

## **STARLING OF MANDARIN PUD**

**Date: June 20, 2016**

**Current Zoning District: PUD**

**Current Land Use Designation: NC**

**Proposed Zoning District: PUD**

**RE #s: 148709-0000 & 148714-0000**

### **ALTERNATIVE A**

#### **I. *PROJECT DESCRIPTION***

The Starling of Mandarin PUD is intended to provide alternate uses for a 5.56 acre parcel of land located on San Jose Boulevard approximately 300 feet north of the intersection of Beauclerc Road with San Jose Boulevard. There currently exists on the site an existing Planned Unit Development for a commercial shopping center of approximately 45,000 square feet. The uses and restrictions in Alternate A are the same as previously approved by the City Council in Ordinance No. 2010-585. No changes are made in the conditions or written description of that approved Ordinance. The alternative to the retail center is a proposed 140 bed Assisted Living Facility. Only one of the two alternate uses will be developed.

#### **II. *USES AND RESTRICTIONS***

##### **A. Permitted uses and structures.**

1. Medical and dental or chiropractor offices and clinics (but not hospitals).
2. Professional and business offices.
3. Neighborhood retail sales and service establishments; however, no individual building footprint shall exceed 30,000 square feet.
4. Service establishments such as barber or beauty shops and shoe repair shops.
5. Restaurants without drive-in or drive-thru facilities.
6. Banks without drive-thru tellers and financial institutions, travel agencies and similar uses.
7. An establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption.
8. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
9. Art galleries, dance, art gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).

- B. Permitted accessory uses and structures. See Section 656.403, Jacksonville Zoning Code (May, 2011).
- C. Permissible uses by exception.
  - 1. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods.
  - 2. Drive-thru facilities in conjunction with banks and pharmacies only.
  - 3. Day care centers meeting the performance standards and development criteria set forth in Chapter 656, Part 4.
  - 4. An establishment or facility which includes the retail sale of beer and/or wine for on-premises consumption.
  - 5. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and criteria set forth in Chapter 656, Part 4.
  - 6. An establishment or facility which includes the retail sale of liquor for on-premises consumption in conjunction with a bona fide restaurant.
- D. Limitations on permitted or permissible uses by exception. All of the permitted or permissible uses by exception are subject to the following provisions unless otherwise provided for:
  - 1. Sale, display, preparation and storage shall be conducted within a completely enclosed building.
  - 2. Products shall be sold only at retail.
- E. Prohibited uses. The following uses are prohibited:
  - 1. Convenience stores.
  - 2. Tattoo parlors.
  - 3. Check-cashing establishments (but not included banks or credit unions).
  - 4. Pawn shops.
  - 5. "Adult entertainment or service facility," as defined in the Jacksonville Zoning Code, including but not limited to adult entertainment and adult novelties stores.
  - 6. Internet cafes.

### III. *DESIGN GUIDELINES*

- A. Lot requirements.
  - 1. Minimum lot area: None
  - 2. Minimum lot width: None
  - 3. Maximum lot coverage by buildings and structures: 100% per lot; however, the overall PUD shall have a maximum lot coverage by building and structures of 19%

4. Minimum front yard: 25 feet, as applied to the San Jose Boulevard frontage of the PUD site only
5. Minimum side yard: 10 feet
6. Minimum rear yard: 10 feet, as applied to the rear (east side) of the PUD site only
7. Maximum height of structures: 50 feet.

B. Ingress, Egress and Circulation.

1. Parking requirements
  - a. Business, commercial or personal service establishments and all other allowable uses not listed: minimum 3.0 spaces per 1,000 square feet of gross floor area; maximum 4.0 spaces per 1,000 square feet of gross floor area.
  - b. Restaurants: one space for each four seats in public rooms, plus one space for each two employees.
  - c. Office and professional uses: Minimum 3.0 spaces per 1,000 square feet of gross floor space; maximum 4.0 spaces per 1,000 square feet of gross floor space.
2. Vehicular Access. Access to the project will be provided by one driveway on San Jose Boulevard; however, additional access points connecting the property north of the project are allowed with the consent of the adjoining property owner, notwithstanding anything shown on the site plan to the contrary.
3. Pedestrian Access. The developer will comply with the applicable sidewalk regulations.

C. Signs.

1. Signage shall be allowed as follows below.
2. Shared Entrance Sign. One shared entrance monument sign having a maximum sign area of 100 square feet (per side) and 15 feet in height is allowed. Such entrance sign may be internally or externally illuminated and shall be at an approximately 90-degree angle to the San Jose Boulevard right-of-way.
3. Outparcel Signs. Outparcels having frontage on San Jose Boulevard may have one street frontage sign per lot not exceeding one-half (0.5) square foot for each linear foot of street frontage, per street, to a maximum size of twenty-four (24) square feet in area (per side) and six (6) feet in height; however, there shall be not more than two outparcel signs on San Jose Boulevard. Such signs may be internally or externally illuminated and shall be at an approximately 90 degree angle to the San Jose Boulevard right-of-way. Such signs shall be at least 150 feet from the shared entrance monument sign and at least 150 feet from each other.
4. Directional Sign. A directional sign having a sign area of up to four square feet (per side) may be placed adjacent to the project entrance.

