

## **Exhibit “D”**

**August 4, 2015**

**Max Leggett Parkway PUD Amendment  
Written Description  
Current Land Use Designation: CGC & LI  
Current Zoning District: CCG-2 & PUD  
Proposed Zoning District: PUD  
RE #s: 106276-0150 & 106277-0160**

### **I. SUMMARY DESCRIPTION OF THE PLAN**

Duval/Owens Signature, LLP, and Second Time Signature, LLP (the “Applicant”) propose to rezone approximately 155.79 acres of property from a Planned Unit Development (PUD) as approved in Ordinance 2005-827-E, as amended in Ordinance 2007-515-E, and as modified in MM-13-02, and CCG-2 to PUD to add additional uses, increase the height limitations on certain portions of the property, reduce the number of residential units permitted and to consolidate all previous amendments and modifications into one comprehensive document.

The subject property is located on the north side of Owens Road and Max Leggett Parkway and on the west side of Hyatt Road. The property is more particularly described by the legal description attached hereto as Exhibit “1” (the “Property”).

The majority of the Property is located within the Community/General Commercial (CGC) future land use categories in the 2030 Comprehensive Plan, with a small portion being located in the Light Industrial (LI) category.

As shown on the Site Plan attached hereto as Exhibit “E,” the Max Leggett Parkway PUD Amendment shall include a mix of residential, senior living, commercial, medical and warehouse/flex space uses. The residential uses may include: multifamily housing such as apartments, townhomes or condominiums. The senior living uses may include: housing for seniors, including independent living, assisted living, skilled nursing living, memory care, and similar uses. The commercial uses may include: retail; service; and, a variety of medical and medical support uses. And, the warehouse/flex space uses may include: commercial; warehouse; and light industrial uses.

The uses within the CGC future land use category will be consistent with the provisions of the CGC land use category. Likewise, those portions of the Property within the LI land use category will be consistent with the provisions of the LI land use category.

### **II. SITE SPECIFICS**

The Property is currently vacant.

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

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	LI & CGC	II & PUD	Light Manufacturing & Vacant
West	LI	IL	Vacant
North	LI & CGC	IL, CGC & PUD	Industrial & Vacant
East	LI, BP & LDR	IL, CCG-2, IBP & RLD-60	Timber, Industrial, Warehouse, Single Family Residential, Lumber Yard, Storage, & Rail Road

**PUD DEVELOPMENT CRITERIA**

**III. PERMITTED USES**

This section of the Written Description addresses the items required in Section 656.341(c)(2)(ii) of the Zoning Code: Permitted Uses and Structures, Permitted Accessory Uses and Structures, Minimum Lot Requirements (width/density/area), Maximum Lot Coverage by all Buildings and Structures, Minimum and/or Maximum Yard Requirements, and Maximum Height of Structures.

As shown on the Site Plan, the PUD proposes development of four (4) interconnected parcels. The PUD permits the following uses or combinations thereof: Preservation; Commercial & Medical; Residential; Senior Living; and Warehouse/Flex Space. The parcels are identified solely for the purpose of defining permitted uses within the PUD; they do not define or correlate to ownership and do not subdivide the Property. The location, size (in area), and configuration of these parcels may be modified as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.

The PUD Site Plan is conceptual only and may be subject to change, due to site characteristics and design and engineering factors. The PUD Site Plan may be modified as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.

**A. Parcels—Permitted Uses**

Within Parcel A, Preservation uses as described below are permitted.

Within Parcel B, up to 350 units of Residential and/or Senior Living uses as described below are permitted.

Within Parcel C, Commercial & Medical and/or Senior Living uses as described below are permitted.

Within Parcel D, Commercial & Medical, Warehouse/Flex Space and/or Senior Living uses as described below are permitted.

**B. Residential**

That portion of the Property designated as Parcel B permits the following Residential uses.

