part.

W I T N E S S E T H:

WHEREAS, A. WALTER HIRSHBERG, as Grantor and as Trustee, entered into a certain trust agreement dated March 22, 1979, and later amended and completely restated the same by instrument dated April 6, 2001 (hereinafter referred to as the "Trust Agreement"), establishing the "A. WALTER HIRSHBERG REVOCABLE TRUST" (hereinafter referred to as the "Trust"); and

WHEREAS, A. WALTER HIRSHBERG, joined by his wife, KAREN R. HIRSHBERG, conveyed the hereinafter described real property to the Trust by Warranty Deed dated April 6, 2001, recorded in Official Records Book 9965, Page 2073 of the current public records of Duval County, Florida; and

WHEREAS, A. WALTER HIRSHBERG died on June 15, 2001; and

WHEREAS, the Trust Agreement was never further amended or revoked after the restatement on April 6, 2001; the Trust Agreement became irrevocable on the date of death of A. WALTER HIRSHBERG; and the Trust Agreement remains in full force and effect; and

WHEREAS, pursuant to Article IV(b) of the Trust Agreement, upon the death of A. WALTER HIRSHBERG, KAREN R. HIRSHBERG became the sole Successor Trustee of the Trust; and

WHEREAS, KAREN R. HIRSHBERG has served as Successor Trustee of the Trust continuously since June 15, 2001, and remains, on the date hereof, the sole Successor Trustee of the Trust; and

**Note to Recording Clerk:**

Minimum documentary stamps have been affixed to this Deed pursuant to Fla. Admin. Code R. 12B-4.013(32)(e) and (f).

9

WHEREAS, pursuant to Article VII of the Trust Agreement, the Successor Trustee is directed to subdivide the assets of the Trust into two separate subtrusts, the A. WALTER HIRSHBERG MARITAL TRUST governed by Article VIII of the Trust Agreement, and the A. WALTER HIRSHBERG FAMILY TRUST governed by Article IX of the Trust Agreement; and

WHEREAS, pursuant to Article XII(r) of the Trust Agreement, the Successor Trustee has the following power:

"(r) To make a distribution or division of the trust property in cash or in kind or both, and to allocate different kinds or disproportionate shares of the property or undivided or fractional interests in property, assets, and investments among the beneficiaries or portions, and to determine the value of any such property."

and pursuant to Article XII(c) and (d) of the Trust Agreement, the Successor Trustee has the power to assign, transfer and convey any and all interests in real property held by the Trust, and to execute and deliver all deeds, conveyances, and instruments of transfer; and

WHEREAS, the Successor Trustee has determined that the hereinafter described real property should be allocated to the A. WALTER HIRSHBERG FAMILY TRUST established under Article IX of the Trust Agreement as a portion of its share of the assets of the Trust.

NOW, THEREFORE, Party of the First Part, in connection with the distribution and division of the A. WALTER HIRSHBERG REVOCABLE TRUST, and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Party of the Second Part, the receipt and adequacy of which are hereby acknowledged, has granted, bargained and sold to Party of the Second Part, and her successors and assigns forever, that certain land, situate, lying and being in the County of Duval, State of Florida, more particularly described as follows:

Lot 2, HENDRICKS SUBDIVISION, HOMESTEAD TRACT, according to Plat thereof recorded in Plat Book 2, Page 8 of the current public records of Duval County, Florida.

Property Appraiser's Parcel Identification Number:  
080289-0000.

Together with all tenements, hereditaments and appurtenances of Party of the First Part belonging or in any wise appertaining to the Land (collectively, the "Property"), subject

to the following permitted encumbrances (the "Permitted Encumbrances"):

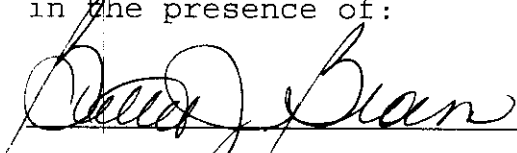
1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey or careful inspection of the Property and any improvements thereon would reveal;
4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.

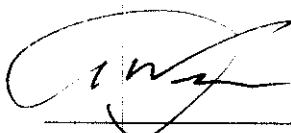
Except as set forth in the Permitted Encumbrances, Party of the First Part hereby covenants to warrant and defend the title to the Land against the lawful claims of all persons claiming by, through or under Party of the First Part, but against none other if Party of the Second Part or any successor or assign of Party of the Second Part has not obtained a commitment of a title insurance company agreeing to issue an owner's policy or an owner's title insurance policy insuring title to the Property.


