

EXHIBIT D

**Arlington Community School PUD
Written Description
April 29, 2015**

Real Estate Parcel No:	113315-0000 (9.64 acres)
Current Land Use Classification:	RPI (9.64 acres)
Requested Land Use Classification:	CGC (3.2 acres)/RPI (6.44 acres)
Current Zoning District:	CO (9.64 acres)
Requested Zoning District:	PUD (9.64 acres)
Total Proposed Gross Square Footage:	80,000 ± sqft

Engineer:

**Envision Design & Engineering
Doug L. Skiles, P.E.
2002 San Marco Blvd, Suite 203
Jacksonville, FL 32207**

Architect:

**Bill Ebert, AIA
Ebert Norman Brady Architects
1361 13th Avenue South, Suite 230
Jacksonville Beach, Florida 32250**

Developer:

To be determined.

I. SUMMARY DESCRIPTION OF THE PLAN

Setzer's Eighth Street Corporation, a Florida corporation (the "Applicant") proposes to rezone approximately 9.64 acres of property from Commercial Office ("CO") to Planned Unit Development ("PUD"). The property is located at Fort Caroline Road and Peeler Road. As described below, the PUD zoning is requested to allow for development of a private school (pre-k through eighth grade), a master stormwater pond area, and additional commercial development (the "Development"). The PUD consists of several deviations from the usual provisions of the

CO District of the Jacksonville Zoning Code (the “Zoning Code”), including the above-mentioned school and related uses as permitted uses.

The site of this proposed Development is currently vacant and located at the corner of Fort Caroline Road and Peeler Road; it will be divided into three separate Parcels – the “School Parcel,” the “Commercial Parcel”, and the “Stormwater Parcel” (collectively, the School Parcel, the Commercial Parcel, and the Stormwater Parcel are the “Property”). The surrounding land uses and zoning designations include CGC/CCG-1 and MDR/RMD-D to the north (a vacant retail space and apartments), LDR/RLD-60 to the south (single-family residential), CGC/CCG-1 to the east (a fast food restaurant and shopping center), CGC/CCG-1, RPI/CRO, and LDR/RLD-60 to the west (veterinarian office and single-family residential).

A conceptual site plan of the school and related uses for the Property is attached hereto as “Exhibit E”. An amended conceptual site plan may be approved for commercial/office uses or other permitted uses pursuant to Section 656.341(f) of the Zoning Code.

II. USES AND RESTRICTIONS

Set forth below are the permitted and accessory uses allowed in the PUD:

A. Permitted Uses: In addition to those uses contemplated in Section III herein, the following uses shall be permitted within the PUD zoning district:

1. School Parcel (approximately 4.54 acres; remains RPI)

Schools meeting the performance and development criteria set forth in Part 4 and outlined as follows:

- a. The minimum lot size shall be two acres. The site shall be adequate in size to accommodate approximately 224 students and shall contain adequate space for recreation and/or playground area and a parking area sufficient to accommodate the number of parking spaces required by the Zoning Code.
- b. All recreational areas and playing fields shall provide a six-foot high visual barrier, not less than 95 percent opaque, where adjoining residential properties.
- c. Lighting associated with the school, as well as the recreation areas and playing fields, shall be so designed and installed so as to prevent glare or excessive light on adjacent property. No source of illumination shall be allowed if such source of illumination would be visible from a

residentially-zoned district to the extent that it interferes with the residential use of that area.

- d. The site plan showing internal traffic circulation, including bus and/or automobile drop-off and pick-up, recreation and/or playground area, existing and proposed parking area, structures and total enclosed area of each building and existing and proposed signage and landscaping shall be submitted to the Planning and Development Department and the City Traffic Engineer for review and approval and also to insure that access to the site will not result in undue traffic congestion.