1. *Permitted Uses and structures:*
  - a. Multifamily dwellings, including apartments, townhouses (both rental and fee simple), and condominiums consistent with the additional criteria set forth in Sections B.4 & B.5 below.
  - b. Amenity/recreation center, which may include a pool, tennis courts, cabana/clubhouse, health/exercise facility, meeting rooms, and similar uses.
  - c. Structured parking.
  - d. Parks, playgrounds, playfields, and recreational and community structures.
  - e. Conservation, open space, greenspace, and passive open space uses, including recreational paths, benches, picnic tables, informational displays, kiosks, viewing areas, observation decks, and associated community/recreational structures.
  - f. Stormwater, surface water management and flood control improvements, as permitted by the applicable regulatory agencies.
  - g. Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.
  - h. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code.
2. *Permissible Uses by Exception:* None.
3. *Permitted accessory uses and structures:* As accessory to the uses within this portion of the PUD, the sale of convenience goods, personal and professional services for the residents only shall be

permitted; provided, however, that these sales shall be designed and scaled to meet only the requirements of the residents in the multifamily uses and there shall be no signs or other external evidence of the existence of these services.

4. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for multifamily/apartment uses:* For the purpose of these requirements, “lot” refers to the parent property within which the proposed buildings are located and “yard” refers to distance from the parent property boundary.
  - a. Minimum lot width: None.
  - b. Maximum lot coverage by all buildings: Seventy-five (75) percent.
  - c. Minimum yard requirements. The minimum yard requirements for all structures are:
    - (1) Front: A minimum of Fifteen (15) feet from the front of the building to the right-of-way. If the use has an attached garage, the front set back shall be Twenty (20) feet from the front of the garage to the right-of-way.
    - (2) Side: Fifteen (15) feet between buildings or as otherwise approved by the Planning and Development Department.
    - (3) Rear: Twenty (20) feet.
  - d. Maximum height of structures: Sixty (60) feet.
5. *Additional criteria for townhouse and condominium uses:*
  - a. Each building shall contain at least 2 units and no more than 8 units.
  - b. Each unit must have an attached garage.
  - c. There shall be one additional guest parking space per every 4 units.
  - d. A separate area designated for storage of boats, motor homes, etc., shall be provided. No parking or storage of bats, motor homes, etc., shall be permitted outside of the

designated storage area.

e. There will be no parking in streets or road right-of-ways.

6. *Additional criteria for apartment uses:*

a. The apartments may be built with any number of units per building.

b. Storage and/or parking of vehicles not in regular use, travel trailers, personal recreational vehicles, utility trailers, boats, motor homes, etc. shall be prohibited on apartment property.

**C. Senior Living**

Those portions of the Property designated as Parcels B, C and D permit all types of Senior Living residential uses, including uses defined in the Zoning Code, such as nursing homes, homes for the aged, and housing for the elderly, and also including residential uses described in more contemporary nomenclature as independent living, assisted living, memory care, and skilled nursing.

1. *Permitted Uses and structures:*

a. Nursing homes, homes for the aged, housing for the elderly, community residential homes for the elderly, group care homes for the elderly and similar uses.

b. Independent living, assisted living, and memory care housing for the elderly.

c. Adult Congregate Living Facility.

d. Skilled nursing facilities.

e. Cafeteria, dining hall, café, food court uses (breakfast/lunch/dinner).

f. Amenity/recreation center, which may include a pool, tennis courts, cabana/clubhouse, health/exercise facility, and similar uses.

g. Parks, playgrounds, playfields, gardens, raised planting beds, recreational and community structures and similar uses.

h. Essential services, including water, sewer, gas, telephone,

radio and electric, meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code.

2. *Permissible Uses by Exception:* None.
3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each use:* For the purpose of these requirements, “lot” refers to the parent property within which the proposed buildings are located and “yard” refers to distance from the parent property boundary.
  - a. Minimum lot width: None.
  - b. Maximum lot coverage by all buildings: Seventy-five (75) percent.
  - c. *Minimum yard requirements.* The minimum yard requirements for all structures are:
    - (1) Front: Twenty (20) feet.
    - (2) Side: Ten (10) feet.
    - (3) Rear: Ten (10) feet.
  - d. Maximum height of structures:
    - (1) Parcels B & C - Sixty (60) feet.
    - (2) Parcel D - Thirty-five (35) feet.