The preparer of this instrument has not examined title to the lands herein described, and no warranty or other representation is made by the preparer, and no other opinion (either express or implied) is given by the preparer as to the marketability or condition of the title thereto, the quantity of lands included therein, the location of the boundaries thereof, or the existence of liens, unpaid taxes or encumbrances thereon.

IN WITNESS WHEREOF, Party of the First Part has set her hand and seal hereto and has made this deed effective as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

  
Print Name Bettie J. Brown

  
Print Name DONALD C. WRIGHT

  
KAREN R. HIRSHBERG

As Successor Trustee of the  
A. WALTER HIRSHBERG REVOCABLE  
TRUST under Agreement dated  
March 22, 1979, as amended

Address: 1994 River Road  
Jacksonville, FL 32207

STATE OF FLORIDA )  
 )  
COUNTY OF DUVAL )

The foregoing instrument was acknowledged before me this 22nd day of July, 2004, by KAREN R. HIRSHBERG, as Successor Trustee of the A. WALTER HIRSHBERG REVOCABLE TRUST under Agreement dated March 22, 1979, as amended, who is personally known to me ~~or who has produced~~ \_\_\_\_\_ as ~~identification~~ and who did take an oath.



Donald C. Wright  
MY COMMISSION # CC974164 EXPIRES  
December 12, 2004  
BONDED THRU TROY FAIN INSURANCE, INC.

\_\_\_\_\_  
Notary Public, State of Florida

Print Name: DONALD C. WRIGHT

My Commission Expires:

My Commission No.:

Jax\788838\_1



Doc# 2004268369  
 Book: 11995  
 Pages: 2420 - 2424  
 Filed & Recorded  
 08/18/2004 04:41:52 PM  
 JIM FULLER  
 CLERK CIRCUIT COURT  
 DUVAL COUNTY  
 RECORDING \$ 21.00  
 TRUST FUND \$ 3.00  
 DEED DOC STAMP \$ 0.70  
 REC ADDITIONAL \$ 20.00

*Ref Rogers Towers  
 1301 Riverplace #1500  
 32207*

**TRUSTEE'S DEED**

THIS INDENTURE is made effective as of the 1st day of July, 2004, by and between **KAREN R. HIRSHBERG, as Successor Trustee of the A. WALTER HIRSHBERG REVOCABLE TRUST** under Agreement dated March 22, 1979, as amended, as Party of the First Part, and **KAREN R. HIRSHBERG, as Trustee of the A. WALTER HIRSHBERG FAMILY TRUST** established under Article IX of the A. WALTER HIRSHBERG REVOCABLE TRUST, the mailing address of which is 1994 River Road, Jacksonville, Duval County, Florida 32207, as Party of the Second Part.

W I T N E S S E T H:

WHEREAS, A. WALTER HIRSHBERG, as Grantor and as Trustee, entered into a certain trust agreement dated March 22, 1979, and later amended and completely restated the same by instrument dated April 6, 2001 (hereinafter referred to as the "Trust Agreement"), establishing the "A. WALTER HIRSHBERG REVOCABLE TRUST" (hereinafter referred to as the "Trust"); and

WHEREAS, A. WALTER HIRSHBERG, joined by his wife, KAREN R. HIRSHBERG, conveyed the hereinafter described real property to the Trust by Warranty Deed dated April 6, 2001, recorded in Official Records Book 10022, Page 86 of the current public records of Duval County, Florida; and

WHEREAS, A. WALTER HIRSHBERG died on June 15, 2001; and

WHEREAS, the Trust Agreement was never further amended or revoked after the restatement on April 6, 2001; the Trust Agreement became irrevocable on the date of death of A. WALTER HIRSHBERG; and the Trust Agreement remains in full force and effect; and

WHEREAS, pursuant to Article IV(b) of the Trust Agreement, upon the death of A. WALTER HIRSHBERG, KAREN R. HIRSHBERG became the sole Successor Trustee of the Trust; and

**Note to Recording Clerk:**

Minimum documentary stamps have been affixed to this Deed pursuant to Fla. Admin. Code R. 12B-4.013(32)(e) and (f).