2. Commercial Parcel (approximately 3.2 acres; proposed CGC)

- a. Schools meeting the criteria set forth in Section II(A)(1) above.
- b. Commercial retail sales and service establishments.
- c. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- d. Professional and business offices.
- e. Hotels and motels.
- f. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, and similar uses.
- g. Art galleries, museums, community centers, dance, art or music studios.
- h. Vocational, trade or business schools and similar uses.
- i. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4. However, any playground(s) associated with any day care center may not front Fort Caroline Road.
- j. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
- k. Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- l. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- m. Express or parcel delivery offices and similar uses (but not freight or truck terminals).
- n. Veterinarians, subject to the performance standards and development criteria set forth in Part 4.

- o. Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- p. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- q. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- r. Churches, including a rectory or similar use.

3. **Stormwater Parcel (approximately 1.9 acres; remains RPI)**

- a. Stormwater ponds meeting the criteria set forth in Section 754 of the Municipal Code.

B. Uses by Exception: There shall be no permitted uses by exception.

C. Accessory Uses: Accessory uses and structures shall be permitted as provided in Section 656.403 of the Zoning Code; provided that accessory uses and structures may be located in a required front or side yard.

III. DESIGN GUIDELINES

A. Lot Requirements: The Property shall be subject to the following minimum lot requirements, lot coverage, yard requirements:

- 1. Minimum Lot Area: None.
- 2. Maximum Lot Coverage: None.
- 3. Minimum Yard Requirements:
 - i. Front – None.
 - ii. Side – None. Where the Property is adjacent to a residential district, a minimum setback of 15 feet shall be provided.
 - iii. Rear – 100 feet, which may include required storm water retention.
 - iv. Between School Parcel and Commercial Parcel – 5 feet along eastern boundary of School Parcel; 10 feet along western boundary of Commercial Parcel
- 4. Maximum Height of Structures: 35 feet.
- 5. Non-residential Enclosed Area: 80,000 ± sqft
- 6. Recreation and/or Open Space: 78,400 ± sqft
- 7. Public and/or Private Right-Of-Way: None.

8. Proposed Land Coverage of all Buildings: 80,000 ± sqft

- B. Ingress, Egress, and Circulation: Vehicular access to the Property may be either from Fort Caroline Road or Peeler Road. Prior to verification of substantial compliance with this PUD, the location and design of all access points will be subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- C. Parking and Loading Requirements: Unless otherwise agreed to by the Planning and Development Department, development of the Property will comply with the City's off-street parking and loading space requirements set forth in the Zoning Code.
- D. Pedestrian Access: Exterior sidewalks shall be consistent with the 2030 Comprehensive Plan and subject to the review and approval of the City Traffic Engineer and Planning and Development Department.
- E. Signage: The number, location, height, and size of signage on the Property shall be in accordance with the signage restrictions of the CCG-1 zoning district, except as herein modified:
1. 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 300 square feet in area for every 300 linear feet of street frontage or portion thereof is permitted, provided they are located no closer than 200 feet apart.
 2. Wall signs are permitted.
 3. One under the canopy sign per occupancy not exceeding a maximum of eight square feet in area is permitted; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.
 4. An American flag may be flown on the School Parcel and the Commercial Parcel. The pole upon which such flag is flown shall not exceed 35 feet in maximum height. Any American flag allowed pursuant to this subsection may be illuminated.
- F. Landscaping and Buffering: Landscaping will be constructed and maintained in accordance with the requirements set forth in Part 12 of the Zoning Code. Buffering materials may include aluminum, vinyl, vinyl coated, stucco, brick or

wood fencing; however, galvanized (uncoated) chain link fencing shall not be permitted.

- G. Open Spaces and Recreation Areas: The PUD allows for open spaces and recreation areas as accessory uses which are ancillary to the principal use. Recreational amenities may include a recreation center, gymnasium, playground, outdoor courts, play fields, and similar uses.
- H. Utilities: Electric, water, and sanitary sewer service is available to the Property and will be provided by the JEA.
- I. Wetlands: The Property will be developed in accordance with local, state, and federal requirements.
- J. Phasing: The school buildings are scheduled for the near-term with a planned construction start in the fourth quarter of 2015. Temporary sales and leasing office(s) and/or construction trailer(s) shall be allowed to be placed on the Property and moved throughout the Property if necessary.
- K. Conceptual Site Plan: A conceptual site plan of the intended use is attached hereto as Exhibit "E". Modifications to the conceptual site plan may be approved for other permitted uses pursuant to Section 656.341(f) of the Zoning Code.
- L. Modifications: Amendments to the approved PUD may be accomplished by administrative deviation, by minor modification or by filing a rezoning. Any use not specifically listed, but similar to or associated with the listed uses, may be permitted by administrative deviation or minor modification. PUD amendments, including administrative deviations, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD. The School Parcel may be expanded eastward through the minor modification process.