**D. Commercial & Medical**

Those portions of the Property designated as Parcels C and D permit the following Commercial & Medical uses.

1. *Permitted uses and structures:*
  - a. Retail outlets for the sale of food and drugs including grocery stores, apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal boarding kennels), musical instruments, florists, delicatessens, bakeries, home

furnishings and appliances (including repairs incidental to sales), office equipment or furniture, antiques, hardware, new automobile parts (including rebuilt parts but not installation, repair or rebuilding of parts) and accessories and similar uses. These uses include drive-through and drive-in facilities, and other similar and compatible uses.

- b. Service establishments such as barber and beauty shops, shoe repair shops, restaurants (including drive-thru, drive-in, and the outside sale and service of food meeting the performance standards and development criteria as set forth in Part 4), convenience stores, filling, gas or service stations (including automated car washes), interior decorators, gymnasiums and fitness centers, self-service laundries, dry cleaners, dry cleaning plants, tailors or dressmakers, laundries or dry cleaning pickup stations, radio and television broadcasting offices and studios, communication towers and antennas, marinas, blueprinting, job printing, lithography, publishing and similar establishments, radio and television repair shops, travel agencies, employment offices, home equipment rental, and similar uses.
- c. Banks (including drive-through tellers), loan companies, mortgage brokers, stockbrokers, and similar financial institutions.
- d. Restaurants, cafes and food establishments (including drive-in and drive-through) including the retail sale and service of all alcoholic beverages (liquor, beer or wine) for on-premises consumption.
- e. Restaurants, cafes and food establishments with permanent outside sale and service of food and alcoholic beverages meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- f. All types of professional, and business offices, newspaper offices, employment offices, building trades contractors (not requiring outside storage or the use of a vehicle in excess of one-ton capacity or equipment, machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment), and similar uses.
- g. Hotels and motels, hotels with conference centers, and similar uses (except that hotels and motels are not permitted on any LI designated property).

- h. Convention centers, conference centers, and similar uses.
- i. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, and theaters.
- j. Art galleries, museums, community centers, dance, art, gymnastics, karate, martial arts or music studios, vocational trade, or business schools, nursing schools, medical training facilities, theaters for stage performances, and similar uses.
- k. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- l. Hospitals, sanitariums, and similar uses.
- m. Medical, dental and chiropractic offices or clinics, including a student clinic, infirmary or health facility, and similar uses.
- n. Rehabilitation hospitals, including inpatient, outpatient, and skilled nursing programs and services, and similar uses.
- o. Hospice facilities and similar uses.
- p. Research, medical and dental laboratories, manufacturers of prosthetic appliances, dentures, eyeglasses, hearing aids and similar products, cath laboratories, and similar uses.
- q. Surgery centers, outpatient surgery centers, x-ray centers, imaging (MRI) centers, and similar uses.
- r. An establishment or facility that includes the retail sale and service of all alcoholic beverages including liquor, beer or wine, for on-premises or off-premises consumption or both, including permanent or restricted outside sale and service meeting the performance standards and development criteria of Part 4 of the Zoning Code.
- s. Retail plant nurseries, including outside display.
- t. Veterinarians and animal boarding, subject to the performance standards and development criteria of the CCG-1 Zoning District as set forth in Part 4 of the Zoning Code.

