

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-849 TO
PLANNED UNIT DEVELOPMENT

JANUARY 19, 2016

The Planning and Development Department hereby forwards to the Downtown Development Review Board, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2015-849** to Planned Unit Development.

Location: On the north side of Prudential Drive at the Montana Street intersection; between Prudential Drive and the St. Johns River

Real Estate Number(s): 080078-0105 (a portion of) and 080075-0000 (a portion of)

Current Zoning District(s): Planned Unit Development (PUD 2006-69)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Central Business District (CBD)

Planning District: Urban Core, District 1

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Lori Boyer, District 5

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Riverwalk Jacksonville Development, LLC,
72 South Biscayne Boulevard, Suite 2475
Miami, Florida 33131

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-849** seeks to rezone approximately 3.8± acres of property from Planned Unit Development (PUD) to PUD. The property is located in the Southbank District of the Downtown Overlay Zone, is within the Downtown DRI, and has a future land use category of CBD. The Development Area is CBD.

The property is currently subject to PUD Ordinance 2006-69-E, which permits up to 2,000 multifamily units on 16 acres at a density of 125 units per acre and a maximum permitted height of 650 feet. The purpose of this amendment is to remove this property from the proposed mixed use development previously approved by Ord. 2006-69-E in order to permit a stand-alone multifamily development and a waterfront pedestrian plaza. This application proposes a multifamily residential project with a maximum of two hundred sixty-three (263) dwelling units within a 5 story frame structure on a one story podium for a total of 6 levels. All parking will be within a 6 story parking garage structure wrapped by the apartment units north and south of the building.

Pursuant to the provisions of Section 656.361.8 Powers and Duties of the Zoning Code, the Downtown Development Review Board shall review and make decisions with respect to all applications for development located within the Downtown Overlay Zone. It should be noted that the project is requesting relief from the standard design and development guidelines for the minimum setback/build-to line and streetscape design standards on the Prudential Drive frontage; the off-street parking requirements; the waterfront minimum setback; and a special sign exception for rooftop and monument signage. These deviations will be reviewed by the DDRB.

CRITERIA FOR REVIEW

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

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department 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) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The Central Business District (CBD) category is a mixed land use category that is coterminous with the Downtown jurisdictional area of the Downtown Investment Authority (DIA). The category allows medium to high density residential, commercial, industrial, institutional, recreational, and entertainment uses, as well as transportation and communication facilities. All the area in the CBD is included within the boundaries of the Downtown Development of Regional Impact (DRI). The exact location, distribution, and density/intensity of various types of land use in the DIA's Downtown jurisdictional area will be guided by the site development plans approved as part of the development order for the Downtown DRI(s).

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, 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 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Central Business District (CBD). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

FLUE Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

FLUE 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.

FLUE Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

FLUE Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster development, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, state and federal regulations.

FLUE Policy 2.3.15 The City and DIA shall encourage growth within the CBD. More specifically, the City and DIA shall continue implementing its current regulatory incentives to promote downtown revitalization to encourage growth to locate in the identified downtown revitalization area in order to discourage urban sprawl, reduce development pressures on rural lands, maximize the use of existing public facilities and centralized commercial, government, retail, residential, and cultural activities.

ROS Objective 4.1 The City shall provide greater public accessibility to the St. Johns River and develop appropriate recreational uses of its shorelines.

ROS Policy 4.1.4 The City shall encourage new and protect existing public access to the St. Johns River in the Downtown Zoning Overlay district.

CCME Policy 6.5.2 The City shall encourage the preservation and enhancement of public access to the river and its recreational opportunities in the Downtown Zoning Overlay district

The property is located within the Central Business District Development Area as shown on Map L-21 of the Future Land Use Element of the 2030 Comprehensive Plan, and within the Central Business District future land use category as shown on Map L-19. The CBD future land use category does not contain a maximum permitted residential density. The PUD proposes the concept of a multi-family development scaled for and complimentary to the pedestrian and surrounding uses. It includes internal and external vehicular connectivity; a pedestrian and bicycle-oriented environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character.

(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 *Concurrency Management System* of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals. The Property is subject to VPAC #1988

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a multi-family development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. In addition, it will be consistent with the development rights and land use exchange table set forth in the Downtown DRI development order, as amended. The CBD future land use category does not contain a maximum permitted residential density.

The PUD proposes a maximum of two hundred sixty-three (263) units on approximately 3.8 acres, for a density of 69 units per acre. Ord. 2006-69-E permitted a density of 125 units per acre. The proposed development will be consistent with the adopted North Bank Downtown and Southside Community Redevelopment Plan as updated by the DIA.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The submitted site plan addresses access and circulation within the site. Access to the site will be available from Prudential Drive and may be gated. Internal access may be provided by approved private roads. The PUD contains special provisions for signage, landscaping, sidewalks, parking, and other issues relating to the common areas and vehicular and pedestrian traffic. Architectural design guidelines within the PUD provide that buildings, structures and signage within the property are constructed and painted with materials which are aesthetically compatible and that dumpsters or similar appurtenances are screened from view from surrounding roadways and adjacent properties.

The use of existing and proposed landscaping: Landscaping will be provided in accordance with the requirements set forth Sec. 656.361, and as approved by the DDRB, including any deviations. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation. Landscape standards shall be applied within the PUD without regard to property ownership boundaries, which may exist among individual uses. Landscaping may be relocated to other areas of the site.

Traffic and pedestrian circulation patterns: The proposed vehicular access to the site will be available from Prudential Drive. The project proposes garage parking, which will be accessed from either side of the east and west building facades from drives connecting with Prudential Drive frontage. Interior access roads may be privately owned and maintained by the owner and/or an owners' association and/or a management company. The location and design of all access points and interior access roads is conceptual and the final location and design of all access points and interior access roads is subject to the review and approval of the City Traffic Engineer, the Planning and Development Department, and the DDRB.

External sidewalks are in place on Prudential Drive, however, an alternative streetscape design providing a wider sidewalk and enhanced landscape plantings will be provided. Internal sidewalks will be provided on both the east and west sides of the proposed structure and will provide public access to the Southbank Riverwalk. Two pedestrian connections from the upland bulkhead to the Riverwalk are proposed. A public riverfront pedestrian plaza with hardscaping, landscaping and street furniture will be provided on the west side of the project. Highly visible wayfinding signage will be provided to facilitate public access and circulation. There will be pedestrian access to residents and guests on Prudential Drive. Public pedestrian and vehicular access to the Riverwalk and the pedestrian plaza will be provided on the east side of the structure, and pedestrian-only access on the west side of the structure. There will be restricted pedestrian access on the Riverwalk frontage for residents and guests.

The location of all sidewalks, signage, and Riverwalk connections is conceptual and final plans are subject to the review and approval of the City Traffic Engineer, the Planning and Development Department, and the DDRB. This will allow pedestrian and bicycle interconnectivity between the PUD and the surrounding uses, enhancing the pedestrian and

bicycle scale and nature of the project providing for alternative access other than automobiles and reducing traffic impacts on the surrounding road links.

The use and variety of building setback lines, separations, and buffering: The proposed structure will provide continuous frontage along the Prudential Drive sidewalk, and will be pedestrian-oriented and pedestrian-scaled, with access to the Riverwalk and the creation of a new riverfront pedestrian plaza. A deviation is requested from DDRB to increase the Prudential Drive setback from the required zero (0) foot setback to a setback of up to eight (8) feet to allow for a wider sidewalk and additional landscaping for enhanced pedestrian engagement as well as a reduction in the required 50 foot building setback from the bulkhead from fifty (50) feet to fourteen (14) feet. The distances on average exceed the 50 foot building setback from the bulkhead, and it is important to note the recently reconstructed Riverwalk at this site is located off the uplands, and over water which extends the visual setback of the development from the water's edge. This unique Riverwalk construction offers consideration for the relief from the setback requirement as the public pedestrian access and views are enhanced with this off-set from the bulkhead.

The southern Building 2000 shall be located no more than eight (8) feet from the south property line (Prudential Drive frontage). Side yard setbacks for both Building 1000 and Building 2000 will be zero (0) feet from the east and west property lines. On the north, Building 1000 will be located a minimum of fourteen (14) feet from the waterside of the existing bulkhead. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks.

Signage: The PUD proposes one (1) single-faced sign permitted on the roof of Building 2000 on the Prudential Drive elevation. The sign may be up to one hundred sixty (160) square feet in area, may be internally or externally illuminated, and may be framed or mounted. One (1) single or double-faced project identity monument sign is permitted for each of Building 1000 and Building 2000. The signs may be up to eight (8) feet in height and thirty-two (32) square feet in area, and may be internally or externally illuminated. Wall signs marking the entrances to the parking structure on both the east and west facades may be up to twenty-four (24) square feet in area and may be internally or externally illuminated. Canopy signage for the leasing office may be up to twenty-four (24) square feet in area. Wayfinding signage for the public pedestrian plaza and the Riverwalk connections may be provided at the intersections of Prudential Drive and the east and west internal access drives.

Real estate signs, directional signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary signs for models units are also permitted. In addition to the signage specified above, wall signs not exceeding ten (10) percent of the square footage of the occupancy frontage or respective side of a building abutting a public right-of-way or approved private street are permitted within the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of

such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

The applicant has submitted a separate application for a Special Sign Exception with this project. The DDRB will take separate final action with regards to this request addressing a request for one Roof-Top sign and one pylon sign at the intersection of Prudential Drive frontage and Wharfside Way. The Downtown Sign Overlay, Section 656.1333 - Signs permitted, (f) notes that roof top and monument signs are permitted only by special exception using the criteria outlined in Section 656.1335. Design review. The Downtown Development Review Board may authorize multiple signs and Special Sign Exceptions provided the proposed sign plan shows, in addition to the criteria set forth in Section 656.1335, (1) provides an exceptional effort toward visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, (2) preserves a desirable existing design or lettering pattern for signs in the area, and (3) minimizes view obstruction or preserve views of historically or architecturally significant structures.

The use and variety of building sizes and architectural styles: The proposed written description states that buildings (including roof types and facades), structures and signage shall be constructed and painted with materials which are aesthetically compatible, including any deviations, as approved by the DDRB. 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 structures located on the parcel, such that the dumpster, propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.

The variety and design of dwelling types: The PUD is proposing a maximum of 263 multi-family dwellings, with 161 being one (1) bedroom, 92 being two (2) bedrooms, and 10 being three (3) bedroom units.

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: The PUD is proposing a reduction in the minimum number of parking spaces for the multi-family development. The developer indicates that a total of 463 parking spaces will be provided for the 263 dwelling units. The vehicle parking required for projects developing multi-family residential in the Downtown Overlay require full compliance unless a deviation is approved by the DDRB. The COJ Code for parking indicates that 492 vehicle spaces are required, thus the project is not in compliance and needs a deviation to reduce the parking requirements to the provided 463. The property is located in Southbank District the Downtown Overlay Zone and the request is not based exclusively upon the desire to reduce the cost of developing, rather to allow a reduction in the parking requirement that provides sufficient parking with the minimum number of vehicles. It is noted that there are opportunities for off-site parking in the area and the site is in close proximity to alternate transportation modes including the ASE (Automated Skyway Express) and major roadways accommodating mass transit and bus routes. Staff supports the request for the deviation.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The type, number and location of surrounding external uses: The proposed development is consistent with and comparable to the planned and permitted development in the area. The CBD land use category surrounds the property in all directions. The existing PUD contemplated multiple high-rise multifamily towers. Since it was approved, the Strand, Peninsula and San Marco Place projects have been developed to the west. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and provides an important infill redevelopment opportunity for the Southbank.