IV. DEVELOPMENT PLAN APPROVAL

Recognizing that the School Parcel, the Commercial Parcel, and the Stormwater Parcel may be developed separately, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department for each parcel individually along with each request for verification of substantial compliance with this PUD. The preliminary development plan shall identify all then existing and proposed uses within each parcel, and showing the general layout of the parcel under consideration.

V. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

- A. The PUD submitted herein reflects a Development that will respond to the uses and needs in the area.
- B. The PUD conforms to the Goals, Objectives and Policies of the City of Jacksonville 2030 Comprehensive Plan.
- C. The proposed PUD allows for an efficient use of land.
- D. The proposed PUD fulfills the goals of the Old Arlington Neighborhood Action Plan and the Greater Arlington Beaches Vision Plan

The proposed PUD (2015-238) and companion land use amendment (2015-237) will provide several benefits to the neighborhood, including adjacent and nearby residential uses. Accordingly, the applications fulfill and exceed the recommendation contained in the Old Arlington Neighborhood Action Plan (“OANAP”) and the Greater Arlington Beaches Vision Plan (“GABVP”) (collectively, the “Plans”).

The OANAP states that intensification of zoning should not be supported by the Planning and Development Department unless “it can be demonstrated that there will be a benefit to the neighborhood.” The OANAP specifically recommends that the Planning and Development Department “be sensitive to the relationships between commercial and residential uses when proposed changes to land use or zoning are reviewed” and focus on whether proposed developments contain features that will allow the developments to be good neighbors.

The GABVP sets forth many Objectives and Guiding Principles that are supported by the proposed development and benefit the neighborhood as outlined by the OANAP including: Objective 1.1.2 (compatibility with neighborhoods), Sub-Principle 1.1 (customize the City’s zoning regulations to address unique neighborhood character issues); Objective 2.1 (Promoting greater density/diversity of land uses in appropriate locations), Sub-Principle 2.1 (Create land use and zoning regulations that encourage non-residential neighborhood development which compliments neighborhood character, create land use and zoning regulations that protect residential areas from incompatible uses, create land use and zoning regulations that promote mixed-use development that is compatible with existing neighborhoods, encourage development along transit routes, creating land use and zoning regulations that provide land use patterns consistent with the intensity and density of the affected area while respecting the hierarchy of traffic patterns and roadways); Objective 2.2 (Revitalize and redevelop, while safeguarding and advancing neighborhood character); Objective 2.2.1 (Promote the redevelopment of

underutilized and/or declining area); Objective 2.2.2 (Revitalize while maintaining neighborhood character and providing necessary infrastructure); Objective 4.2.3 (Promote and expand educational facilities and opportunities including: elementary, secondary and post-secondary).

The rezoning application was filed in order to allow the development of a carefully planned K-8 school. The school will provide a great benefit to the children attending the school and families residing in the neighborhood by maintaining a safe and productive learning environment. The addition of a private school will provide another choice for families. With groundbreaking estimated to occur in the last quarter of 2015, the added benefit of a successful school will be well-timed, because people currently “camping” on the Property will be forced to relocate, further enhancing the safety of the neighborhood.

Next, the proposed development was planned with the neighbors in mind. The site plan included in 2015-238 reveals that the development will have minimal, if any, negative effects on the adjacent single-family neighborhood. It provides for a 100 foot rear buffer and a fence to provide an additional buffer around the eastern and southern sides of the Property, in order to prevent sights and sounds from spilling onto adjacent land.