- u. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
  - v. Facilities for the production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products in conjunction with a professional service being rendered at the time.
  - w. Personal service establishments such as barber and beauty shops, shoe repair, interior decorators, health clubs and gymnasiums, laundries and dry cleaners, tailors, dry cleaning pick-up, and similar uses.
  - x. Travel agencies.
  - y. Libraries, museums, and community centers.
  - z. Commercial recreational or entertainment facilities such as cinemas and theaters.
  - aa. Express or parcel delivery offices, but not trucking distribution centers.
  - bb. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code.
  - cc. Churches, including a rectory or similar use.
  - dd. Fruit, vegetable, poultry or fish market.
  - ee. Private clubs, lodges and fraternities.
  - ff. Outside retail sale of holiday items, subject to the performance standards and development criteria as set forth in Part 4 of the Zoning Code.
  - gg. Service stations meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code, service garages for major and minor repairs (including tire stores), and automated car washes, in conjunction with a service or filling station.
2. *Permissible uses by exception:* Those uses permitted by exception under the CCG-1 Zoning District (except those listed above as

permitted uses by right) shall be allowed with the granting of a Zoning Exception by the Planning Commission, except as prohibited below.

3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each use:* For the purpose of these requirements, “lot” refers to the parent property within which the proposed buildings are located and “yard” refers to distance from the parent property boundary.
  - a. Minimum lot requirement (width and area): None.
  - b. Maximum lot coverage by all buildings: None.
  - c. Minimum yard requirements: For the purpose of these requirements, “lot” refers to the parcel within which the office and retail commercial use is located and “yard” refers to distance from the parcel boundary.
    - (1) Front: None.
    - (2) Side: None, except that there will be ten (10) feet between buildings.
    - (3) Rear: Ten (10) feet.
  - d. Maximum height of structures:
    - (1) Parcel C – Sixty (60) feet.
    - (2) Parcel D – Thirty-five (35) feet.

**E. Warehouse/Flex Space**

The portion of the Property designated as Parcel D permits the following Warehouse/Flex Space uses.

1. *Permitted uses and structures.*
  - a. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.
  - b. Light manufacturing, processing (including food processing but not slaughterhouse) packaging and fabrication.
  - c. Building trades contractors with outside storage yards

meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

- d. Personal property (self-storage) establishments and similar uses.
  - e. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code.
2. *Permissible Uses by Exception:* None.
3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each use:* For the purpose of these requirements, “lot” refers to the parent property within which the proposed buildings are located and “yard” refers to distance from the parent property boundary.
- a. Minimum lot requirement (width and area): None.
  - b. Maximum lot coverage by all buildings: None.
  - c. Minimum yard requirements: For the purpose of these requirements, “lot” refers to the parcel within which the office and retail commercial use is located and “yard” refers to distance from the parcel boundary.
    - (1) Front: None.
    - (2) Side: None, except that there will be ten (10) feet between buildings.
    - (3) Rear: Ten (10) feet.
  - d. Maximum height of structures: Thirty-five (35) feet.
4. All of the permitted uses, other than those specifically permitting outside storage, shall be conducted within an enclosed building.

**F. Preservation**

The portion of the Property designated as Parcel A permits the following Preservation uses.

- 1. *Permitted uses and structures.*

- a. Conservation, open space, greenspace, and passive open space uses, including recreational paths, benches, picnic tables, informational displays, kiosks, viewing areas, observation decks, and associated community/recreational structures.
  - b. Stormwater, surface water management and flood control improvements, as permitted by the applicable regulatory agencies.
  - c. Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.
  - d. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria as set forth in Part 4 of the Zoning Code.
2. *Permitted Uses by Exception:* None.
3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each use:* For the purpose of these requirements, “lot” refers to the parent property within which the proposed buildings are located and “yard” refers to distance from the parent property boundary.
- a. Minimum lot requirement (width and area): None.
  - b. Maximum lot coverage by all buildings: None.
  - c. Minimum yard requirements: None.
  - d. Maximum height of structure: None.

**G. Permitted Uses and Criteria Applicable for All Uses in All Portions of the Property**

- 1. *Permitted accessory uses and structures:* Parking, parking decks, and detached garages shall be permitted on all parcels except Parcel A.
- 2. *Recreational/open space uses:*
  - a. In any portion of the Property, the following uses shall be permitted: parks, playgrounds, park structures, site furnishings, landscaping, vegetative screens or buffers,

fencing, walkways, trails, exercise courses, boardwalks, footbridges, gardens, ponds, observation platforms, storage sheds for maintenance equipment, benches, picnic areas, shelters and informational kiosks, informational signage, habitat enhancement devices such as birdhouses and bat houses, and other similar uses designed for and used for low intensity/low impact recreational/open space uses.

