

EXHIBIT D

PUD Written Description

NORTH POINT PHASE II PUD

September 5, 2014 (Revised January 5, 2015)

I. PURPOSE AND INTENT

It is the purpose and intent of this PUD to provide flexibility in planning, design and development; to provide an environment compatible with surrounding land use; to encourage the preservation of the natural site features; thereby promoting the public health, safety, morals, order, comfort, convenience, appearance, prosperity, and the general welfare of the community. The PUD will create a unified development plan potentially incorporating shared access, utilities, stormwater treatment and other development criteria as may be necessary. The creation of a master planned development affords an efficient use of the land. This PUD will also provide the needed facilities for businesses and all the positive economic impacts to the community it creates.

Project Developer: Paul Tutwiler
Northwest Jacksonville
Community Development Corporation
3416 Moncrief Road, Suite 200
Jacksonville, Florida 32209

Project Planner/Agent: Greg Kupperman
Green & Kupperman, Inc.
200 First Street, Suite B
Neptune Beach, FL 32266

Project Engineer: Kyle Davis, PE
Baker Klein Engineering
1334 Walnut Street
Jacksonville, Florida 32206

Number of acres: 2.6+/-

Current Land Use Category: CGC (Community General Commercial) and LDR (Low Density Residential)

Current Zoning District: CGC-2 (Commercial Community General-2)
CGC-1 (Commercial Community General-1) and
RLD-60 (Residential Low Density-60)

Requested Land Use Category: NC (Neighborhood Commercial)

Requested Zoning District: PUD (Planned Unit Development)

Real Estate Numbers: 088819-0000/088820-0000/088821-0000/088822-0000
088823-0000/088824-0000/088825-0000/088826-0000
088827-0000/088828-0000/088829-0000/088830-0000
088831-0000/088863-0000/088864-0000/088865-0000

How does the proposed PUD differ from the usual application of the Zoning Code? This PUD district will differ from conventional zoning districts by excluding the less desirable uses found in the conventional districts. This PUD district will be specifically limited to the commercial uses provided herein. Excluding the less desirable uses will make this PUD district more compatible with existing and proposed surrounding uses it will also allow the continued operation of the developed facilities.

The PUD district also provides a site plan and is specific as to other design criteria unique to the subject property.

The property owners will maintain the parking areas, landscaping areas and the interior and exterior of the buildings. The continued operation of these facilities will be provided by the owners.

Total Acreage:	2.6+/- acres
Total number of dwelling units by each type:	Not Applicable
Total amount of non-residential floor area:	49,223+/- sq. ft.
Total amount of recreation area:	Not Applicable
Total amount of open space (wetlands):	Not Applicable
Total amount of public/private rights of way:	Not Applicable
Total amount of land coverage of all buildings and structures:	49,223+/- sq. ft.
Phase schedule of construction.	Three phases

II. PLANNED UNIT DEVELOPMENT LOCATION

The North Point Phase II PUD will be located on land containing approximately 2.6+- acres which is owned by Northwest Jacksonville Community Development Corporation, Faust Temple Church of God in Christ, Inc., Jacqueline L. Johnson, Solomon Myers, Andre Wayne McBride, Charles Kennebrew, and James P. Wright. A portion of the subject property is located within the 24th Street West and 23rd Street West rights of way between Moncrief Road and Chase Avenue. Right of way closures are being pursued for the same. The PUD is located on the west side of Moncrief Road, the east side of Chase Avenue and north of 22nd Street West.

III. PLANNED UNIT DEVELOPMENT LAND USE DESCRIPTION

As depicted on the site plan which is part of this PUD application, the property is developed as three commercial buildings. A more detailed description of the uses that will be permitted within the PUD and the use restrictions are contained herein.

Strict compliance with the parking and landscape regulations would create an economic hardship to the owners and limit the proposed urban site from providing the most appropriate development options. The PUD asks for minimum relief from some of the conventional parking and landscaping regulations as described herein.

The Comprehensive Plan Land Use Designation for the subject property is CGC (Community General Commercial) and LDR (Low Density Residential). The subject property is currently zoned CGC-1 (Commercial Community General-1) and RLD-60 (Residential Low Density-60). There is a concurrent Application for Small Scale Land Use Amendment pending and proposing to take the subject property to the NC (Neighborhood Commercial) Land Use Category.