5

WHEREAS, KAREN R. HIRSHBERG has served as Successor Trustee of the Trust continuously since June 15, 2001, and remains, on the date hereof, the sole Successor Trustee of the Trust; and

WHEREAS, pursuant to Article VII of the Trust Agreement, the Successor Trustee is directed to subdivide the assets of the Trust into two separate subtrusts, the A. WALTER HIRSHBERG MARITAL TRUST governed by Article VIII of the Trust Agreement, and the A. WALTER HIRSHBERG FAMILY TRUST governed by Article IX of the Trust Agreement; and

WHEREAS, pursuant to Article XII(r) of the Trust Agreement, the Successor Trustee has the following power:

"(r) To make a distribution or division of the trust property in cash or in kind or both, and to allocate different kinds or disproportionate shares of the property or undivided or fractional interests in property, assets, and investments among the beneficiaries or portions, and to determine the value of any such property."

and pursuant to Article XII(c) and (d) of the Trust Agreement, the Successor Trustee has the power to assign, transfer and convey any and all interests in real property held by the Trust, and to execute and deliver all deeds, conveyances, and instruments of transfer; and

WHEREAS, the Successor Trustee has determined that the hereinafter described real property should be allocated to the A. WALTER HIRSHBERG FAMILY TRUST established under Article IX of the Trust Agreement as a portion of its share of the assets of the Trust.

NOW, THEREFORE, Party of the First Part, in connection with the distribution and division of the A. WALTER HIRSHBERG REVOCABLE TRUST, and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Party of the Second Part, the receipt and adequacy of which are hereby acknowledged, has granted, bargained and sold to Party of the Second Part, and her successors and assigns forever, that certain land, situate, lying and being in the County of Duval, State of Florida, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances of Party of the First Part belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):

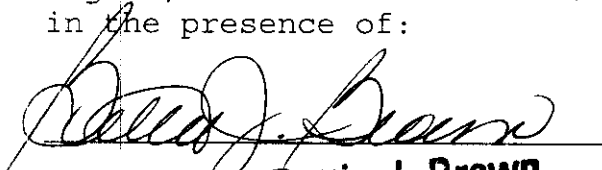
1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey or careful inspection of the Property and any improvements thereon would reveal;
4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.

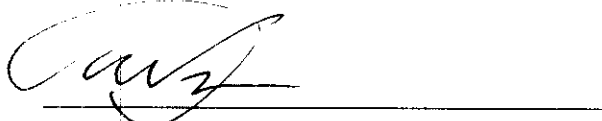
Except as set forth in the Permitted Encumbrances, Party of the First Part hereby covenants to warrant and defend the title to the Land against the lawful claims of all persons claiming by, through or under Party of the First Part, but against none other if Party of the Second Part or any successor or assign of Party of the Second Part has not obtained a commitment of a title insurance company agreeing to issue an owner's policy or an owner's title insurance policy insuring title to the Property.

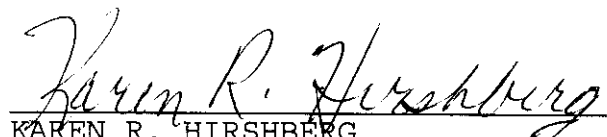
The preparer of this instrument has not examined title to the lands herein described, and no warranty or other representation is made by the preparer, and no other opinion (either express or implied) is given by the preparer as to the marketability or condition of the title thereto, the quantity of lands included therein, the location of the boundaries thereof, or the existence of liens, unpaid taxes or encumbrances thereon.

IN WITNESS WHEREOF, Party of the First Part has set her hand and seal hereto and has made this deed effective as of the day and year first above written.

Signed, sealed and delivered  
in the presence of:

  
Print Name Bettie J. Brown

  
Print Name DONALD C. WRIGHT


  
KAREN R. HIRSHBERG

As Successor Trustee of the  
A. WALTER HIRSHBERG REVOCABLE  
TRUST under Agreement dated  
March 22, 1979, as amended

Address:  
1994 River Road  
Jacksonville, FL 32207

STATE OF FLORIDA )  
 )  
COUNTY OF DUVAL )

The foregoing instrument was acknowledged before me this 22nd day of July, 2004, by KAREN R. HIRSHBERG, as Successor Trustee of the A. WALTER HIRSHBERG REVOCABLE TRUST under Agreement dated March 22, 1979, as amended, who is personally known to me or ~~who has produced~~ \_\_\_\_\_ as ~~identification~~ and who did take an oath.



Notary Public, State of Florida

Print Name: DONALD C. WRIGHT

My Commission Expires:

My Commission No.:



Donald C. Wright  
MY COMMISSION # CC974164 EXPIRES  
December 12, 2004  
BONDED THRU TROY FAIN INSURANCE, INC.