The proposed development is located in an area where residential, office, commercial and institutional uses function as a mixed-use development. The proposed use at this location complements the existing residential, office and commercial uses in the immediate area. The site was earlier developed with the Crowdaddy's Restaurant and latter demolished. The site has been utilized as a horizontal parking lot for over fifteen years. The area is undergoing proposed development on the former JEA site to the east and to the west the Lexington Resort (formerly the Wyndham) is undergoing renovations. The Duval County School Board building is located on the adjacent property to the east.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CBD	N/A	St Johns River
South	CBD	CCG-1	Professional offices
East	CBD	ROS	Duval County School Board building
West	CBD	PUD (2006-69)	Hotel/Commercial uses

The PUD will allow the development of a residential project on a vacant site and in area that is presently seeing opportunities for new projects bringing increased property values, and will encourage new development and improvements to the area with an enhanced pedestrian design. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.

(6) Intensity of Development

The proposed development is consistent with the CBD functional land use category as a multi-family residential development, which is not to exceed 263 dwelling units. The PUD is appropriate at this location because it will support the existing offices, residential and commercial establishments in the area.

The availability and location of utility services and public facilities and services: JEA indicates that electric, water sewer and reclaimed water are available at this location.

The Duval County School District indicates the proposed PUD will generate 87 students. And while the development is physically located in CSA 3, the school attendance areas are in CSA 4.

The site is served by the following schools:

Hendricks Elementary	104% capacity
DuPont Middle	73% capacity
Wolfson High	64% capacity

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The PUD is accessed by Prudential Drive, which provides an easy connection to Hendricks Avenue (SR 13) and Main Street (US 17) as well as Interstate 95. The site is also in close proximity to alternate transportation modes including the ASE (Automated Skyway Express) and major roadways accommodating mass transit and bus routes.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area. Approximately 35,900 square feet of recreation and open space will be provided, including a pedestrian riverfront plaza open to the public, a private riverfront greenspace, and open space and recreational amenities in the building courtyards. Two (2) new connections to the Riverwalk are proposed.

(8) Impact on wetlands

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. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

A wildlife survey is not required for this request.

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

The PUD is proposing a reduction in the minimum number of parking spaces for the multi-family development. The developer indicates that a total of 463 parking spaces will be provided for the 263 dwelling units. The vehicle parking required for projects developing multi-family residential in the Downtown Overlay require full compliance unless a deviation is approved by the DDRB. The COJ Code for parking indicates that 492 vehicle spaces are required, thus the project is not in compliance and needs a deviation to reduce the parking requirements to the

provided 463. The property is located in Southbank District the Downtown Overlay Zone and the request is not based exclusively upon the desire to reduce the cost of developing, rather to allow a reduction in the parking requirement that provides sufficient parking with the minimum number of vehicles. It is noted that there are opportunities for off-site parking in the area and the site is in close proximity to alternate transportation modes including the ASE (Automated Skyway Express) and major roadways accommodating mass transit and bus routes. Staff supports the request for the deviation.

(11) Sidewalks, trails, and bikeways

External sidewalks are in place on Prudential Drive, however, an alternative streetscape design providing a wider sidewalk and enhanced landscape plantings will be provided. Internal sidewalks will be provided on both the east and west sides of the proposed structure and will provide public access to the Southbank Riverwalk. Two pedestrian connections from the upland bulkhead to the Riverwalk are proposed. A public riverfront pedestrian plaza with hardscaping, landscaping and street furniture will be provided on the west side of the project. The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 8, 2016 the required Notice of Public Hearing sign was posted.



RECOMMENDATION

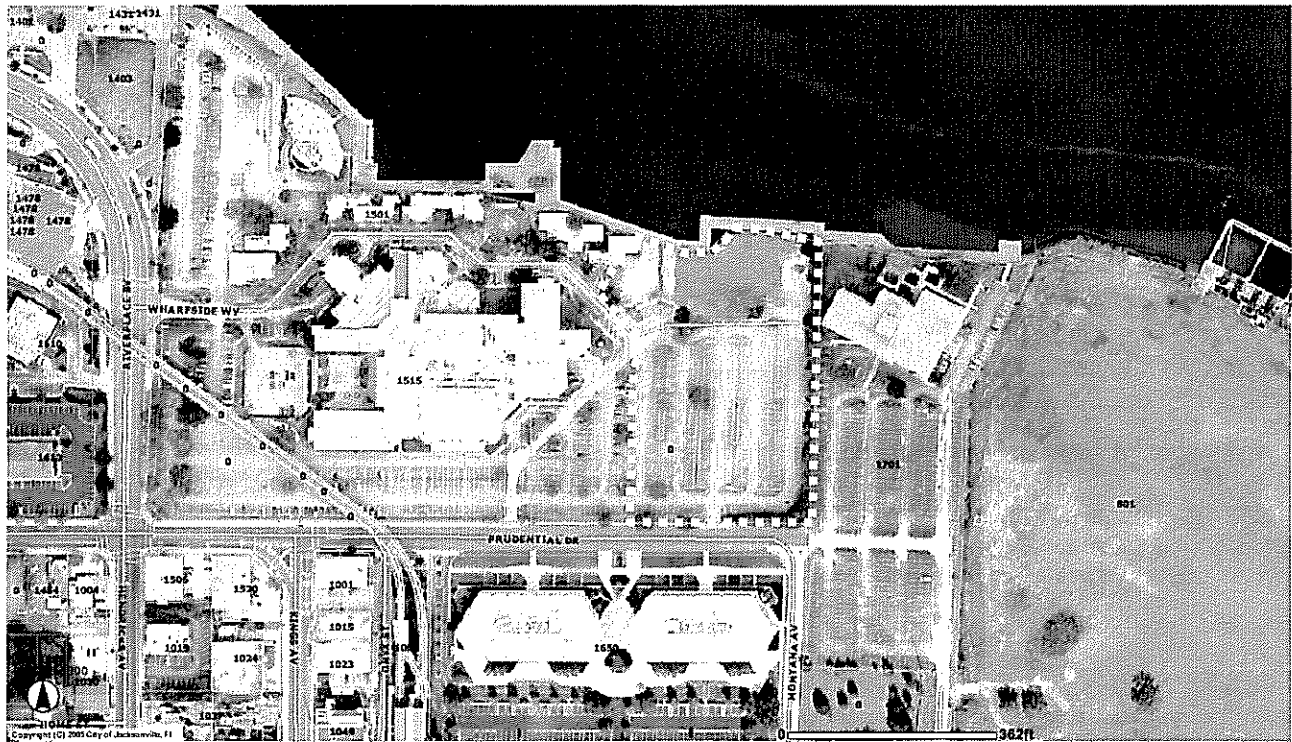
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-849** be **APPROVED** with the following exhibits **and conditions:**

1. The original legal description dated October 1, 2015.
2. The revised written description dated January 7, 2016.
3. The revised site plan dated January 7, 2016.
4. The subject property shall be developed in accordance with the Development Services

Division Memorandum dated December 21, 2015 or as otherwise approved by the Planning and Development Department and the Downtown Development Review Board.

Conditions

1. Signage is subject to the approval of a "Special Sign Exception" by the Downtown Development Review Board.
2. The developer shall submit to Downtown Development Review Board staff wayfinding graphics for installation by the developer to identify general public access to the Riverwalk from Prudential Drive frontage and also on the Riverwalk entrance to Prudential Drive frontage.
3. Final site development subject to the approval of the Downtown Development Review Board.
4. Entitlements are subject to an allocation of development rights by the Downtown Investment Authority.



Aerial view of the subject site facing north



View of the subject site facing north from the Montana Ave/Prudential Dr intersection



View of the subject site facing northwest from the Montana Ave/Prudential Dr intersection



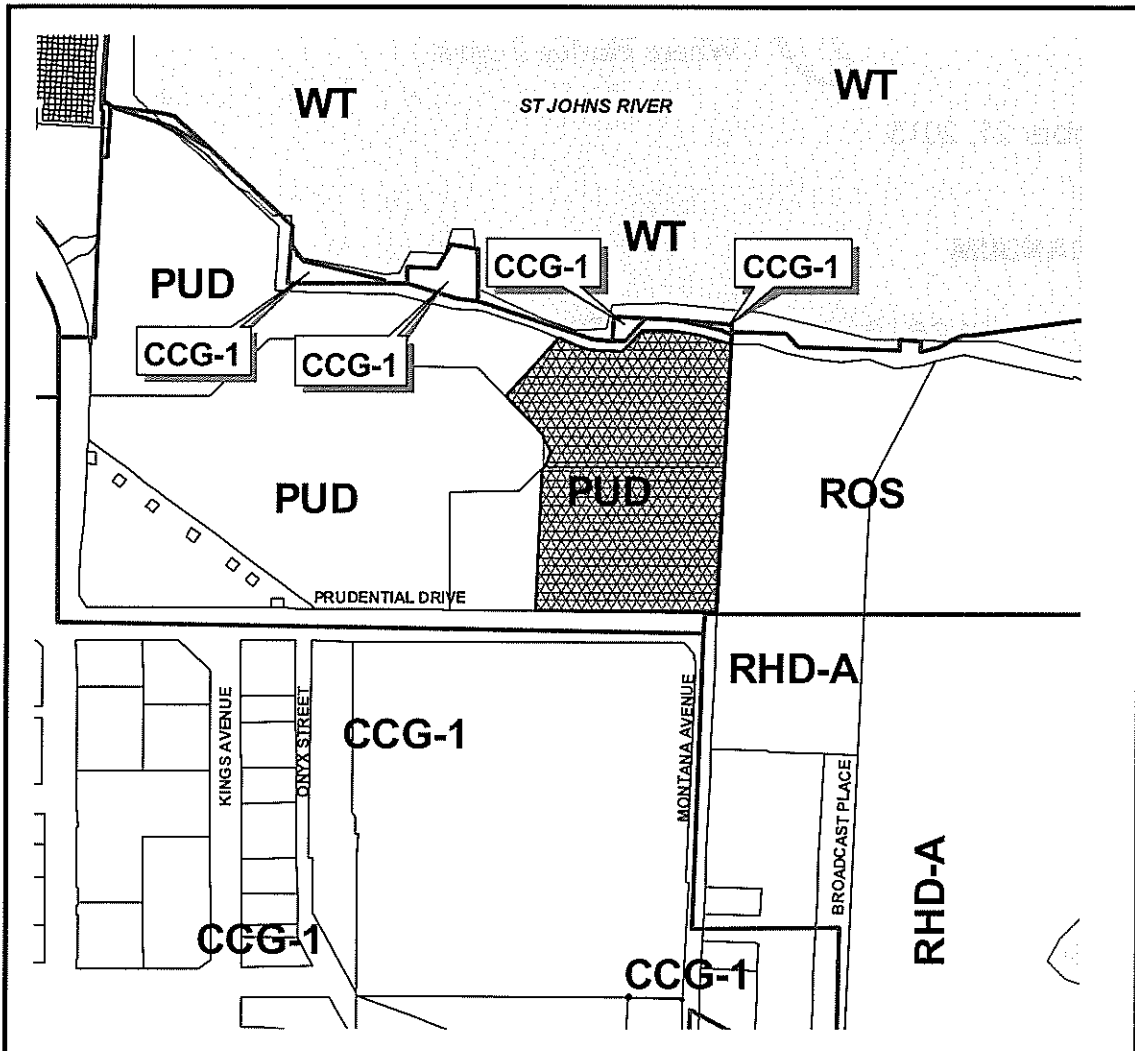
View of the subject site facing north with the School Board bldg on the right