- b. All active and passive recreational uses located within the parent Property will count towards the recreation requirements for any residential use.
3. *Dumpsters, Propane Tanks, Etc.:* Dumpsters, propane tanks and similar appurtenances shall be kept behind substantially opaque enclosures composed of the same material and painted the same color as the principle use, such that the dumpster, propane tank, and similar appurtenances are screened from view from the surrounding roadways and adjacent properties. Utility tracts, maintenance areas, and loading/unloading zones shall be screened from surrounding roadways by landscaping and/or opaque fencing which is aesthetically compatible with other structures located on the Property.
4. *Outside Display:* Where outside display is permitted, such display must be located within 10 feet of the front of each building.
5. *Warehouse/Flex Space:* The warehouse/flex space buildings shall be architecturally compatible to the surrounding area and subject to the review and approval of the Planning and Development Department.

#### **H. Accessory Uses and Structures**

Accessory uses and structures, including those set forth in Section 656.403 of the Zoning Code, are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principle use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principle use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principle building. Accessory uses shall not involve operations or structures not in keeping with character of the principle use and shall be subject to the following:

1. Accessory uses shall not be located in required front or side yards except as follows:
  - a. Air conditioning compressors or other equipment designed

to serve the main structure may be located in a required yard and may be located not less than two (2) feet from the property line.

2. Accessory uses and structures related to residential uses within the PUD shall include noncommercial greenhouses and plant nurseries, tool houses and garden sheds, garden work centers, children's play areas and play equipment, private barbecue pits and swimming pools, facilities for security guards and caretakers and similar uses or structures which are of a nature not likely to attract visitors in larger number than would normally be expected with regard to a residential use. Any structure under a common roof and meeting all required yards is a principal structure. The maximum height of an accessory structure shall not exceed fifteen (15) feet in all residential developments.
3. Land clearing and processing of land clearing debris shall be accessory uses in all zoning districts; provided, however, land clearing debris may be processed only in conformity with applicable fire codes and other chapters of the City code to the extent those chapters are applicable.

**I. Recreation**

1. For Senior Living uses, active recreation/amenities shall be provided consistent with applicable state licensing requirements.
2. For any Residential uses, active recreation/amenities shall be provided in accordance with the requirements of the 2030 Comprehensive Plan and the Zoning Code. However, all active and passive recreation located within the parent Property will count towards compliance with the residential recreation requirements.

**J. Access**

1. All access points already constructed during the widening of Max Leggett Parkway may be utilized along with the access point previously permitted on Owens Road (City Development Number 7517.006), but not yet constructed.
2. Access from Hyatt Road will be generally as shown on the Site Plan. The final location of all the Hyatt Road access points is subject to the review and approval of the City's Traffic Engineer.
3. The entrance roads and other internal access roads and drives may be public or private. Private internal access roads may be gated.

Internal access shall be provided by reciprocal easements among the driveways of the various parcels if ownership or occupancy is subdivided among more than one person or entity.

4. Where possible, interconnectivity between the various parcels will be provided for both vehicular and pedestrian access.

#### **K. Signage**

The purpose of these sign criteria standards is to establish a coordinated signage program that provides for directional communication in a distinctive and aesthetically pleasing manner. All project identity and directional signs shall be architecturally compatible with the buildings represented.