Jax\776275\_1

EXHIBIT "A"

An undivided one-half interest in and to the following described real property:

Lot one (1) Hendrick's subdivision of the homestead tract in South Jacksonville, Plat Book 2, Page 8, current public records of Duval County, Florida, said lot being located at the Southwest corner of Prudential Drive and Hendricks Avenue, South Jacksonville, less and except the following described triangular portion conveyed for street purposes to the City of Jacksonville by Standard Oil Company (incorporated in Kentucky) by Deed dated February 14, 1952, commencing at the southeasterly corner of said Lot 1, said corner being the westerly line of Hendricks Avenue; thence northerly along the easterly line of said Lot 1, also being the westerly line of Hendricks Avenue, a distance of 105.62 feet for a point of beginning; thence continuing northerly along said westerly line of Hendricks Avenue a distance of 19.38 feet to the northeasterly corner of said Lot 1, said corner being the southwesterly corner of Hendricks Avenue and Prudential Drive; thence westerly along the southerly line of Prudential Drive a distance of 19.38 feet to a point; thence southeasterly along an arc being a radius of 45 feet a distance of 27.85 feet to the point of beginning; said arc being convex to the northeast and not tangent to the northerly or easterly line of said Lot 1.

Property Appraiser's Parcel Identification Number: 80288-0000.

This document prepared by and  
after recording return to:

Samuel L. LePrell  
Attorney and Counselor at Law  
Suite 201, St. Mark's Place  
1930 San Marco Boulevard  
Jacksonville, Florida 32207

Book 10022 Page 86  
Doc# 2001138537  
Book: 10022  
Pages: 86 - 87  
Filed & Recorded  
06/08/2001 10:11:00 AM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
TRUST FUND \$ 1.50  
DEED DOC STAMP \$ 0.70  
RECORDING \$ 9.00

### TRUSTEE'S DEED

**THIS INDENTURE**, made this 1st day of June, 2001, by and between **A.W. HIRSHBERG**, as Trustee for **AWH X DEFINED BENEFIT PENSION PLAN AND TRUST**, (Federal Identification Number \_\_\_\_\_) (hereinafter called the "Grantor"), and **A. WALTER HIRSHBERG, AS TRUSTEE OF THE A. WALTER HIRSHBERG REVOCABLE TRUST UNDER AGREEMENT DATED MARCH 22, 1979, AS AMENDED**, as to an undivided one-half interest as tenant in common and **KAREN R. HIRSHBERG, AS TRUSTEE OF THE KAREN R. HIRSHBERG LIVING TRUST OF APRIL 6, 2001**, as to an undivided one-half interest as tenant in common, his wife, whose address is 1994 River Road, Jacksonville, Florida 32207, (hereinafter called the "Grantees").

### WITNESSETH:

**WHEREAS**, the Grantor, pursuant to powers granted in the Trust Agreement referred to above, has entered into a contract to convey its interest in the below described property to the Grantees;

**NOW, THEREFORE**, in consideration of the premises and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey and confirm unto the Grantee that certain piece, parcel or tract of land in Duval County, Florida, described in:

Lot one (1) Hendrick's subdivision of the homestead tract in South Jacksonville, Plat Book 2, Page 8, current public records of Duval County, Florida, said lot being located at the Southwest corner of Prudential Drive and Hendricks Avenue, South Jacksonville, less and except the following described triangular portion conveyed for street purposes to the City of Jacksonville by Standard Oil Company (incorporated in Kentucky) by Deed dated February 14, 1952, commencing at the southeasterly corner of said Lot 1, said corner being the westerly line of Hendricks Avenue; thence northerly along the easterly line of said Lot 1, also being the westerly line of Hendricks Avenue, a distance of 105.62 feet for a point of beginning; thence continuing northerly along said westerly line of Hendricks Avenue a distance of 19.38 feet to the northeasterly corner of said Lot 1, said corner being the southwesterly corner of Hendricks Avenue and Prudential Drive; thence westerly along the southerly line of Prudential Drive a distance of 19.38 feet to a point; thence

2

southeasterly along an arc being a radius of 45 feet a distance of 27.85 feet to the point of beginning; said arc being convex to the northeast and not tangent to the northerly or easterly line of said Lot 1.

Property Appraiser's Parcel Identification Number: 80288-0000

Together with all and singularly the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.