View of the subject site facing north with the School Board bldg on the right



View of the subject site facing north with the Lexington Resort on the left



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT:</p> <p>5</p>
<p>ORD-2015-849</p>	<p>TRACKING NUMBER:</p> <p>T-2015-0979</p>	<p>Exhibit 2</p>

DEVELOPMENT SERVICES



December 21, 2015

MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Broadstone River House PUD
R-2015-0849**

Upon review of the referenced application and based on the information provided to date, the Development Services Division has the following comments:

1. Eastern most driveway shall align with Montana Ave or be located a minimum of 75' (EOP to EOP) west of Montana Ave.
2. Driveways shall meet design requirements of Section 2 of Land Development Procedures Manual.
3. Signs, fences, walls and landscaping shall be located so that horizontal line of sight is unobstructed at intersections. Trees planted in City right-of-way shall have a minimum 7' clear trunk and meet clear zone requirements.
4. If complex will be gated, provide sufficient onsite queuing prior to gate stopping point.

Please understand that this does not constitute approval of the design elements. Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2015-0849 Staff Sign-Off/Date AH / 11/02/2015

Filing Date 12/08/2015 Number of Signs to Post 3

Hearing Dates:

1st City Council 01/26/2016 Planning Commission 01/21/2016

Land Use & Zoning 02/02/2016 2nd City Council N/A

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study DOWNTOWN

Application Info

Tracking # 979

Application Status PENDING

Date Started 10/22/2015

Date Submitted 10/22/2015

General Information On Applicant

Last Name

DUGGAN

First Name

WYMAN

Middle Name

R

Company Name

ROGERS TOWERS, P.A.

Mailing Address

1301 RIVERPLACE BOULEVARD, SUITE 1500

City

JACKSONVILLE

State

FL

Zip Code 32207

Phone

9043983911

Fax

9043960663

Email

WDUGGAN@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name

SEE

First Name

BELOW

Middle Name

Company/Trust Name

ALLIANCE REALTY PARTNERS, LLC

Mailing Address

222 WEST COMSTOCK AVENUE, SUITE 115

City

WINTER PARK

State

FL

Zip Code

32789

Phone

Fax

Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2006-0069

Map RE#

Council District Planning From Zoning District District(s)

To Zoning District

Map

	080075 0000	5	1	PUD	PUD
Map	080078 0105	5	1	PUD	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) 3.80

Development Number

Proposed PUD Name BROADSTONE RIVER HOUSE

Justification For Rezoning Application

SEE ATTACHED WRITTEN DESCRIPTION.

Location Of Property

General Location

DOWNTOWN SOUTHBANK

House #	Street Name, Type and Direction	Zip Code
0	PRUDENTIAL DR	32207

Between Streets

PRUDENTIAL DRIVE and ST. JOHNS RIVER

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:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
3.80 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee**
353 Notifications @ \$7.00 /each: \$2,471.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$4,511.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description
10/1/2015

PARCEL A

A TRACT OF LAND COMPRISED OF A PORTION OF THE ISAAC HENDRICKS GRANT, SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA; AND THE FORMER RIGHT OF WAY OF MONTANA AVENUE, AS SHOWN ON THE PLAT OF REED'S FOURTH SUBDIVISION OF SOUTH JACKSONVILLE, RECORDED IN PLAT BOOK 1, PAGE 46, OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
FOR A POINT OF REFERENCE, COMMENCE AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE EASTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED) THENCE SOUTH 89°44'57" EAST, ALONG SAID NORTHERLY RIGHT OF WAY OF PRUDENTIAL DRIVE, A DISTANCE OF 677.33 FEET TO THE POINT OF BEGINNING; THENCE NORTH 13°10'18" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 84.73 FEET; THENCE NORTH 22°44'57" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 45°15'03" EAST, A DISTANCE OF 63.64 FEET; TO THE POINT OF BEGINNING; THENCE NORTH 13°10'18" EAST, A DISTANCE OF 84.73 FEET; THENCE NORTH 22°44'57" WEST, A DISTANCE OF 32.29 FEET; THENCE NORTH 60°15'03" EAST, A DISTANCE OF 43.30 FEET; THENCE NORTH 03°17'01" EAST, A DISTANCE OF 86.60 FEET TO A POINT ON THE MARGIN OF THE ST. JOHNS RIVER LOCATED IN THE NORTHERLY BOUNDARY OF THAT CERTAIN PROPERTY DESCRIBED IN THE DISCLAIMER FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, RECORDED IN OFFICIAL RECORDS VOLUME 4490, PAGE 75 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; RUN THENCE SOUTHEASTERLY ALONG SAID MARGIN OF THE ST. JOHNS RIVER, THE FOLLOWING SEVEN COURSES: THENCE SOUTH 65°56'39" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 86°65'45" EAST, A DISTANCE OF 61.64 FEET; THENCE NORTH 42°52'24" EAST, A DISTANCE OF 53.16 FEET; THENCE SOUTH 89°44'52" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 79°59'17" EAST, A DISTANCE OF 50.73 FEET; THENCE SOUTH 74°44'42" EAST, A DISTANCE OF 51.76 FEET; THENCE NORTH 89°06'23" EAST, A DISTANCE OF 1.94 FEET TO A POINT LOCATED IN THE NORTHERLY PROLONGATION OF THE EASTERLY BOUNDARY OF MONTANA AVENUE, AS SAID BOUNDARY IS SHOWN IN THE PLAT OF SAID REED'S FOURTH SUBDIVISION OF SOUTH JACKSONVILLE; THENCE SOUTH 02°40'10" WEST, ALONG SAID PROLONGATION AND ALONG THE EASTERLY BOUNDARY OF SAID MONTANA AVENUE, A DISTANCE OF 224.63 FEET TO THE NORTHEAST CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 11994, PAGE 889 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, THENCE NORTH 89°44'57" WEST, A DISTANCE OF 315.98 FEET TO THE POINT OF BEGINNING.

PARCEL B

A TRACT OF LAND COMPRISED OF A PORTION OF THE ISAAC HENDRICKS GRANT, SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA; AND THE FORMER RIGHT OF WAY OF MONTANA AVENUE, AS SHOWN ON THE PLAT OF REED'S FOURTH SUBDIVISION OF SOUTH JACKSONVILLE, RECORDED IN PLAT BOOK 1, PAGE 46, OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
FOR A POINT OF REFERENCE, COMMENCE AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE EASTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED) THENCE SOUTH 89°44'57" EAST, ALONG SAID NORTHERLY RIGHT OF WAY OF PRUDENTIAL DRIVE, A DISTANCE OF 825.52 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°41'03" EAST, DEPARTING FROM SAID NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE, A DISTANCE OF 254.21 FEET; THENCE NORTH 45°15'03" EAST, A DISTANCE OF 8.52 FEET; THENCE SOUTH 89°44'57" EAST, A DISTANCE OF 315.98 FEET TO A POINT LOCATED IN THE EASTERLY BOUNDARY

OF MONTANA AVENUE, AS SAID BOUNDARY IS SHOWN IN THE PLAT OF SAID REED'S FOURTH SUBDIVISION OF SOUTH JACKSONVILLE; THENCE SOUTH 02°40'11" WEST, ALONG THE EASTERLY BOUNDARY OF SAID MONTANA AVENUE, A DISTANCE OF 260.23 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE; THENCE NORTH 89°44'57" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE, A DISTANCE OF 321.81 FEET TO THE POINT OF BEGINNING.

LESS AND EXCLUDING

ALL OF GRANTOR'S RIGHT, TITLE, AND INTEREST (IF ANY) TO SUBMERGED LANDS APPURTENANT TO THE FOREGOING PARCELS.

TOGETHER WITH

SHARED HARDSCAPE PARCEL

A TRACT OF LAND COMPRISED OF A PORTION OF THE ISAAC HENDRICKS GRANT, SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA; AND THE FORMER RIGHT OF WAY OF MONTANA AVENUE, AS SHOWN ON THE PLAT OF REED'S FOURTH SUBDIVISION OF SOUTH JACKSONVILLE, RECORDED IN PLAT BOOK 1, PAGE 46, OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FOR A POINT OF REFERENCE, COMMENCE AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE EASTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED) THENCE SOUTH 89°44'57" EAST, ALONG SAID NORTHERLY RIGHT OF WAY OF PRUDENTIAL DRIVE, A DISTANCE OF 825.52 FEET; THENCE NORTH 02°41'03" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 254.21 FEET; THENCE NORTH 45°15'03" EAST, A DISTANCE OF 8.52 FEET TO THE SOUTHWEST CORNER OF PARCEL A, AS DESCRIBED IN OFFICIAL RECORDS VOLUME 13764, PAGE 2466 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 13°10'18" EAST, ALONG THE WESTERLY LINE OF SAID PARCEL A, A DISTANCE OF 23.98 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING A POINT ON A CURVE; SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 100.00; THENCE NORTHWESTERLY ALONG AND WITH THE ARC OF SAID CURVE, AN ARC DISTANCE OF 25.09 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 27°23'30" WEST, 25.03 FEET TO A POINT ON SAID CURVE, SAID POINT LYING ON THE EASTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 17187, PAGE 1026 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 00°00'00" EAST, ALONG LAST SAID LINE, A DISTANCE OF 6.64 FEET; THENCE NORTH 44°43'52" WEST, ALONG THE NORTHEASTERLY LINE OF SAID OFFICIAL RECORDS VOLUME 17187, PAGE 1026, A DISTANCE OF 98.25 FEET; THENCE NORTH 41°37'02" EAST, DEPARTING FROM SAID NORTHEASTERLY LINE, A DISTANCE OF 149.28 FEET TO A POINT ON LYING ON THE NORTHERLY LINE OF THE MARGIN OF THE ST. JOHNS RIVER LOCATED IN THE NORTHERLY BOUNDARY OF THAT CERTAIN PROPERTY DESCRIBED IN THE DISCLAIMER FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, RECORDED IN OFFICIAL RECORDS VOLUME 4490, PAGE 75 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 65°56'39" EAST, ALONG LAST SAID LINE, A DISTANCE OF 27.97 FEET TO THE NORTHWESTERLY CORNER OF THE AFOREMENTIONED PARCEL A, AS DESCRIBED IN OFFICIAL RECORDS VOLUME 13764, PAGE 2466 OF SAID COUNTY; THENCE ALONG THE AFOREMENTIONED WESTERLY LINE OF PARCEL A, THE FOLLOWING FOUR COURSES; THENCE SOUTH 03°17'01" WEST, A DISTANCE OF 88.60 FEET; THENCE SOUTH 60°15'03" WEST, A DISTANCE OF 43.30 FEET; THENCE SOUTH 22°44'57" EAST, A DISTANCE OF 32.29 FEET; THENCE SOUTH 13°10'18" WEST, A DISTANCE OF 60.75 FEET TO THE POINT OF BEGINNING.