1. *Parcel C. Identity Monument Signs:* One (1) identity monument sign will be permitted on Parcel C. This sign may be single or double sided and externally or internally illuminated. The monument sign will not exceed twenty (20) feet in height and two hundred (200) square feet (each side) in area.
2. *Parcel B. Identity Monument Signs:* Two (2) identity monument signs will be permitted for Parcel B. One of the signs shall be on-site and shall generally be oriented towards Owens Road. The other sign may be on-site or off-site within Parcel C and shall be oriented towards Max Leggett Parkway. These signs may be single or double sided and externally or internally illuminated. The monument sign will not exceed fifteen (15) feet in height and fifty (50) square feet (each side) in area.
3. *Parcels C & D. Additional Monument Signs:* Each parcel or use within Parcels C and D is also allowed one on or off-site sign up to a maximum size of fifty (50) square feet in area and fifteen (15) feet in height along Max Leggett Parkway or Hyatt Road. The signs may be externally or internally illuminated and multiple tenants within one building or a connected series of buildings may be identified on one sign.
4. *All Parcels. Other Signs:*
  - a. Wall signs are permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing the public rights-of-way, approved private street or parking lot.
  - b. Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of twenty (20) square feet in area per sign;

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 on the building in question.

5. *Directional signs:* Directional signs indicating major buildings, common areas, various building entries, will be permitted. The design of these signs should reflect the character of the use identity signs and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of four (4) square feet in area per sign face. For pedestrian directional signage, such as “informational side walk kiosks”, 1, 2, 3 or 4 sided (or cylindrical), such signs shall be a maximum of twenty (20) square feet per side and a maximum of twelve (12) feet in height. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.
6. *Real Estate & Construction Signs:* Real estate and construction signs of a maximum of forty-eight (48) square feet in area and twelve (12) feet in height are permitted.
7. *All signs:* Because all identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.
8. *Temporary Banner Signs:* Temporary banner signs will be permitted not to exceed fifty (50) square feet in area. The banners shall be permitted to display logos and/or the name of the project and/or owner or developer and identify sales activities. Festival banners placed on street light poles are permitted.
9. *Required Signage:* Signs required by environmental permitting to be posted in common areas such as stormwater facilities shall be permitted.

**L. Silviculture Uses May Continue.**

Silviculture operations are a permitted use in this PUD and may continue at this site until build-out.

**M. Landscaping & Buffer.**

1. Landscape and tree protection will be provided in accordance with Part 12 of the City's Zoning Code (Landscape and Tree Protection regulations) with the following additional provisions:
  - a. Landscaping standards shall be applied taking into consideration the entire use or development at issue. For individual lots within the Property which may own their sites in fee simple, required landscaping may be provided "off-site" within the Property and may be shared with other uses, so long as the Applicant demonstrates that the Property, in its entirety, provides sufficient landscaping for all proposed uses therein. Landscape standards shall be applied within Parcels B, C & D without regard to property ownership boundaries, which may exist among individual uses.
  - b. A modification from the requirements of Part 12 of the Zoning Code (Landscape and Tree Protection Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review and approval of the Planning and development Department.
2. A buffer/screen shall be provided as required in Section 656.1216, Zoning Code, between (1) Commercial & Medical or Warehouse/Flex Space uses and any Residential use, and (2) a Senior Living use and any Residential uses.

**N. Modifications.**

1. Amendment to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as authorized by this PUD or by Section 656.341 of the Zoning Code.
2. PUD amendments, including administrative deviations, administrative or minor modifications, or rezonings, may be sought for individual portions of the Property or access points within the PUD. Such PUD amendments may be sought by the owner of the parcel which is the subject of the amendment and without the consent of other PUD owners.

**O. Parking.**

Off street parking will be provided in accordance with Part 6 of the City's Zoning Code (Off-street Parking and Loading Regulations) with the following additional and

superseding provisions:

1. Parking shall be provided in accordance with the following standards (based upon parking generation studies conducted by the Urban Land Institute--ULI):

Office & Clinic: Minimum 3.0 spaces per 1,000 s.f. GLA,  
maximum 5.0 spaces per 1,000 s.f. GLA

2. For Commercial & Medical and Warehouse/Flex Space uses located on individual lots within Parcels C and D which may own their sites in fee simple, required off-street parking may be provided "off-site" within Parcels C and D and may be shared with other uses, so long as all of the uses within this portion, in their entirety, provide sufficient off-street parking for all proposed uses therein.
3. For Senior Living uses within Parcels B, C and D, parking shall be provided at a minimum ratio of one (1) space for every four (4) beds plus 1 space for each employee or resident manager during peak shift and shall be provided in either garages, driveways, or common parking.
4. For all other uses not specifically addressed, the provisions of Section 656.604, Ordinance Code.
5. A modification from the requirements of Part 6 of the Zoning Code (Off-street Parking and Loading Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review of the Planning and Development Department. Grounds for such modifications include the sharing of parking among uses with parking demands at different times.