**TO HAVE AND TO HOLD** the same unto the said Grantees and the heirs, legal representatives and assigns of the said Grantees in fee simple forever.


And the said Grantor does hereby covenant that it is the duly qualified and acting Trustee as aforesaid, and that it has good right and lawful authority to execute this instrument.

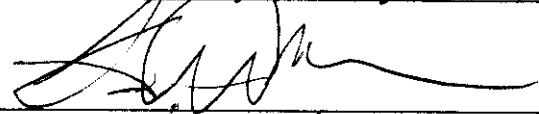
**IN WITNESS WHEREOF**, the said Grantor has caused this Trustee's Deed to be executed this day and year first above written.

Signed and delivered in the presence of:

**AWH X DEFINED BENEFIT PENSION PLAN AND TRUST**

  
Print Name: Samuel L. Leprell

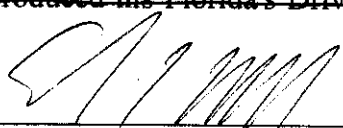
  
A. Walter Hirshberg, as Trustee

  
Print Name: Lewis Ansbacher

STATE OF FLORIDA )

COUNTY OF DUVAL )

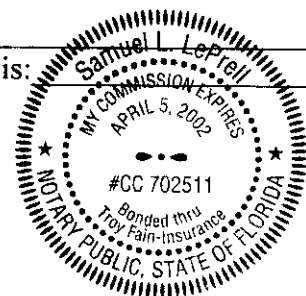
The foregoing instrument was acknowledged before me this 1st day of June, 2001, by A. WALTER HIRSHBERG, the Trustee of **AWH X DEFINED BENEFIT PENSION PLAN AND TRUST**. He is personally known to me or ~~who has produced his Florida's Driver's License as identification.~~

  
Notary Public, State of Florida  
Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

My Commission Number is: \_\_\_\_\_

C:\wpdocs\Hirshberg\AWH X\Trustee.Deed.Trusts.060101.frm



Prepared by:  
Deborah Lancia Ruiz, Esq.  
Law Firm of Deborah Lancia Ruiz, LLC  
2328 Aberford Court  
St. Augustine, Florida 32092

Return to:  
Samuel L. LePrell  
Attorney and Counselor at Law  
1930 San Marco Blvd.  
Suite 201, St. Mark's Place  
Jacksonville, Florida 32207

WARRANTY DEED

THIS WARRANTY DEED is made this 31<sup>st</sup> day of March, 2017, by and between SOUTHBANK PARTNERS, a Florida general partnership, whose address is 712 Spinnakers Reach, Ponte Vedra Beach, Florida 32082, hereinafter collectively called the "Grantor," which term shall include, wherever the context permits or requires, singular or plural, heirs, personal representatives, successors or assigns, and KAREN R. HIRSHBERG, whose address is 1994 River Road, Jacksonville, Florida 32207, hereinafter called the "Grantee," which term shall include, wherever the context so permits or requires, singular or plural, heirs, personal representatives, successors or assigns.

W I T N E S S E T H:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, conveys and transfers unto the Grantee forever all of that certain property situate, lying and being in the County of Duval, State of Florida, described as follows:

Lot 3 of HENDRICKS SUBDIVISION OF HOMESTEAD  
TRACT SOUTH JACKSONVILLE, according to the Plat thereof  
as recorded in Plat Book 2, Page(s) 8, of the Public Records  
of Duval County, Florida

TO HAVE AND TO HOLD the same, together with the easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, unto the Grantee in fee simple.



The Grantor hereby warrants the title to the above described property and will defend the same against the lawful claims of all persons whomsoever, subject to: (a) taxes and assessments for the year 2017 and subsequent years; (b) existing zoning and government regulations; and (c) plats, covenants, restrictions and easements of record, however this reference shall not operate to reimpose same.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed on the day and year hereinabove first written.

WITNESSES:

SOUTHBANK PARTNERS,  
a Florida general partnership

Amanda Meshaw  
Print Name: AMANDA MESHAW

Howard C. Serkin  
Howard C. Serkin, General Partner

Donna R. Barker  
Print Name: DONNA R. BARKER

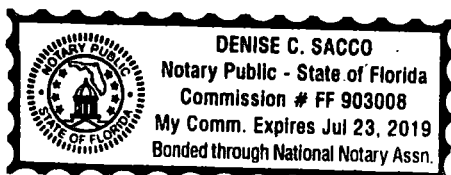
STATE OF FLORIDA  
COUNTY OF DUVAL

Execution of the foregoing instrument was sworn to, subscribed and acknowledged before me this 28<sup>th</sup> day of March, 2017, by Howard C. Serkin, a General Partner of SOUTHBANK PARTNERS, a Florida general partnership, who ☒ is personally known to me or ☐ produced \_\_\_\_\_ as identification.