EXHIBIT A - Property Ownership Affidavit

Date: 9/30/15

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

Re: Property Owner Affidavit for the following site location:
080078-0105 (portion); 080075-0000 (portion) Riverwalk Jacksonville Development LLC ("RJD")

To Whom it May Concern:

I, Steven Parde, manager of RJD hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning, concurrency, DDRB approval submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Riverwalk Jacksonville Development, LLC

By _____

By [Signature]

Print Name: _____

Print Name: Steven J. Parde

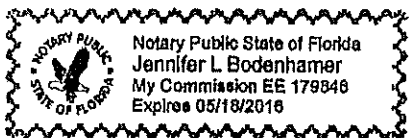
Its: Manager

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 30th day of September 20 15, by Steven Parde, who is personally known to me or who has produced _____ as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)



(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: _____

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 9/30/15

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

Re: Agent Authorization for the following site location: 080078-0105 (portion); 080075-0000 (portion)

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Rogers Towers; Connelly & Wicker; Dwell Design Studio to act as agent to file application(s) for rezoning; DDRB approval 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.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Riverwalk Jacksonville Development, LLC

By _____

By [Signature]

Print Name: _____

Print Name: Stevan J. Pardo

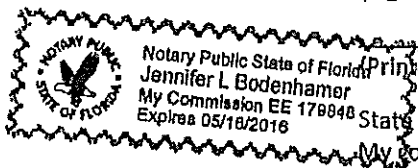
Its: Manager

**If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.*

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 30th day of September 2015, by Stevan Pardo, who is personally known to me ~~or who has~~ produced _____ as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)



Printed name of NOTARY PUBLIC

State of Florida at Large.

My commission expires: _____

EXHIBIT C

Binding Letter

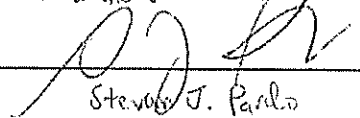
City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: 080078-0105 (portion); 080075-0000 (portion)

Ladies and Gentleman:

You are hereby advised that the undersigned, 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.

Sincerely,

Riverwalk Jacksonville Development, LLC
By: 
Steven J. Parlo

Its: Manager



Detail by Entity Name

Florida Limited Liability Company

RIVERWALK JACKSONVILLE DEVELOPMENT, LLC

Filing Information

Document Number	L04000048171
FE/EIN Number	11-3722152
Date Filed	06/25/2004
State	FL
Status	ACTIVE
Last Event	CANCEL ADM DISS/REV
Event Date Filed	02/09/2010
Event Effective Date	NONE

Principal Address

200 S.E. 1st Street
Suite 700
Miami, FL 33131

Changed: 04/18/2014

Mailing Address

200 S.E. 1st
Miami Florida
Suite 700
Miami, FL 33131

Changed: 04/18/2014

Registered Agent Name & Address

Pardo & Gainsburg LLP
6300 Allison Road
MIAMI BEACH, FL 33141

Name Changed: 04/27/2013

Address Changed: 04/18/2014

Authorized Person(s) Detail

Name & Address

Title MGR

PARDO, STEVAN J
200 SE FIRST STREET, SUITE 700
MIAMI, FL 33131

Annual Reports

Report Year	Filed Date
2013	04/27/2013
2014	04/18/2014
2015	03/18/2015

Document Images

<u>03/18/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/18/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/27/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/19/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/29/2011 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/09/2010 -- REINSTATEMENT</u>	View image in PDF format
<u>06/13/2008 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/30/2007 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/30/2006 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/21/2005 -- ANNUAL REPORT</u>	View image in PDF format
<u>06/25/2004 -- Florida Limited Liabilites</u>	View image in PDF format

EXHIBIT "D"

**Broadstone River House PUD
Revised Written Description
January 7, 2016**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: CBD
- B. Current Zoning District: PUD (Ord. 2006-69-E)
- C. Requested Zoning District: PUD
- D. Real Estate Numbers: 080078-0105 (portion); 080075-0000 (portion)

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 3.8± acres of property (the "Property") from Planned Unit Development (PUD) to PUD. The Property is located in the Southbank District of the Downtown Overlay Zone, and is more particularly described in the legal description attached as Exhibit "1" to this application. The Property is in the Downtown DRI, and has a future land use category of CBD. The Development Area is CBD.

The Property is currently subject to PUD Ordinance 2006-69-E, which permitted up to 2,000 multifamily units on 16 acres, at a density of 125 units per acre and a maximum permitted height of 650 feet. The purpose of this amendment is to remove the Property from the proposed mixed use development previously approved by Ord. 2006-69-E in order to permit a "stand alone" multifamily development and a waterfront pedestrian plaza. This application proposes a maximum of two hundred sixty-three (263) multifamily residential dwelling units. A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan").

III. PUD DEVELOPMENT CRITERIA

A. Description of Uses and Development Criteria

- 1. *Permitted uses.* A maximum of two hundred sixty-three (263) multifamily residential dwelling units (condominiums or apartments); structured parking; amenity/recreation center, which may include a pool, cabana/clubhouse, health/exercise facility, business/conference center, sales office, and similar uses; park/open space; home occupations meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code; essential services including stormwater management facilities, roads, water, sewer, gas, telephone, cellular telephone, wireless

internet, radio, television, electric, marine and land communication devices, small satellite dishes, renewable energy devices and equipment, and similar uses subject to performance standards set forth in Part 4 of the Zoning Code.

2. *Permitted accessory uses and structures.* Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code, provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures.
3. *Minimum lot requirement (width and area).* Approximately 3.8 acres as shown on the Site Plan.
4. *Maximum lot coverage by all buildings.* Eighty-five percent (85%).
5. *Minimum Yard Requirements and Building Setbacks.* Building 2000 shall be located no more than eight (8) feet from the south property line (Prudential Drive frontage). Side yard setbacks for both Building 1000 and Building 2000 will be zero (0) feet from the east and west property lines. On the north, Building 1000 will be located a minimum of fourteen (14) feet from the waterside of the existing bulkhead. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks.
6. *Maximum height of structure.* Eighty-five (85) feet from finished floor elevation to the highest point of the parapet. Signs, spires, cupolas, antennas, chimneys, renewable energy devices and equipment, and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

B. Overall Development Criteria.

1. *Access.* As shown on the Site Plan, vehicular access to the site will be available from Prudential Drive.

Interior access roads may be privately owned and maintained by the owner and/or an owners' association and/or a management company. The location and design of all access points and interior access roads is conceptual and the final location and design of all access points and interior access roads is subject to the review and approval of the City Traffic Engineer, the Planning and Development Department, and the DDRB.

2. *Pedestrian Circulation.* External sidewalks are in place on Prudential Drive, however, an alternative streetscape design providing a wider sidewalk and enhanced landscape plantings will be provided. Internal sidewalks will be provided on both the east and west sides of the proposed structure and will provide public access to the Southbank Riverwalk. Two pedestrian connections from the upland bulkhead to the Riverwalk are proposed. A public riverfront pedestrian plaza with hardscaping, landscaping and street furniture will be provided on the west side of the project. Highly visible wayfinding signage will be provided to facilitate public access and circulation. The location of all sidewalks, signage, and Riverwalk connections is conceptual and final plans are subject to the review and approval of the City Traffic Engineer, the Planning and Development Department, and the DDRB.
3. *Recreational/Open Space.* The Comprehensive Plan recreational/open space policy of one hundred fifty (150) square feet per unit requires 39,450 sf for the proposed development; approximately 35,900 sf will be provided on the Property. The 150 sf standard is a suburban standard not entirely appropriate for the Property's urban core, riverfront location. Nevertheless, over 90% of the required recreation and open space will be provided. In addition, the Property will have direct connection to the Riverwalk, providing additional recreation and open space opportunities. A conceptual illustration of the proposed pedestrian plaza is attached as Exhibit "J."
4. *Parking and Loading Requirements.* A maximum of four hundred sixty-three (463) structured parking spaces will be provided, resulting in a deficiency of less than 10% from the 492 spaces required by Code. Additional surface parking spaces may be provided along the internal access roads/lanes.
5. *Signage.* One (1) single-faced sign is permitted on the roof of Building 2000 on the Prudential elevation. The sign may be up to one hundred sixty (160) square feet in area, may be internally or externally illuminated, and may be framed or mounted. One (1) single- or double-faced project identity monument sign is permitted for each of Building 1000 and Building 2000. The signs may be up to eight (8) feet in height and thirty-two (32) square feet in area, and may be internally or externally illuminated. Wall signs marking the entrances to the parking structure on both the east and west facades may be up to twenty-four (24) square feet in area and may be internally or externally illuminated. Canopy signage for the leasing office may be up to twenty-four (24) square feet in area. Wayfinding signage for the public pedestrian plaza and the Riverwalk

connections may be provided at the intersections of Prudential Drive and the east and west internal access drives.

Real estate signs, directional signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary signs for models units are also permitted. In addition to the signage specified above, wall signs not exceeding ten (10) percent of the square footage of the occupancy frontage or respective side of a building abutting a public right-of-way or approved private street are permitted within the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

6. *Landscaping/fencing.* Landscaping will be provided in accordance with the requirements set forth Sec. 656.361, and as approved by the DDRB, including any deviations. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation.
7. *Architectural Design.* As approved by the DDRB, including any deviations. Buildings (including roof types and facades), structures and signage shall be constructed and painted with materials which are aesthetically compatible.

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 structures located on the parcel, such that the dumpster, propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.

8. *Lighting.* Lighting within the PUD shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on adjacent uses.
9. *Stormwater Retention.* An on-site stormwater retention/detention system shall be constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District.

10. *Utilities.* Electric utility, water and sewer services will be provided by the JEA.
11. *Maintenance of Common Areas and Infrastructure.* The common areas and infrastructure within the Property will be maintained by the owner and/or an owners' association and/or a management company. A separate plat or plats may be filed for the private drives, common areas, and stormwater retention/detention areas.
12. *Conceptual Site Plan.* The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the DDRB. The building locations and roadways shown on the Site Plan are schematic and may change prior to development subject to the review and approval of the DDRB.
13. *Phasing.* Upon approval of the construction plans for the infrastructure improvements within the PUD, the Applicant may seek and obtain building permits for the construction of the residential and recreational buildings within the PUD prior to the recordation of the plat(s), if applicable.
14. *Temporary Uses.* Temporary sales and leasing office(s) and/or construction trailer(s) shall be allowed to be placed on site and moved throughout the site as necessary.
15. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically listed, but similar to or associated with a listed use may be permitted by a minor modification.