IV. PLANNED UNIT DEVELOPMENT PERMITTED USES AND STRUCTURES

The 2.6+- acres of land is developed as three commercial buildings. The same is subject to the limitations of the Comprehensive Plan and this PUD zoning district.

A. Permitted Uses and Structures.

- (1) Medical and dental or chiropractor offices and clinics (but not hospitals).
- (2) Professional and business offices.
- (3) Multi-family residential vertically integrated with a permitted use on the ground floor.
- (4) Neighborhood retail sales and service establishments, however no individual building footprint shall exceed 40,000 square feet.

- (5) Service establishments such as barber or beauty shops, shoe repair shops.
- (6) Restaurants with drive-in or drive-through facilities.
- (7) Banks with drive-thru tellers and financial institutions, travel agencies and similar uses.
- (8) Libraries, museums and community centers.
- (9) An establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption.
- (10) Veterinarians meeting the performance standards and development criteria set forth in Part 4.
- (11) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (12) Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).
- (13) Drive-thru facilities in conjunction with a permitted or permissible use or structure.

B. Permitted accessory uses and structures. See Section 656.403

C. Permissible uses by exception.

- (1) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods.
- (2) An establishment or facility which includes the retail sale of beer or wine for on-premises consumption.
- (3) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
- (4) Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in Part 4.
- (5) Day care centers meeting the performance standards and development criteria set forth in Part 4.

D. Accessory Structures:

1. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

E. Restrictions on Uses:

1. Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located on the property.
2. Any request to deviate from these restrictions on the aggregate building area or uses shall be evaluated through the PUD minor modification process with a revised site plan to evaluate the internal and external compatibility of such proposed uses.

V. PLANNED UNIT DEVELOPMENT LOT AND BUILDING REQUIREMENTS

A. The minimum lot requirements and building requirements shall be in accordance with the requirements provided herein.

(a) *Minimum lot requirements (width and area).*

Minimum lot width—75 feet, except as otherwise required for certain uses.

(b) *Minimum lot area—7,500 square feet, except as otherwise required for certain uses.*

(c) *Maximum lot coverage by all buildings and structures. 50 percent.*

(d) *Minimum yard requirements.*

All uses:

(i) Front—10 feet along Moncrief Road/ 0 along Chase Avenue.

(ii) Side—None.

(iii) Rear—None.

(e) *Maximum height of structures. 60 feet, provided the building height shall not exceed 45 feet when adjacent to a single family use or zoning district.*

(f) *Limitations on permitted or permissible uses by exception.*

All of the permitted or permissible uses by exception are subject to the following provisions unless otherwise provided for:

(1) Sale, display, preparation and storage shall be conducted within a completely enclosed building.

(2) Products shall be sold only at retail.

B. Parking Requirements

The parking requirements shall be consistent with Chapter 656, Part 6, Off Street Parking and Loading Regulations. Notwithstanding those requirements the parking ratio for this town center concept shall be 2 spaces per 1,000 square feet of non storage floor area. The same is justified by the urban setting, nearby bus transit, on street parking and pedestrian accessibility from surrounding residential neighborhoods. On street parking may be provided with parallel parking along Moncrief Road and Chase Avenue.

C. Vehicular Access, Right-of-Ways and Driveways

Vehicular access to the subject property is via the Moncrief Road and Chase Avenue. The accompanying PUD site plan depicts vehicular areas, access driveways and roadways.

D. Tree Protection and Landscape Requirements

The landscaping requirements for this development shall be consistent with Chapter 656, Part 12, Landscape and Tree Protection Regulations. Notwithstanding those requirements the following is also permitted. Eliminate any building setback requirements from any residential zoning districts. Reduce the perimeter landscape buffer between vehicle use areas and the right of way line to 5 feet of width. Reduction of uncomplimentary land use buffer to 10 feet. These modifications are necessary because of the unique urban setting of the subject property and the limitations by the size of the subject property.

E. Signage

- (i) One street frontage sign per lot not exceeding one square foot for each linear foot of street frontage, per street, to a maximum size of 200 square feet in area for every 200 linear feet of street frontage or portion thereof is permitted, provided they are located no closer than 200 feet apart. Signs shall not exceed 50 feet in height.
- (ii) Wall signs facing the roadway not to exceed ten percent square footage of the occupancy frontage or respective side of the building abutting a public right of way, service road or approved private road.
- (iii) One under the canopy sign per occupancy not exceeding a

maximum of eight square feet in area is permitted; provided, any square footage utilized for an under canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.