Finally, the proposed development will be developed in harmony with the neighbors. The applicant has agreed to remove all advertising from a flag pole as proposed in the original PUD application. Additionally, the applicant has removed numerous more intense commercial uses from the PUD, including all uses requiring alcohol sales or service, while maintaining uses consistent with CO zoning districts and increasing required buffers. Collectively these actions have “tailored” the zoning and land use regulations to conform with the GABVP.

In sum, the proposed development meets all pertinent requirements of the Plans. The applicant has demonstrated, and will continue to demonstrate, that the proposed development will provide significant benefits to the neighborhood, including both adjacent and nearby residential uses.

VI. REVIEW CRITERIA

- A. Consistency with the Comprehensive Plan: Development of the Property will be consistent with the underlying Comprehensive Plan designations governing the Property. The Property is within the Residential-Professional-Institutional (RPI) land use category and the proposed companion land use amendment for Community General Commercial (CGC). The PUD permits uses consistent with the RPI and CGC land use categories.

- B. Consistency with the Concurrency and Mobility Management System: Pursuant to the provisions of the Jacksonville Ordinance Code and the Comprehensive Plan, the Development will comply with the requirements of the Concurrency and Mobility Management System.
- C. Allocation of Residential Land Use: The PUD does not include any residential development. Notwithstanding the foregoing, any residential development would not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2030 Comprehensive Plan.
- D. Internal Compatibility: The proposed PUD contains limitations on the further uses permitted on the Property as well as a common development scheme which contains special provisions for signage, landscaping, sidewalks, and other issues relating to the common areas and vehicular and pedestrian traffic. The site plan addresses pedestrian circulation within the Property. The final engineering plans will be subject to review and approval by the City Traffic Engineer.
- E. External Compatibility/Intensity of Development: The surrounding land uses and zoning designations include CGC/CCG-1 and MDR/RMD-D to the north (a vacant retail space and apartments), LDR/RLD-60 to the south (single-family residential), CGC/CCG-1 to the east (a fast food restaurant and shopping center), CGC/CCG-1, RPI/CRO, and LDR/RLD-60 to the west (veterinarian office and single-family residential). The proposed PUD is compatible in both intensity and density with these surrounding land uses and zoning districts and will provide a variety of community uses to support the surrounding residential developments.
- F. Recreation/Open Space: There is no residential component in the PUD; therefore, it is not required to provide additional recreation and open space to meet the requirements as set forth in the 2030 Comprehensive Plan. Accessory recreation and open space uses are allowed as ancillary to the principal use.
- G. Impact on Wetlands: The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District, the Department of Environmental Protection and the U.S. Army Corps of Engineers. The attached letter from ESI confirms that no wetlands exist on the Property.
- H. Listed Species Regulations: The Property is less than fifty (50) acres. Therefore, a listed species survey is not required; however, the attached letter from ESI demonstrates that no such species exist on the Property.

- I. Off-Street Parking Including Loading and Unloading Areas: Unless otherwise agreed to by the Planning and Development Department and as modified in this PUD, the development of the Property will comply with the City's off-street parking, loading space and bicycle parking requirements as set forth in the Zoning Code.
- J. Sidewalks, Trails and Bikeways: Unless otherwise agreed to by the Planning and Development Department, exterior sidewalks will be provided in accordance with the 2030 Comprehensive Plan and subject to review and approval of the City Traffic Engineer and the Planning and Development Department. Interior sidewalks will be provided per the Zoning Code.
- K. Stormwater Retention: Retention shall meet the requirements of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District. Exhibit "E" depicts the general location of the stormwater detention; however, relocation of such stormwater detention shall be permitted upon final site design provided the stormwater detention area meets the standards and requirements of the City of Jacksonville and the St. Johns River Water Management District. Common areas, including the stormwater management systems, will be maintained by the Property owner, owners association or designated entity.
- L. Utilities: Essential services including water, sewer, gas, telephone, and electric as needed to serve the PUD development shall be allowed on the Property. Water and sewer services and electric power is available to the Property and will be provided by JEA. The development will be designed and constructed to ensure adequate fire protection.

VII. SUCCESSORS IN TITLE

All successors in title to the Property shall be bound by the conditions of this PUD.