IV. PUD REVIEW CRITERIA

- A. **Consistency with Comprehensive Plan:** The Property is located within the Central Business District Development Area as shown on Map L-21 of the Future Land Use Element of the 2030 Comprehensive Plan, and within the Central Business District future land use category as shown on Map L-19. The CBD future land use category does not contain a maximum permitted residential density. The PUD proposes a maximum of two hundred sixty-three (263) units on approximately 3.8 acres, for a density of 69 units per acre. Ord. 2006-69-E

permitted a density of 125 units per acre. The proposed development will be consistent with the adopted North Bank Downtown and Southside Community Redevelopment Plan as updated by the DIA.

- B. Roadways / Consistency with the Concurrency Management System:** The development of the Property will comply with the requirements of the Concurrency Management System. The Property is subject to VPAC #1988.
- C. Allocation of Residential Land Use:** This proposed development will not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2030 Comprehensive Plan. In addition, it will be consistent with the development rights and land use exchange table set forth in the Downtown DRI development order, as amended.
- D. Internal Compatibility:** The Site Plan attached as Exhibit "E" addresses access and circulation within the site. Access to the site will be available from Prudential Drive and may be gated. Internal access may be provided by approved private roads. The PUD contains special provisions for signage, landscaping, sidewalks, parking, and other issues relating to the common areas and vehicular and pedestrian traffic. Architectural design guidelines within the PUD provide that buildings, structures and signage within the Property are constructed and painted with materials which are aesthetically compatible and that dumpsters or similar appurtenances are screened from view from surrounding roadways and adjacent properties.
- E. External Compatibility / Intensity of Development:** The proposed development is consistent with and comparable to the planned and permitted development in the area. The CBD land use category surrounds the Property in all directions. The existing PUD contemplated multiple highrise multifamily towers. Since it was approved, the Strand, Peninsula and San Marco Place projects have been developed to the west. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and provides an important infill redevelopment opportunity for the Southbank. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.
- F. Usable Open Spaces, Plazas, Recreation Areas:** Approximately 35,900 square feet of recreation and open space will be provided, including a pedestrian riverfront plaza open to the public, private riverfront greenspace, and open space and recreational amenities in the building courtyards. Two (2) new connections to the Riverwalk are proposed.
- G. Impact on Wetlands:** None.

- H. **Listed Species Regulations:** Not required.
- I. **Off-Street Parking & Loading Requirements:** A maximum of four hundred sixty-three (463) structured parking spaces will be provided. Additional surface parking spaces may be provided. Reductions in the amount of parking provided may be accomplished through an administrative modification.
- J. **Pedestrian Circulation System:** External sidewalks are in place on Prudential Drive, however, an alternative streetscape design providing a wider sidewalk and enhanced landscape plantings will be provided. Internal sidewalks will be provided on both the east and west sides of the proposed structure and will provide public access to the Southbank Riverwalk. Two pedestrian connections from the upland bulkhead to the Riverwalk are proposed. A public riverfront pedestrian plaza with hardscaping, landscaping and street furniture will be provided on the west side of the project. Highly visible wayfinding signage will be provided at the intersections of Prudential Drive with the east and west internal access drives to facilitate public access and circulation. The location of all sidewalks, signage, and Riverwalk connections is conceptual and final plans are subject to the review and approval of the City Traffic Engineer, the Planning and Development Department, and the DDRB.

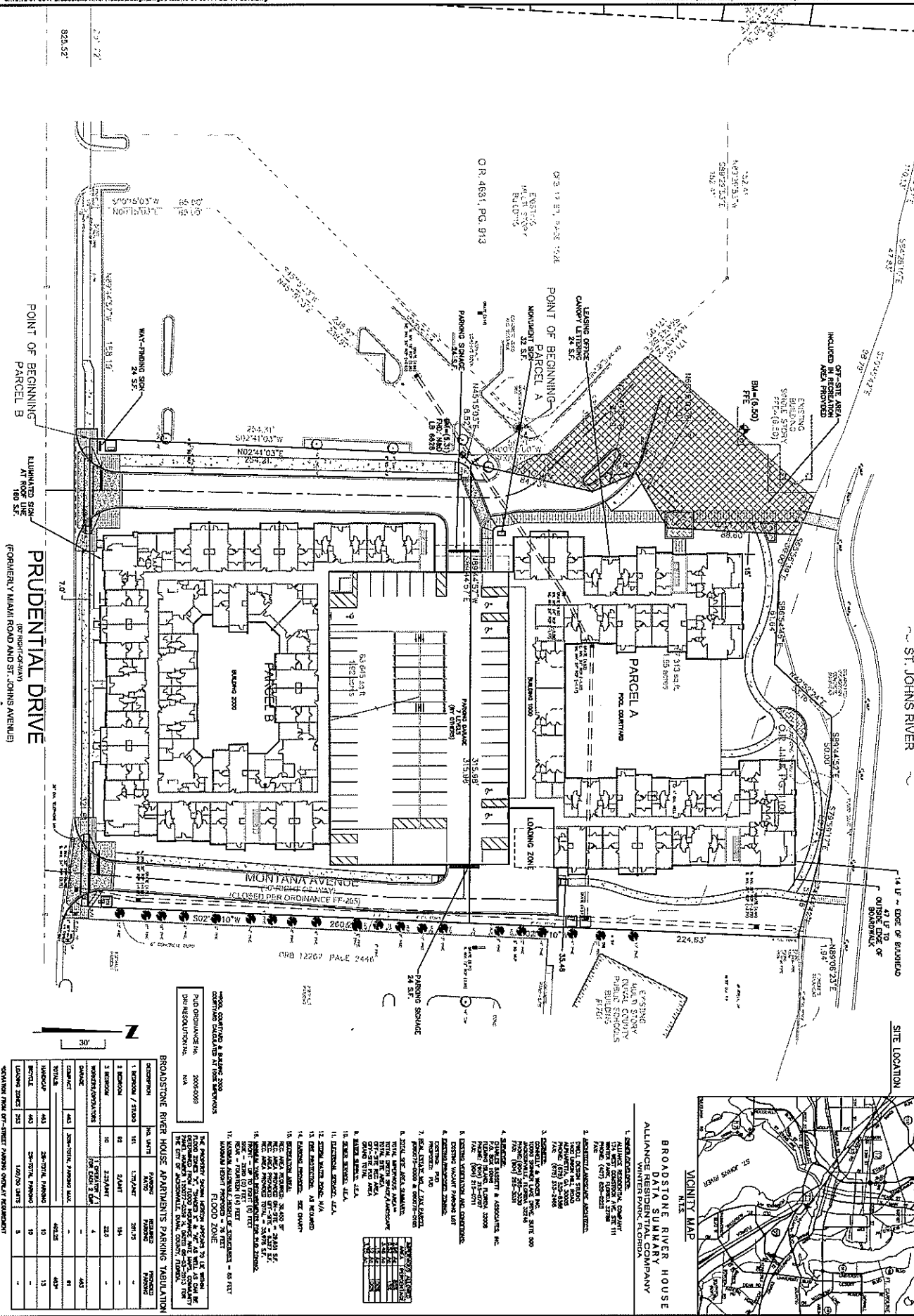
V. **ADDITIONAL § 656.341 CRITERIA**

- A. **Professional Consultants:** Planner/architect/engineer: Dwell Design Studio / Connelly & Wicker. Developer: Alliance Realty Partners, LLC.
- B. **Differences from the Usual Application of the Zoning Code:** The Property does not have a conventional zoning district classification, however, it is located in the Downtown Overlay Zone and is subject to the Downtown District Regulations set forth in § 656.361, as administered by the DDRB. The DDRB will review the proposed development for consistency with the requirements of § 656.361, accordingly there will be no difference from the usual application of the Zoning Code.
- C. **Amount of Public and Private Rights of Way:** The internal circulation consists of private drives and parking areas.
- D. **Operation and Maintenance of Areas and Functions:** The Property is privately owned and will remain so.

VI. SECTION 656.361 DEVELOPMENT GUIDELINES

- A. **Setback Lines:** The proposed structure will provide continuous frontage along the Prudential Drive sidewalk, and will be pedestrian-oriented and pedestrian-scaled, with access to the Riverwalk and the creation of a new riverfront pedestrian plaza. A deviation is requested from DDRB to increase the Prudential Drive setback from the required zero (0) foot setback to setback of up to eight (8) feet to allow a wider sidewalk and additional landscaping for enhanced pedestrian engagement.
- B. **Encroachment:** The intent of this guideline is for building facades to engage the pedestrian by providing differentiated building walls, open facades, human-scale development, and varied architectural articulation. The project will comply with these criteria.
- C. **Entrances:** There will be pedestrian access to residents and guests on Prudential Drive. Public pedestrian and vehicular access to the Riverwalk and the pedestrian plaza will be provided on the east side of the structure, and pedestrian-only access on the west side of the structure. There will be restricted pedestrian access on the Riverwalk frontage for residents and guests.
- D. **River Views and Height of Buildings and Structures:** The majority of units in the proposed structure will have river views. The form and massing of the structure will fit the context of the site and the surrounding built environment. The existing underlying PUD zoning district allows structures up to 650 feet in height, which will be reduced to a maximum of 85 feet by this proposed development.
- E. **Rooftop Design:** The rooftop mechanical equipment will be screened from view by the use of architectural enclosures integral to the building architecture. Special consideration will be given to the design treatment of all roof components, and shall take into consideration the architectural treatment of surrounding rooftops. Renewable energy devices and equipment and rooftop signage are permitted.
- F. **Off-Street Parking Overlay:** Four hundred sixty-three (463) structured parking spaces will be provided. The structured parking will be integrated into the interior of the proposed residential development, and the architectural treatment will soften the appearance of the garage. Additional off-street surface parking spaces may also be provided as parallel parking spaces on the internal circulation drive(s).

- G. Surface Parking, Trash, Storage, and Loading Area Screening and Landscaping Requirements:** No surface parking lot will be developed. Trash, storage, and loading areas will be located within the integrated parking structure and accordingly screened from view.
- H. Transparency:** This development guideline is not applicable to residential projects.
- I. Grid Pattern:** This development guideline is not applicable, as the project is maintaining the existing street layout.
- J. Streetscape Design Standards:** A deviation is requested from this development guideline with respect to the Prudential Drive frontage in order to provide an alternative streetscape design, providing a wider sidewalk and enhanced landscape plantings. The pedestrian access ways on the east and west sides of the structure will have an inviting and pedestrian-friendly design, to attract access to the Riverwalk and riverfront pedestrian plaza. The pending streetscape improvements to Riverplace Boulevard will stop at the intersection with Prudential Drive, and will not extend to this property.
- K. Waterfront Design Regulations:** The design standards call for a fifty foot (50') building setback from the waterfront side of the bulkhead. The Riverwalk is actually built over the river and offset from the bulkhead in the area of this project, creating additional setback from the face of the building. The building setbacks to the north side of the offset Riverwalk is a minimum of forty-seven feet (47'). The building setbacks to the riverside of the bulkhead is a minimum of fourteen feet (14'). Public pedestrian access from Prudential Drive to the Riverwalk will be provided on the east and west sides of the structure.
- L. Deviations:** The project is requesting relief from the standard design and development guidelines for the minimum setback/build-to line and streetscape design standards on the Prudential frontage; the off-street parking requirements; the waterfront minimum setback; and a special sign exception for rooftop and monument signage. These deviations will be reviewed by the DDRB.