(iv) In lieu of the street frontage sign permitted in subsection (i) above, a flag containing a business logo or other advertising is permitted; provided, the square footage of any such flag shall not exceed 100 square feet, or 35 percent of the allowable square footage of the street frontage sign permitted in subsection (i) above, whichever is smaller; and provided further that the pole upon which such flag is flown shall not exceed the height limitation set forth in subsection (h)(1), below. Only one flag containing a business logo or other advertising shall be permitted for a premises, regardless of any other factors such as number of tenants on the premises or total amount of street frontage. Further, any flag allowed pursuant to this subsection shall not be illuminated by any means, with the exception of lighting associated with an American flag being flown on the same flag pole.

F. Pedestrian Access and Circulation

Pedestrian access and circulation will be provided with safe access from each of the parking spaces to all of the facilities. The facilities will provide adequate parking, handicap parking and accessible pedestrian circulation. Because of the emphasis of the urban setting and town center concept pedestrian crosswalks shall be allowed across Moncief Road at all adjacent intersections or driveways.

G. Recreation and Open Space

As depicted on the PUD site plan there is open space provided as green landscaped areas.

H. Utilities

Electric, potable water and sanitary sewer is provided by JEA.

I. Wetlands

There are no wetlands located on the subject property.

VI. DEVELOPMENT PLAN APPROVAL

A preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all existing and proposed uses within the property showing the general layout of the overall property. The same shall be submitted as a request for Verification of Substantial Compliance with this PUD district.

The PUD rezoning site plan is a conceptual PUD rezoning site plan for the purpose of rezoning to the PUD Zoning District. Final design is subject to change through final site planning, engineering, architectural design and market demands. All development improvements are subject to appropriate permitting agencies.

VII. SUCCESSORS IN TITLE

All successors in title to the property or any portion of the property shall be bound to all development standards and conditions of the PUD, as contained herein and in the Ordinance approving the same.

VIII. JUSTIFICATION FOR THE PLANNED UNIT DEVELOPMENT

The justification for the PUD zoning district which provides for a written description of the intended plan of development and site plan is as follows:

- To allow for a creative approach to the development;
- Provide a more desirable development environment than would be possible through the strict conventional application of the requirements of the Zoning Code;
- For an efficient use of land resulting in lower development costs;
- Provide an environment that will improve the characteristics of the surrounding area;
- Enhance the appearance of the area through development criteria;
- Propose land uses and intensities which will meet certain planning goals and create a balance for the community; and
- This plan and design will create a sustainable development plan.

IX. PUD REVIEW CRITERIA

A. *Consistency with Comprehensive Plan.*

The Comprehensive Plan Land Use Designation for the subject property is CGC (Community General Commercial) and LDR (Low Density Residential). The subject property is currently zoned CGC-1 (Commercial Community General-1) and RLD-60 (Residential Low Density-60). There is a concurrent Application for Small Scale Land Use Amendment pending and proposing to take the subject property to the NC (Neighborhood Commercial) Land Use Category.

B. *Consistency with the Concurrency/Mobility Management System.*

Development of the subject property is subject to the requirements Concurrency/Mobility Management System.

C. *Allocation of Residential Land Use.*

Not applicable.

D. *Internal Compatibility/Vehicular Access.*

The site has been designed with good planning practices and principals, with regards to land planning requirements for internal compatibility and vehicular access.

E. *External Compatibility/Intensity of Development.*

The uses proposed are consistent with other commercial developments in the surrounding area. This proposal provides for commercial neighborhood service and retail facilities. There is adequate setbacks and buffering adjacent to contiguous uses.

F. *Recreation/Open Space.*

Recreation is not applicable. Open space is provided through green landscaped areas.

G. *Impact on Wetlands.*

Not applicable there are no wetlands on site.

H. Listed Species Regulations

A wildlife and protected species survey is not required for this site, as the same is less than the 50 acre threshold, as stated in the Comprehensive Plan.

I. Off-Street Parking and Loading Requirements.

The parking requirements for this development shall be consistent with the provisions described within the PUD written description herein. Adequate parking and loading is provided.

J. Sidewalks, Trails, and Bikeways

Sidewalks and pedestrian maneuverability is provided on site. Trails and bikeways are not applicable to this site.

K. Stormwater Retention.

Stormwater retention will be provided as per Development Services.

L. Utilities.

Potable water, sanitary sewer and electric will be provided by JEA.