**P. Sidewalks.**

Sidewalks shall be provided as required in the 2030 Comprehensive Plan and Code of Subdivision Regulations.

**Q. Florida Aquifer**

Development within the PUD shall comply with Section 752.104, Ordinance Code.

**R. Utilities**

Electric, power, water and sewer will be provided by JEA.

**S. Pre-application conference.**

A pre-application conference was held regarding this application on June 11, 2015.

**T. Justification for the PUD Rezoning.**

As described above, the Max Leggett Parkway PUD Amendment is being requested to permit development of residential, senior housing, warehouse/flex space and commercial uses which will offer a common scheme of development, while protecting a significant portion of the property as preservation. The PUD provides for flexibility in the site design by way of a mix of uses on one site that could otherwise not be accomplished through conventional zoning. The PUD design results in minimal impact to environmentally sensitive lands within the Property and ensures consistency with the surrounding zoning and existing uses.

**U. PUD/Difference from Usual Application of the Zoning Code**

The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to this Written Narrative and the Conceptual Site Plan; it provides for a variety of uses and development on the Property with a common scheme of development which are consistent and compatible with each other; it provides for site-specific access requirements; it provides for site-specific buffers; and, it provides for site-specific signage requirements.

**V. Permissible Uses by Exception.**

If not otherwise listed as a permitted use herein, permissible uses by exception in the CCG-1 zoning district are permitted by exception on Parcels C and D only.

**W. Continued Operation of Common Areas.**

Regarding the intent for the continued operation and maintenance of those areas and functions and facilities which are not to be provided, operated, or maintained by the City of Jacksonville or other public entity: it is the Applicant's intent for the Applicant or successor developer to operate and maintain these matters initially and, ultimately, for an owners' association to operate and maintain these matters in perpetuity.

**X. Approximate Dates of Phases**

Regarding phasing, construction of the horizontal improvements shall be initiated in approximately 2015-17 and be completed approximately in 2015-17. Construction of Residential and Senior Housing will be initiated when the market dictates and will be completed as the market dictates. Construction of the Commercial & Medical and Warehouse/Flex Space uses will be initiated when needed and feasible and will be completed within a reasonable time thereafter.

**Y. Names of Development Team**

Developer: Duval Owens Signature, LLP

Planners and Engineers: JBC Planning & Engineering, LLC

Architects: TBD

**Z. Land Use Table**

A Land Use Table is attached hereto as Exhibit “F.”

**IV. PUD REVIEW CRITERIA**

**A. Consistency with the Comprehensive Plan:** The PUD will be developed consistent with the applicable land use categories of the 2030 Comprehensive Plan.

**B. Consistency with the Concurrency Management System:** A Mobility Fee Calculation Certificate and CCAS or CRC have been filed or will be filed for the proposed development within the PUD.

**C. Allocation of Residential Land Use:** The PUD is consistent with land use allocations under the 2030 Comprehensive Plan.

**D. Internal Compatibility:** The PUD provides for integrated design and compatible uses within the PUD.

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

**F. Maintenance of Common Areas and Infrastructure:** All common areas will be maintained by an owners’ association.

**G. Usable Open spaces, Plazas, Recreation Areas:** The PUD provides ample open spaces and recreational opportunities.

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

**I. Listed Species Regulations:** A Listed Species Survey is attached hereto as Exhibit “I.”

**J. Off-Street Parking Including Loading and Unloading Areas:** The PUD provides ample off street parking.

**K. Sidewalks, Trails, and Bikeways:** The PUD provides extensive pedestrian connectivity and recreational trails.