DESCRIPTION	NO. OF UNITS	ESTIMATED PARKING SPACES	PROPOSED PARKING
1. RESIDENTIAL / STUDIO	187	267/37	287/37
2. OFFICE	10	24/47	19/4
3. RESTROOM	10	1/1	1/1
4. STORAGE/LOBBY	1	2/1/47	2/2/1
5. ELEVATOR	1	1/1/47	1/1/47
6. ENTRY	1	1/1	1/1
7. ENTRY	1	1/1	1/1
8. ENTRY	1	1/1	1/1
9. ENTRY	1	1/1	1/1
10. ENTRY	1	1/1	1/1
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1. ALL STATE, FEDERAL, AND LOCAL PERMITS AND APPROVALS.
 2. ALL UTILITIES TO BE SHOWN AND DELETED OR RELOCATED AS NECESSARY.
 3. ALL EXISTING AND PROPOSED DRIVEWAYS TO BE SHOWN.
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 20. ALL EXISTING AND PROPOSED DRIVEWAYS TO BE SHOWN.

BROADSTONE RIVER HOUSE - APARTMENTS PARKING TABULATION

NO. OF PARKING SPACES REQUIRED TO BE PROVIDED AT THIS DEVELOPMENT:

NO. OF PARKING SPACES PROVIDED:

NO. OF PARKING SPACES AVAILABLE AT THIS DEVELOPMENT:

- LIST OF MATERIALS**
1. ALL STATE, FEDERAL, AND LOCAL PERMITS AND APPROVALS.
 2. ALL UTILITIES TO BE SHOWN AND DELETED OR RELOCATED AS NECESSARY.
 3. ALL EXISTING AND PROPOSED DRIVEWAYS TO BE SHOWN.
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BROADSTONE RIVER HOUSE
 ALLIANCE DATA SUNNARY COMPANY
 WINTER PARK, FL 32789



EXHIBIT F

PUD Name **River House PUD**

Land Use Table

Total gross acreage	3.8 Acres	100 %
Amount of each different land use by acreage		
Single family	Acres	0 %
Total number of dwelling units	D.U.	
Multiple family	3.47 Acres	91 %
Total number of dwelling units	263 D.U.	
Commercial	Acres	0 %
Industrial	Acres	0 %
Other land use	Acres	0 %
Active recreation and/or open space	0.5 Acres	12 %
Passive open space	1 Acres	27 %
Public and private right-of-way	0.4 Acres	11 %
Maximum coverage of buildings and structures	80,245 Sq. Ft.	50 %

THIS INSTRUMENT PREPARED BY AND RETURN TO:
Jeffrey J. Pardo, Esquire
Pardo & Gainsburg, LLP
2 South Biscayne Boulevard, Suite 2475
Miami, FL 33131

Quit Claim Deed (Individual) (Space above this Line for Recording Data)

Quit Claim Deed

This Indenture, made this 28 day of December, 2006, Between

RIVERWALK HOTELS, LLC, a Florida limited liability company

whose address is 2 South Biscayne Boulevard, Suite 2475, Miami, FL 33131
hereinafter called the Grantor*, and

RIVERWALK JACKSONVILLE DEVELOPMENT, LLC, a Florida limited liability company

whose address is 2 South Biscayne Boulevard, Suite 2475, Miami, FL 33131
hereinafter called the Grantee*.

Witnesseth: That the Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) Dollars, and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, and Grantee's heirs and assigns forever, all the right, title, interest claim and demand which the Grantor has in and to the following described land, situate, lying and being in DUVAL County, Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

To Have and to Hold, the same together with all and singular appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said Grantor, either in law or in equity, to the proper use, benefit and behalf of the said Grantee.

**Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence.

L. McGrath
Print Name: Linda McGrath

Alex Ferrando
Print Name: Alex Ferrando

RIVERWALK HOTELS, LLC
a Florida limited liability company
By: Riverwalk SGB Management, Inc.
a Florida corporation, its Managing Member

By: [Signature]
Stevan J. Pardo, as president.

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me this 28 day of December, 2006 by

Stevan J. Pardo, as president of Riverwalk SGB Management, Inc., as managing member of RIVERWALK HOTELS, LLC

on behalf of the company and the corporation

personally known to me.

took an oath.

produced _____ as identification.

L. McGrath
(Signature)

Notary Public, Commission No. _____

(Name of Notary typed, printed or stamped)



**EXHIBIT "A"
LEGAL DESCRIPTION**

THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN THE LEGAL DESCRIPTION IN OFFICIAL RECORDS BOOK 9960, PAGE 1727:

PARCEL 1:

A tract of land, comprised of a portion of the Isaac Hendricks Grant, Section 44, Township 2 South, Range 26 East, Jacksonville, Duval County, Florida; all of Water Lots 1 through 10; and all of Block 2, Reed's Subdivision of South Jacksonville, according to the Plat recorded in the public records of Jacksonville, Duval County, Florida, in Deed Book AP, Page 525; all of Block 1, Reed's Subdivision of South Jacksonville, according to the plat recorded in Plat Book 1, Page 4, of said public records; all of River Street, Railroad Avenue, and a portion of King Street and the adjoining alleys in said Blocks 1 and 2, Reed's Subdivision of South Jacksonville, recorded in said Deed Book AP, Page 525; and portions of Water Lot 1, and the right of way of Montana Avenue as shown on the Plat of Reed's Fourth Subdivision of South Jacksonville, recorded in Plat Book 1, Page 46, said public records; together with certain former submerged lands along the margin of the St. Johns River and adjacent to said Isaac Hendricks Grant, said tract being more particularly described as follows:

For Point of Beginning, commence at the point of intersection of the Northerly right of way line of Prudential Drive (a 60 foot right of way as now established) with the Easterly right of way line of Hendricks Avenue (an 80 foot right of way as now established) said point being the Southwesterly corner of said Block 1, Reed's Subdivision of South Jacksonville, according to the plat recorded in Plat Book 1, Page 4, public records of said county, and run North 3 degrees 11 minutes 03 seconds East, a distance of 809.90 feet to a point; run thence South 89 degrees 49 minutes 30 seconds East, a distance of 10.01 feet to a point; run thence North 3 degrees 11 minutes 03 seconds East, a distance of 91.59 feet to a point on the margin of the St. Johns River located in the Northerly boundary of that certain property described in the disclaimer from the Board of Trustees of the Internal Improvement Trust Fund, recorded in O. R. Volume 4490, Page 75; run thence Southeasterly and Easterly, along said boundary and along the Northerly boundary of that certain property described in the Quit Claim Deed recorded in O.R. Volume 4463, page 1100, as follows: First course, South 68 degrees 57 minutes 21 seconds East, a distance of 95.29 feet to a point; Second course, South 61 degrees 15 minutes 00 seconds East, a distance of 38.01 feet to a point; Third course, South 54 degrees 48 minutes 26 seconds East, a distance of 62.93 feet to a point; Fourth course, South 42 degrees 42 minutes 25 seconds East, a distance of 66.27 feet to a point; Fifth course, South 46 degrees 55 minutes 10 seconds East, a distance of 116.75 feet to a point; Sixth course, South 3 degrees 09 minutes 57 seconds West, a distance of 100.67 feet to a point; Seventh course, South 88 degrees 03 minutes 44 seconds East, a distance of 214.70 feet to a point; Eighth course, South 75 degrees 44 minutes 57 seconds East, a distance of 110.13 feet to a point; Ninth course, South 84 degrees 28 minutes 10 minutes East, a distance of 47.83 feet to a point; Tenth course, South 70 degrees 45 minutes 42 seconds East, a distance of 98.79 feet to a point; Eleventh course, South 65 degrees 56 minutes 39 seconds East, a distance of 109.19 feet to a point; Twelfth course, South 86 degrees 54 minutes 45 seconds East, a distance of 61.64 feet to a point; Thirteenth course, North 42 degrees 52 minutes 24 seconds East, a distance of 53.16 feet to a point; Fourteenth course, South 89 degrees 44 minutes 52 seconds East, a distance of 50.00 feet to a point; Fifteenth course, South 79 degrees 59 minutes 17 seconds East, a distance of 50.73 feet to a point; Sixteenth course, South 74 degrees 44 minutes 42 seconds East, a distance of 51.76 feet to a point; run thence North 89 degrees 06 minutes 23 seconds East, a distance of 1.94 feet to a point located in the Northerly prolongation of the Easterly boundary of Montana Avenue, as said boundary is shown in the plat of said Reed's Fourth Subdivision of South Jacksonville; run thence South 2 degrees 40 minutes 10 seconds West, along said prolongation and along said Easterly boundary, through said Lot 1 and along the Easterly boundary of said Montana Avenue, a distance of 484.86 feet to a point in the Easterly prolongation of the Northerly right of way line of said Prudential Drive; run thence North 89 degrees 44 minutes 57 seconds West, along said prolongation and along said Northerly right of way line, a distance of 1147.33 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING PARCELS 1-A, 1-B; 1-C; AND 1-D:

PARCEL 1-A:

A parcel of land, comprised of portions of the Isaac Hendricks Grant, Section 44, Township 2 South, Range 26 East; and Water Lot 1; and the former right of way of Montana Avenue, as said Lot and right of way are shown on the plat of Reed's Fourth Subdivision of South Jacksonville, recorded in Plat Book 1, Page 46, public records of Jacksonville, Duval County, Florida, said parcel being more particularly described as follows:

For a point of reference, commence at the point of intersection of the Easterly right of way line of Hendricks Avenue (an 80 foot right of way as now established) with the Northerly right of way line of Prudential Drive (a 60 foot right of way as now established) and run South 89 degrees 44 minutes 57 seconds East, along said Northerly right of way line and along the Easterly prolongation thereof, a distance of 677.33 feet to a point for the Point of Beginning; from the Point of Beginning thus described, run North 0 degrees 15 minutes 03 seconds East, a distance of 215.00 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 120.00 feet; run thence North 45 degrees 15 minutes 03 seconds East, a distance of 63.64 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 315.98 feet to a point in said Water Lot 1, which lies in the Northerly prolongation of the Easterly right of way line of said Montana Avenue; run thence South 2 degrees 40 minutes 10 seconds West, along said Northerly prolongation and along said Easterly right of way line, a distance of 260.23 feet to a point in the Easterly prolongation of the Northerly right of way line of said Prudential Drive; run thence North 89 degrees 44 minutes 57 seconds West, along said prolongation, a distance of 470.00 feet to the Point of Beginning.