Denise C. Sacco  
Notary Public, State of Florida

Denise C. Sacco  
Name Typed or Printed  
My Commission Expires:

[Notarial Seal]



Prepared by/return to:  
Watersound Title Agency, LLC  
133 S. Watersound Parkway  
Watersound, FL 32461

Tax Parcel ID #080297-000,029937-0000, 031369-000,  
029937-1000

*THIS CORRECTIVE SPECIAL WARRANTY DEED IS GIVEN TO CORRECT THE PROPERTY DESCRIBED IN EXHIBIT "A"  
AS SET FORTH IN THAT CERTAIN SPECIAL WARRANTY DEED DATED OCTOBER 9, 2018 RECORDED IN OFFICIAL  
RECORDS BOOK 18566 PAGE 729 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.*

**CORRECTIVE SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED made this 9th day of October, 2018 by **The St. Joe Company**, a Florida corporation and **St. Joe Southwood Properties, Inc.**, a Florida corporation having its principal place of business at 133 South Watersound Parkway, Watersound, FL 32461 (the "Grantor"), and **G.I.S. Holdings, Inc.**, a Florida corporation whose post office address is 570 Jacksonville Drive, Jacksonville Beach, FL 32250, (the "Grantee"):

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 U.S. Dollars (\$10.00), and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, remised, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee the following parcel of land, situate, lying and being in the County of Duval, State of Florida, ("Property"), and more particularly described as follows:

**See Exhibit "A"**

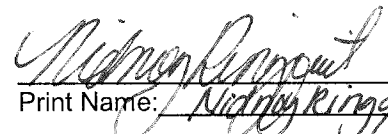
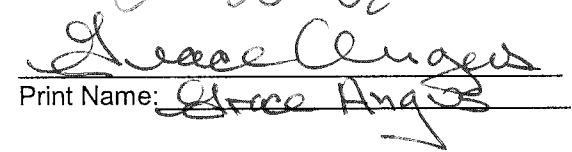
Subject to encumbrances, easements and restrictions of record, taxes for 2018 and for subsequent years, zoning and other regulatory laws and ordinances affecting the Property, and any matters which would be disclosed by a current and accurate survey or by a current physical inspection of the Property.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; and hereby specially warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but none other.


IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its name by its proper officers, and its corporate seal to be affixed, the day and year first above written.

  
Print Name: Nidnoy Ringquist  
  
Print Name: Grace Anger

The St. Joe Company, a Florida corporation

BY:   
Marek Bakun  
EVP and CFO

St. Joe Southwood Properties, Inc., a Florida corporation

BY:   
Marek Bakun  
EVP and CFO

STATE OF FLORIDA  
COUNTY OF WALTON

The foregoing instrument was acknowledged before me this 31st day of October, 2018 by Marek Bakun as EVP and CFO of The St. Joe Company, a Florida corporation and St. Joe Southwood Properties, Inc., a Florida corporation. He is personally known to me.



NIDNOY RINGQUIST  
MY COMMISSION # FF 161860  
EXPIRES: March 6, 2019  
Bonded Thru Budget Notary Services

  
Notary Public

**EXHIBIT A****PARCEL I:**

Lot 7, the West 18 feet of Lot 6 and the East 18 feet of Lot 8, Hendricks Subdivision of Homestead Tract, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 8, of the Public Records of Duval County, Florida.

**PARCEL II:**

Part of the Charles F. Sibbald Grant being in Section 39, Township 1 South, Range 26 East, Duval County, Florida and Part of 1 of W.M. Kings Land Subdivision as per plat thereof, as recorded in Plat Book 2, Page 53, of the current Public Records of Duval County, Florida, being more particularly described as follows:

That property lying East of U.S. Highway 17 (a 100 foot right-of-way as presently established), North and East of those lands described in Official Records Book 6762, Pages 449 and 450 (Exhibit A), said Duval County, Florida, South and West of those lands described in Official Records Book 5883, Pages 394 and 395 (Exhibit A - Parcel A), said Duval County, Florida, and North of 50th Street (an 80 foot R/W as presently established in City of Jacksonville, Florida, being more particularly described as follows:

Beginning at the Northwest Corner of those lands described in said Official Records Book 6762, Pages 449 and 450, of the current Public Records of Duval County, Florida; thence N13°14'33"E, along the Easterly Right-of-Way line of U.S. Highway 17 (a 100 foot Right-of-Way as presently established) a distance of 263.57 feet to a point 35 feet South by perpendicular measurement of the center line of the SCL Railroad tracks; thence departing said Easterly Right-of-Way line, run thence S87°59'05"E, 35 feet South of and parallel to said railroad tracks, a distance of 99.27 feet to the Point of Beginning of those lands described in said Official Records Book 5883, Pages 394 and 395, of the current Public Records of Duval County, Florida; thence along the Westerly boundary of said Official Records Book 5883, Pages 394 and 395 lands along a non tangent curve to the right, having a radius of 539.96 feet; thence Southeasterly along the arc, through an included angle of 21°33'45", a distance of 203.21 feet, said arc being subtended by a chord bearing and distance of S72°15'58"E, 202.01 feet; thence continuing along said Westerly boundary, S61°29'05"E, a distance of 104.95 feet; thence S13°14'31"W, parallel to and 400 feet East by perpendicular measurement of said Easterly Right-of-Way line of U.S. Highway 17, a distance of 362.34 feet, more or less, to the point of intersection of said Westerly boundary line with the Northerly Right-of-Way line of said 50th Street; thence S89°35'58"W, along said Northerly Right-of-Way line, a distance of 148.22 feet to the Southeast Corner of said Official Records Book 6762, Pages 449 and 450 lands; thence N13°14'31"E, along the Easterly line of said Official Records Book 6762, Pages 449 and 450 lands, a distance of 220.00 feet to the Northeast Corner of said Official Records Book 6762, Pages 449 and 450 lands; thence S89°35'58"W, along the North line of said Official Records Book 6762, Pages 449 and 450 lands, a distance of 263.39 feet to the Point of Beginning.

**PARCEL III:**

Part of the Charles F. Sibbald Grant being in Section 39, Township 1 South, Range 26 East, being those parcels described in Deed Book 1125, Page 163; also those parcels described in Deed Book 695, Page 121; and also those parcels described in Deed Book 744, Page 466, all being recorded in the Public Records of Duval County, Florida and less and excepting that portion of the Charles F. Sibbald Grant, Section 39, Township 1 South, Range 26 East as conveyed to Seaboard System Railroad, Inc. in November of 1984 and recorded in Official Records Book 5883, Page 395, of the Public Records of Duval County, Florida and also less and except that portion being in the 50th Street Right-of-Way according to the Public Records of Duval County, Florida, being more particularly described as:

A parcel of land being a part of the Charles F. Sibbald Grant, Section 39, Township 1 South, Range 26 East, Duval County, Florida and being more particularly described as follows: Commence for a point of reference at the intersection of the Northerly Right-of-Way line of 50th Street (an 80 foot right-of-way as now established by Official Records Book 5393, Page 889, of the current Public Records of said Duval County) with the Easterly Right-of-Way line of Main Street (a 100 foot Right-of-Way as now established), said point being the point of curvature of a curve to the left having a radius of 30.0 feet; thence along the arc of curve and along the Right-of-Way line a chord bearing and distance of S38°34'36"E, 47.17 feet; thence N89°35'58"E along the Northerly Right-of-Way line of said 50th Street, 1578.86 feet to a point lying 33.0 feet Westerly when measured at right angles to the Seaboard Systems Railroad Tract; thence S00°30'52"E, 33.0 feet Westerly and parallel with said Tract, 80.0 feet to the Southerly Right-of-Way line of said 50th Street; thence continue S00°30'52"E, 33.0 feet Westerly and parallel with said Tract, 96.25 feet to the Northeast Corner of Lot 227, Edmondsons Main Street Estates, as recorded in Plat Book 15, Page 75, of the current

