

Exhibit D

SECOND AMENDED WRITTEN DESCRIPTION

Daily's – San Jose Boulevard PUD
RE# 148945-0050
March 16~~5~~, 2016

I. PROJECT DESCRIPTION

Applicant proposes to rezone approximately 5.20 acres of property from PUD (Ordinance 92-17) to PUD. The parcel is located on the east side of San Jose Boulevard south of Sunbeam Road.

The subject property is currently owned by First Coast Energy L.L.P. and is more particularly described in the legal description attached as Exhibit 1 to this application. The property has current land use and zoning designations of CGC/PUD. The property is currently developed for commercial uses. Surrounding uses include: CGC/CCG-2 to the south (commercial); CGC/CCG-1 and CCG-2 across San Jose Boulevard to the west (commercial); RPI/CRO to the east (offices) and CGC/CCG-1 to the north (commercial).

Project Name: Daily's – San Jose Boulevard

Project Architect/Planner: England-Thims & Miller

Project Engineer: England-Thims & Miller

Project Developer: First Coast Energy, L.L.P.

II. QUANTITATIVE DATA

Total Acreage: 5.20

Total number of dwelling units: N/A

Total amount of non-residential floor area: 54,300 s.f.

Total amount of recreation area: N/A

Total amount of open space: N/A

Total amount of public/private rights of way: N/A

Total amount of land coverage of all buildings and structures: 54,300 s.f.

Phase schedule of construction (include initiation dates and completion dates)

Initiation 1 year Completion 2 years

III. USES AND RESTRICTIONS

A. Permitted Uses:

1. Commercial retail sales and service establishments
2. Banks, including drive-thru tellers, savings and loan institutions, and similar uses
3. Professional and business offices, building trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses
4. Hotels and motels
5. Art galleries, museums, community centers, dance, art or music studios
6. Vocational, trade or business schools and similar uses
7. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4
8. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4
9. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant
10. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity
11. Express or parcel delivery offices and similar uses (but not freight or truck terminals)
12. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4
13. Personal property storage establishments meeting the performance development criteria set forth in Part 4
14. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses

15. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4
16. Churches, including a rectory or similar use
17. Wholesaling or distributorship businesses located within a retail shopping center (but not on an outparcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises
18. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display
19. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4
20. Car wash or auto laundry
21. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4
22. Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4

B. Permissible Uses by Exception:

1. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both
2. Service garages for minor or major repairs
3. Service and repair of general appliances and small engines

C. Limitations on Permitted or Permissible Uses by Exception:

All of the permitted and permissible uses by exception in the CCG-1 district are subject to the following provisions unless otherwise provided for:

1. Sale, service and display, preparation and storage shall be conducted within a completely enclosed building, unless otherwise provided.

D. Permitted Accessory Uses and Structures:

See §646.403

IV. STATEMENTS

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

The PUD limits uses available from usual Zoning Code application and adds two (2) uses allowed by exception. The PUD allows additional signage as set forth in Section (V)(C). The PUD allows for landscaping waiver on existing construction areas.

B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

All areas will be maintained by the owner.

V. DESIGN GUIDELINES

A. Lot Requirements:

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None
- (3) *Maximum lot coverage:* None
- (4) *Minimum front yard:* None
- (5) *Minimum side yard:* None. Where the lot is adjacent to a residential district, a minimum setback of 15 feet shall be provided.
- (6) *Minimum rear yard:* 10 feet
- (7) *Maximum height of structures:* 30 feet

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The site shall include a minimum of 163 parking spaces, inclusive of handicapped spaces..
- (2) *Vehicular Access.*
 - a. Vehicular access to the Property shall be by way of Sunbeam Road and San Jose Boulevard, substantially as shown in the Site Plan. The final location of all access

points is subject to the review and approval of the City's Traffic Engineer.

b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

b.c. The access from San Jose Boulevard shall continue unobstructed through the site.

(3) *Pedestrian Access.*

a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan. A sidewalk shall be provided from the rear parking area along the existing building to the building entrance as shown on the site plan. Pedestrian access shall be provided between the 71 parking spaces perpendicular to Sunbeam Road as shown on the site plan.

C. Signs.

Signage shall be allowed as shown on the signage plan (Exhibit J). The existing wall signs shall be vested; wall signage on the gas station/convenience store use shall be limited to a maximum 10% of wall area. The 200 foot distance requirement between monument signs on San Jose Boulevard shall be waived. Signage shall be permitted as follows:

- (1) Up to two (2) tenant monument signs with a total not to exceed 400 s.f. and 30 ft. in height on San Jose Boulevard frontage
- (2) Wall sign to replace existing wall sign for Bailey's and gymnastics up to 5% of the wall area of the existing building
- (3) Monument sign along Sunbeam Road not to exceed 225 s.f. and 30 ft. in height
- (4) Four (4) Shell pectin on canopy 16.15 s.f. each
- (5) Daily's pediment/wall sign 35.39 s.f.
- (6) Two (2) Dash wall signs 21.66 s.f. each
- (7) Carwash wall sign 23.61 s.f.

D. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code where the parcel fronts on San Jose Boulevard, except as limited by the site plan; however, compliance shall be waived for the pre-existing parking lots on the site. In the rear parking area, terminal ends and corners shall include landscaping.

E. Utilities:

Water will be provided by JEA.
Sanitary sewer will be provided by JEA.
Electric will be provided by JEA.

F. Recreation and Open Space

N/A.

G. Wetlands

Wetlands will be permitted according to local, state and federal requirements.

H. Buffer:

The existing ten (10) foot high solid wood fence along the east and southeast property line shall be maintained as described in Condition A to Ordinance 92-17-96.

I. Parking:

The parking area to the rear of the existing building (east portion of the site containing 76 parking spaces) shall be repaved, lined and lighted no later than the construction of the proposed 7,000 square foot retail building.

VI. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

A. Is more efficient than would be possible through strict application of the Zoning Code, as the site is partially developed. The creative siting will promote efficient use of previously developed areas;

B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area through use of infill consistent with surrounding development;

C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan by allowing for infill on existing development.