PARCEL 1-B:

A parcel of land comprised of part of Lot 12, Block 1, according to the plat of Reed's Subdivision of South Jacksonville, as recorded in Deed Book AP, Page 525, and Plat Book 1, Page 4 of the former public records of Duval County, Florida, and being more particularly described as follows:

BEGIN at the intersection of the Easterly right of way line of Hendricks Avenue as established for a width of 80 feet, with the Northerly right of way line of Prudential Drive (formerly Miami Road) as established for a width of 60 feet; thence along said Northerly right of way line of Prudential Drive, South 89 degrees 44 minutes 57 seconds East, 15.00 feet; thence North 33 degrees 19 minutes 55 seconds West, 25.17 feet to the said Easterly right of way line of Hendricks Avenue; thence along said Easterly right of way line of Hendricks Avenue, South 03 degrees 11 minutes 03 seconds West, 21.00 feet to the Point of Beginning.

Exhibit "A"
Legal Description, Page 3

PARCEL 1-C:

That portion of the above captioned property taken by the Jacksonville Transportation Authority by Order of Taking recorded August 18, 1998, in Official Records Book 9043, Page 1118, of the current public records of Duval County, Florida.

PARCEL 1-D:

A PART OF THE ISAAC HENDRICKS GRANT, SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA, AND A PART OF REED'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 4 OF THE FORMER PUBLIC RECORDS OF SAID COUNTY AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE POINT OF THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE EASTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF BLOCK 1 OF SAID REED'S SUBDIVISION; THENCE NORTH 03°11'03" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE, A DISTANCE OF 279.98 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY LINE OF THE AERIAL PARCEL 21-AE AS RECORDED IN OFFICIAL RECORDS VOLUME 9668, PAGE 52 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 03°11'03" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 82.33 FEET; THENCE SOUTH 89°42'47" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 210.97 FEET; THENCE NORTH 45°26'23" EAST, A DISTANCE OF 148.74 FEET; THENCE SOUTH 89°50'07" EAST, A DISTANCE OF 175.61 FEET; THENCE SOUTH 44°53'38" EAST, A DISTANCE OF 71.28 FEET; THENCE SOUTH 89°29'53" EAST, A DISTANCE OF 152.41 FEET; THENCE SOUTH 44°43'52" EAST A DISTANCE OF 171.95 FEET; THENCE SOUTH 00°00'00" WEST A DISTANCE OF 58.21 FEET; THENCE SOUTH 45°15'03" WEST, A DISTANCE OF 238.97 FEET; THENCE SOUTH 00°15'03" WEST, A DISTANCE OF 85.00 FEET TO A POINT ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE; THENCE NORTH 89°44'57" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE, A DISTANCE OF 251.72 FEET, TO ITS INTERSECTION WITH THE AFORESAID NORTHEASTERLY LINE OF THE AERIAL PARCEL 21-AE; THENCE NORTH 53°07'30" WEST ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 498.83 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

The EASEMENTS defined in Part 1 of that certain Grant and Reservation of Easement and Agreement dated July 15, 1978, recorded August 3, 1978, in O.R. Volume 4692, page 801, public records of Duval County, Florida, over and across the following described land:

A parcel of land, comprised of portions of the Isaac Hendricks Grant, Section 44, Township 2 South, Range 26 East; and Water Lot 1; and the former right of way of Montana Avenue, as said Lot and right of way are shown on the plat of Reed's Fourth Subdivision of South Jacksonville, recorded in Plat Book 1, Page 46, public records of Jacksonville, Duval County, Florida, said parcel being more particularly described as follows:

For a point of reference, commence at the point of intersection of the Easterly right of way line of Hendricks Avenue (an 80 foot right of way as now established) with the Northerly right of way line of Prudential Drive (a 60 foot right of way as now established) and run South 89 degrees 44 minutes 57 seconds East, along said Northerly right of way line and along the Easterly prolongation thereof, a distance of 677.33 feet to a point for the Point of Beginning; from the Point of Beginning thus described, run North 0 degrees 15 minutes 03 seconds East, a distance of 215.00 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 120.00 feet; run thence North 45 degrees 15 minutes 03 seconds East, a distance of 63.64 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 315.98 feet to a point in said Water Lot 1, which lies in the Northerly prolongation of the Easterly right of way line of said Montana Avenue; run thence South 2 degrees 40 minutes 10 seconds West, along said Northerly prolongation and along said Easterly right of way line, a distance of 260.23 feet to a point in the Easterly prolongation of the Northerly right of way line of said Prudential Drive; run thence North 89 degrees 44 minutes 57 seconds West, along said prolongation, a distance of 470.00 feet to the Point of Beginning.

Doc# 2004267250
Book: 11994
Pages: 889 - 892
Filed & Recorded
08/18/2004 10:48:28 AM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 17.00
TRUST FUND \$ 2.50
DEED DOC STAMP \$ 14,700.00
REC ADDITIONAL \$ 16.00

Property Appraiser's Parcel
Identification No. 80075-0000

SPECIAL WARRANTY DEED

THIS INDENTURE is made, executed and delivered this 9th day of August, 2004, between GATE RIVERPLACE COMPANY, a Florida corporation, grantor, and RIVERWALK JACKSONVILLE DEVELOPMENT, LLC, a Florida limited liability company, grantee, whose post office address is 2 South Biscayne Boulevard, Suite 2475, Miami, Florida 33131; Attention: Stevan J. Pardo.

WITNESSETH:

That the said grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said grantee, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains and sells to the said grantee, its successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of Duval, State of Florida:

See Exhibit "A" attached hereto and by this reference made a part hereof

TOGETHER WITH all improvements thereon and all tenements, hereditaments and appurtenances of grantor 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; and
2. The matters listed in Exhibit B, reference to which shall not operate to reimpose same; and

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances, the said grantor does hereby fully warrant the title to said Property, and will defend the same against the lawful claims of all persons claiming by, through or under the grantor, but against none other.

(Signatures are on the following page)

R & R to
This Instrument Prepared By:
C. Wm. ~~_____~~
Rogers, Towers, ~~_____~~ & Gay
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

JK

IN WITNESS WHEREOF, the said grantor has caused this instrument to be executed in its name by its duly authorized officer on the day and year first above written.

Signed, sealed and delivered in the presence of:

Susan K. Morgan
Print Name: Susan K. Morgan
Dorlene Cowen
Print Name: Dorlene Cowen

GATE RIVERPLACE COMPANY

By: [Signature]
Name: P. Jeremy Smith, Jr.
Its: President

Address: 1301 Riverplace Boulevard
Suite C-14
Jacksonville, FL 32207

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 9th day of August, 2004, by P. Jeremy Smith, Jr., President of GATE RIVERPLACE COMPANY, a Florida corporation, on behalf of the corporation. He is personally known to me.

[Signature]
Notary Public, State of Florida
Name: ELIZABETH C. LONGINO

My Commission Expires: _____ ELIZABETH C. LONGINO
My Commission Number is: _____ Notary Public State of Florida
My comm. exp. Oct. 14, 2006
Comm. No. DD 158235

A parcel of land, comprised of portions of the Isaac Hendricks Grant, Section 44, Township 2 South, Range 26 East; and Water Lot 1; and the former right of way of Montana Avenue, as said Lot and right of way are shown on the plat of Reed's Fourth Subdivision of South Jacksonville, recorded in Plat Book 1, Page 46, Public Records of Jacksonville, Duval County, Florida, said parcel being more particularly described as follows:

For point of reference, commence at the point of intersection of the Easterly right of way line of Hendricks Avenue (an 80-foot right of way, as now established) with the Northerly right of way line of Prudential Drive (a 60-foot right of way, as now established) and run S 89 degrees 44 minutes 57 seconds East, along said Northerly right of way line and along the Easterly prolongation thereof, a distance of 677.33 feet to a point for point of beginning.

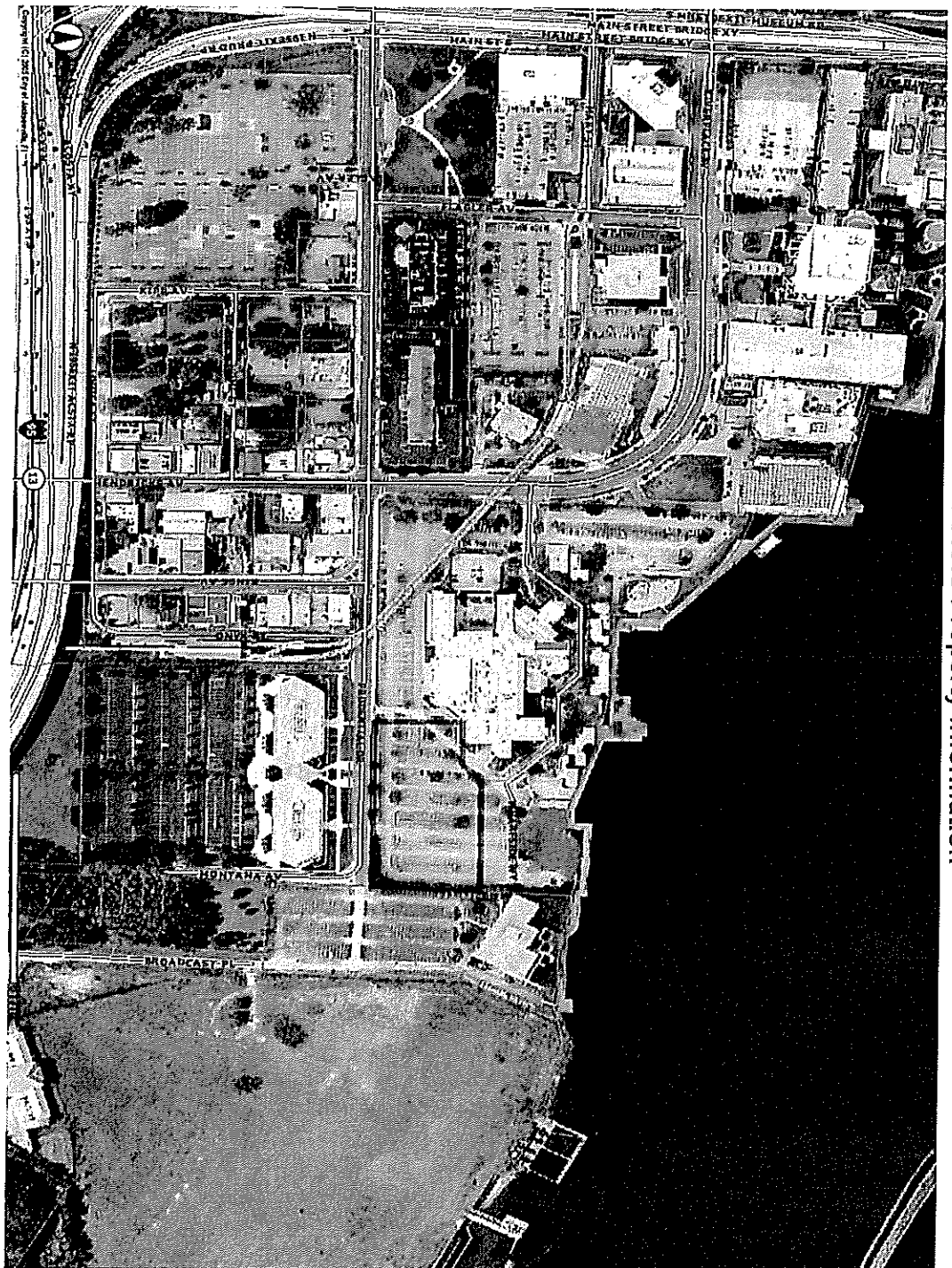
From the point of beginning thus described, run North 0 degrees 15 minutes 03 seconds East, a distance of 215.00 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 120.00 feet to a point; run thence North 45 degrees 15 minutes 03 seconds East, a distance of 63.64 feet to a point; run thence South 89 degrees 44 minutes 57 seconds East, a distance of 315.98 feet to a point in said Water Lot 1, which lies in the Northerly prolongation of the Easterly right of way line of said Montana Avenue; run thence South 2 degrees 40 minutes 10 seconds West, along said Northerly prolongation and along said Easterly right of way line, a distance of 260.23 feet to a point in the Easterly prolongation of the Northerly right of way line of said Prudential Drive; run thence North 89 degrees 44 minutes 57 seconds West, along said prolongation, a distance of 470.00 feet to the point of beginning.