Public Records of said Duval County, Florida; thence S89°46'35"W along the North line of said Lot 227, a distance of 34.99 feet to the Point of Beginning of the herein described parcel: From said Point of Beginning, continue S89°46'35"W along the Northerly line of said Lot 227 and the Northerly line of said Edmondsons Main Street Estates, a distance of 293.88 feet (Plat call = West, 293.88 feet) to a change in direction of said North line of Edmondsons Main Street Estates; thence run S00°13'25"E, 34.78 feet (Plat call = South, 34.78 feet) to a change in direction of said North line; thence continuing along said North line, run N89°59'25"W, a distance of 467.50 feet (Plat call = N89°46'00"W, 467.50 feet) to the intersection of said Northerly line with the Westerly terminus of the East Half (a 37.5 foot Easterly Half R/W as per Plat) of Liberty Street Blvd as per said Plat; thence departing said North line, run N00°13'25"W, a distance of 126.67 feet, more or less, to a point on the South Right-of-Way line of said 50th Street; thence run N89°35'58"E along the Southerly Right-of-Way line of said 50th Street, a distance of 716.61 feet to the intersection of said Southerly Right-of-Way line and the Westerly line of those lands described in Official Records Book 5883, Page 395 (Parcel B), said Westerly line being on a curve concave Southwesterly and having a radius of 603.63 feet; thence along the arc of said curve having a chord bearing and distance of S25°13'37"E, 105.93 feet to the Point of Beginning.

**EXHIBIT H**  
**Aerial Photograph**





October 14, 2022

Lori Boyer  
CEO Jacksonville DIA  
Jacksonville City Hall  
117 West Duval Street, 3<sup>rd</sup> Floor  
Jacksonville, Florida 32202

**Re: Mixed-use development; Southbank District in downtown Jacksonville**

Madame CEO,

Thank you so much for your consideration of the rezoning application for a proposed mixed-use development on property located in the Southbank District in downtown Jacksonville. The proposed mixed-use development would replace a dated approximately 4,000 square foot restaurant with approximately 16,000 square feet of ground floor retail and restaurant space including approximately 30 covered parking spaces. The proposed mixed-use development would also have approximately 150,000 square feet of personal property self-storage available above the ground floor uses described above.

There are two primary drivers contemplated as we look at personal property self-storage development in the Southbank District in downtown. The fundamental supply and demand metrics in the particular trade area are a core consideration. Secondly, the ability to deliver a facility whose construction and aesthetic are accretive to the community's value for residents and commercial enterprises.

The personally property self-storage supply in the Jacksonville MSA is 7.94 square feet per capita. The current capacity within a mile of this proposed location is only 5.13 square feet per capita. These numbers are based on the 2020 Self Storage Almanac data and do not reflect the recent and current residential development in Southbank and San Marco. Since the adoption of the 2019 CRA Plan, residential construction through the existing pipeline will yield approximately 4,000 new dwelling units. The majority of which are mid-rise and high-rise developments. The more dense, smaller footprint, multifamily population has a greater need for self-storage per capita than the traditional suburban trade area. The DIA Market Feasibility Study indicates a significant number of units will continue to come online in the Southbank through 2023.

It is important to note the role the St. Johns River plays in the supply constraints. Four of the five closest storage competitors are north of the river. This alone creates a natural barrier to the Southbank submarket which overstates available supply from demographic rings alone. Unmet need is further amplified as those four facilities average 95% occupancy. In addition to the proposed site, the only self-storage within two miles and south of the river is a smaller, regional operator open five days a week. It is also south of I-95 coming from downtown and does not provide the access or capacity the developing Southbank trade area will require.

The proposed development will be state of the art. It will be professionally managed by CubeSmart, the third largest self-storage operator in the country with over 900 stores under





management. We engage CubeSmart at several critical stages of development, including site selection, building design, pricing, marketing, call center, SEO, website and website design, POS, and day-to-day management. In doing so, we are able to provide a polished and professional customer-facing experience with a top shelf brand and sophisticated infrastructure.

Please find the attached rendering of the building façade. We pride ourselves on being true to the feel of the community. With first floor retail in addition to self-storage, our design allows for the new and progressive shine in the spirit of the Southbank District's new growth. At the same time, we honor the architectural heritage of downtown.

In the past decade, we moved forward and developed more than a dozen Class A self-storage and multi-use projects across the Southeast. Several of these are located in highly regulated urban areas such as Winter Park, Coral Springs, and Naples, Florida.

Before accounting for the supply constraints from the river and before factoring the significant pace of new development in the Southbank District, the metrics of the proposed site were highly favorable. It fell in the top 10% of all sites we have previously considered. When we look past the dated demographic data, this location represents the greatest supply-demand imbalance and unmet customer need we have seen to date.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MJ', is positioned above the name Marshall James.

Marshall James

cc: Boyd Simpson  
Steve Diebenow

## EXHIBIT K

### Site Location Map