Exhibit A

TO
SPECIAL WARRANTY DEED

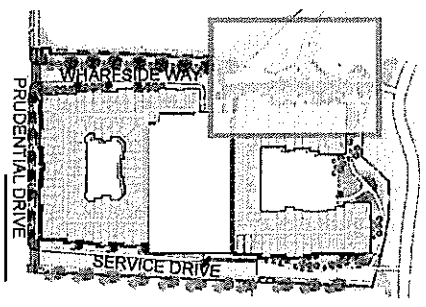
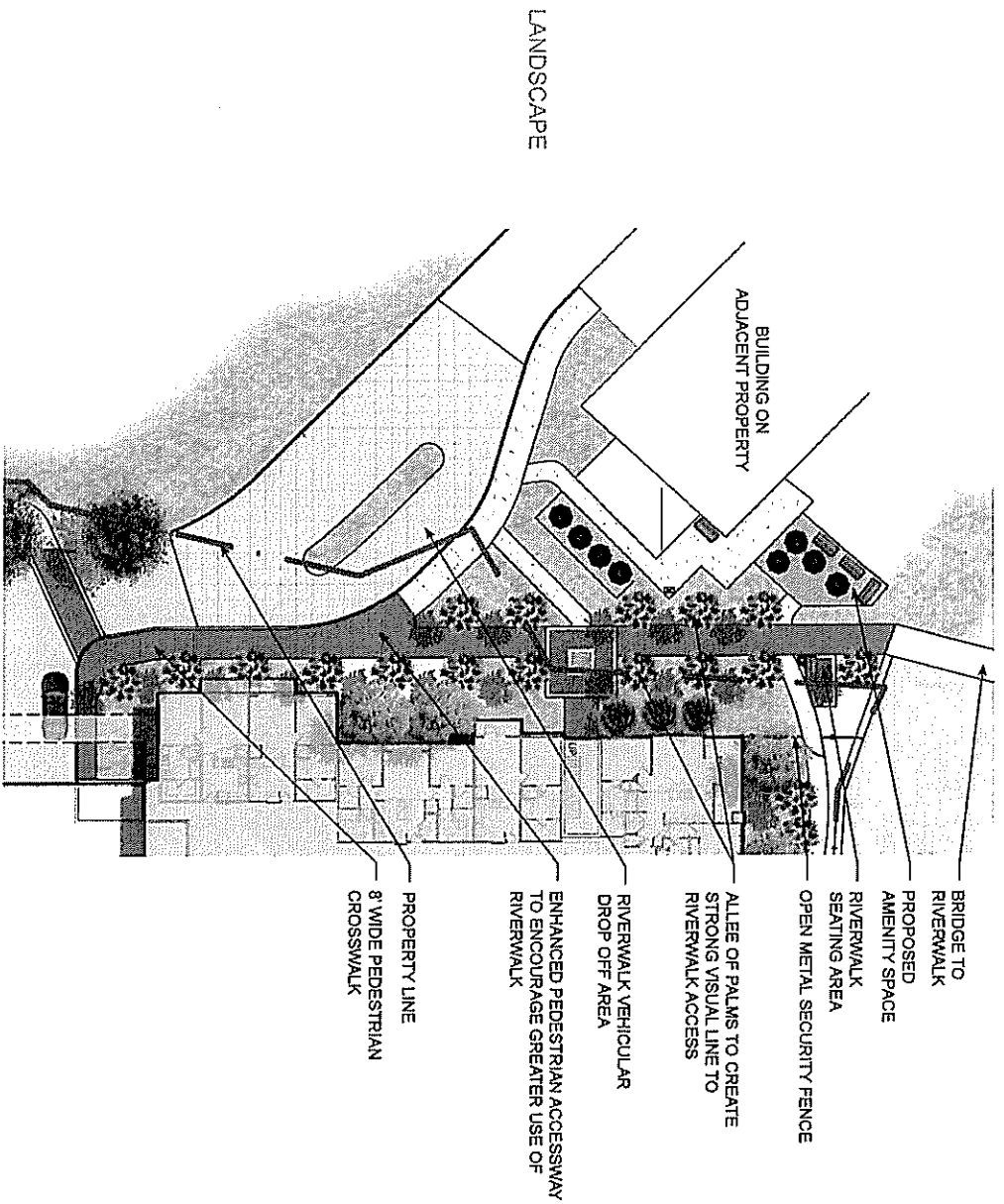
1. Real Estate Taxes for the current year and subsequent years.
2. Easement reserved to The City of Jacksonville in Ordinance FF 265, Section 4, also as referred to in instruments recorded in Official Records Volume 2474, page 752 and recorded in Official Records Volume 2474, page 755, of the current public records of Duval County, Florida.
3. Easement granted to The City of Jacksonville by instrument recorded in Official Records Volume 2443, page 218, of the current public records of Duval County, Florida.

JAXGIS Property Information

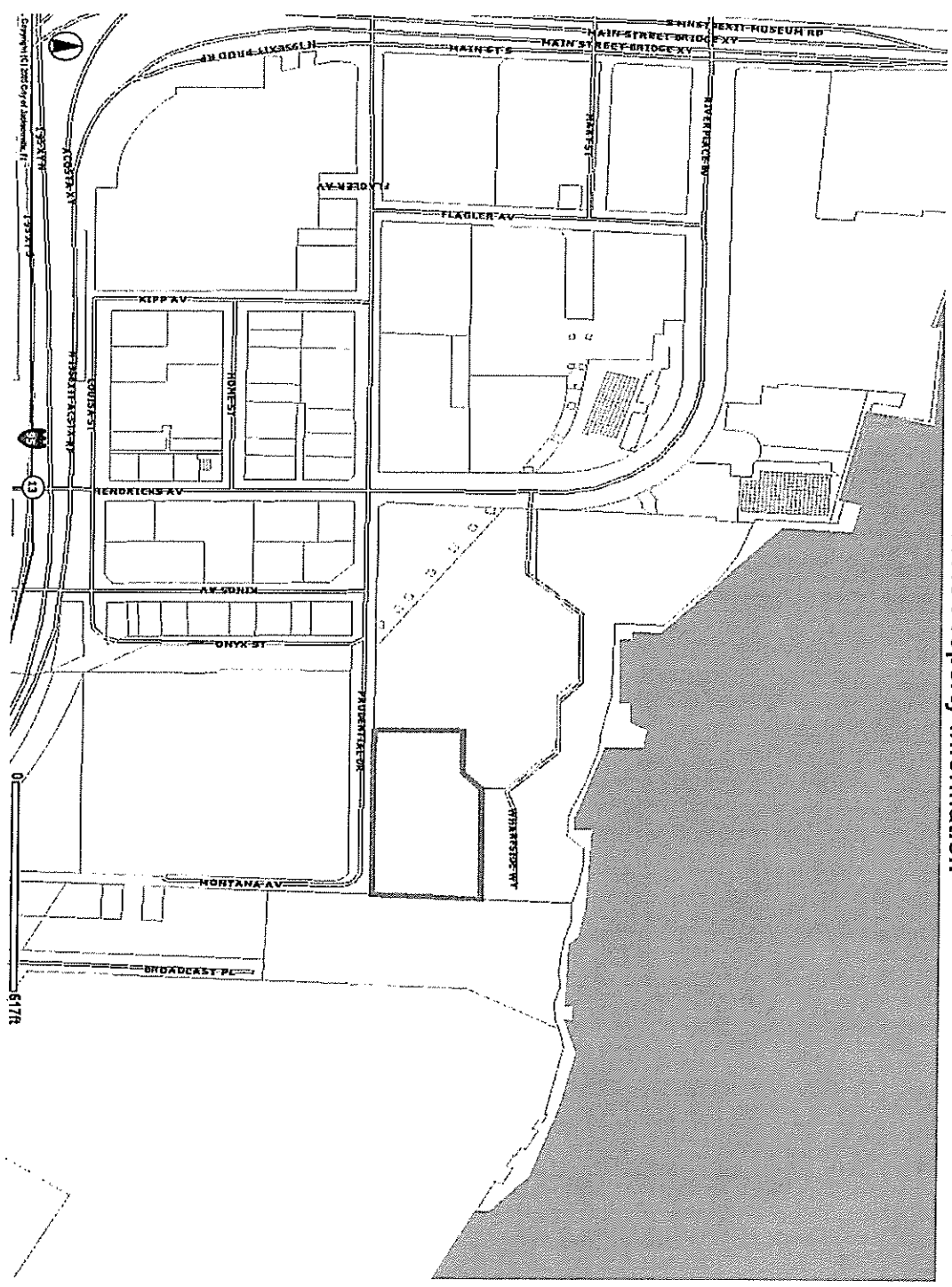


RE #	Name	Address	Transaction Price	Acres	Book-Page	Map pane	Legal Descriptions	Flood Zone	AshSite Zone	JEDC Zone	Ev Zc
080075 0000	RIVERWALK JACKSONVILLE DEVELOPMENT LLC	PRUDENTIAL DR JACKSONVILLE 32207	2100000	2.79	119940088956424		44-2S-26E 2.67 HENDRICKS GRANT PT RECD O/R 11994-889.	0.2 PCT ANNUAL CHANCE FLOOD HAZARD	Not in AshSite Zone	Not in EnterpriseZc	

ENHANCED RIVERWALK ACCESS SPACE



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0880075	0000RIVERWALK JACKSONVILLE DEVELOPMENT LLC	PRUDENTIAL DR JACKSONVILLE 32207	2,100,000	2.79	1199400889	6424	44-2S-26E HENDRICKS GRANT PT RECD O/R 11994-889.	0.2 PCT ANNUAL CHANCE FLOOD HAZARD	Not in AshSite Zone	Not in EnterpriseZC	