5. Wall Signs. Wall signs are permitted on building walls within the PUD which face (i) San Jose Boulevard, or (ii) towards the interior of the PUD. Wall signs shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building. Such signs shall be externally illuminated.
6. Under Canopy Signs/Wall Blade Signs. One under-the-canopy sign/wall blade sign is permitted per occupant, for each side that the occupant has an exterior façade, each not exceeding maximum of fifteen (15) square feet per side. Provided, however, that any square footage used in an under-the-canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs, unless such sign is erected perpendicular to the building façade (i.e. a blade sign or projecting sign).
7. Awning Signs. One (1) awning sign is permitted per occupant, for each side that the occupant has an exterior façade. Awning graphics shall not exceed sixteen (16) square feet and maximum letter height of twenty (20) inches. However, any square footage used in an awning sign shall be subtracted from the allowable square footage that can be utilized for wall signs, unless such sign is erected perpendicular to the building façade (i.e. a blade sign or projecting sign).
8. Prohibited signs. Electronic changing message devices are prohibited.

D. Landscaping.

1. Uncomplimentary use buffer. The north boundary of the site is shared with the Beauclerc Bay Apartments. Should multi-family uses continue to exist at this site at the time of construction, then along this boundary, the applicant shall comply with the uncomplimentary land use buffer set forth in section 656.1216. Only emergency access shall be allowed at the rear of any building whose wall is within ten (10) feet of the northerly property boundary. Should the rear of a structure be constructed within 10 feet of the shared property boundary, the rear wall shall be architecturally finished (i.e. finished masonry, paint or stucco, not unfinished cement block). Structures whose rear walls are within ten (10) feet of the north boundary shall not exceed twenty-four (24) feet in height as measured within twenty-five (25) feet of the north boundary. No uncomplimentary use buffer is proposed for the east or south boundaries.
2. Perimeter landscaping adjacent to San Jose Boulevard. Perimeter landscaping meeting the requirements of Section 656.1215, Jacksonville Zoning Code, will be provided along the project's frontage on San Jose Boulevard and having an average width of at least fifteen (15) feet, except for the driveway.
3. Landscaping requirements for PUD as a whole. Compliance with the perimeter landscaping requirements and vehicular use area interior landscaping requirements in Chapter 656, Part 12 (August, 2010) shall be measured against the PUD as a whole, rather than against individual lots within the PUD. Should the Director of Planning and Development

determine at the time of verification of substantial compliance review that the landowner's exercise of this provision would result in landscaping for the site that is substantially less extensive than that which would be required if applied to individual lots, the Director may require exercise of this provision to be subject to review as a minor modification to this PUD.

4. Open Space. At least ten percent (10%) of the site will be passive open space, which may consist in part of stormwater pond area.
- E. Utilities. Utilities will be provided by JEA.
- F. Wetlands. Wetlands impacts and any required mitigation will be subject to permitting in accordance with the rules and regulations of the St. Johns River Water Management District and the U.S. Army Corps of Engineers. Any wetlands and wetlands buffers required to be conserved pursuant to the St. Johns River Water Management District environmental resource permit shall be placed in a conservation easement in favor of the St. Johns River Water Management District.
- G. Outdoor noise. There shall be no electronically amplified outdoor sound.

### **ALTERNATIVE B**

#### **I. *PROJECT DESCRIPTION***

- A. The project proposed by Alternate B is a 140 room Assisted Living Facility to be located on 5.56 acres.
- B. Project Name: Starling of Mandarin PUD
- C. Project Architect/Planner: ETM
- D. Project Engineer: ETM
- E. Project Developer: Ryland S. Lucie and William H. Long
- F. There will be no phasing of the project. Once the project commences, it will be constructed to completion. The commencement and completion dates are unknown, but if Alternate B is selected, the commencement will begin soon after final approval of the PUD.

#### **II. *USES AND RESTRICTIONS***

- A. Permitted uses and structures.
  1. Adult Congregate Living Facility, group care homes, and nursing homes not to exceed 140 rooms and not to exceed three (3) stories.

2. An establishment or facility which includes the retail sale of beer and/or wine for on-premises consumption.
  3. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and criteria set forth in Chapter 656, Part 4.
  4. An establishment or facility which includes the retail sale of liquor for on-premises consumption in conjunction with a bona fide restaurant.
- B. Permitted accessory uses and structures. None
- C. Permissible uses by exception. None.
- D. Limitations on permitted or permissible uses by exception. All of the permitted or permissible uses by exception are subject to the following provisions unless otherwise provided for:
1. Sale, display, preparation and storage shall be conducted within a completely enclosed building.
  2. Products shall be sold only at retail.
- E. Prohibited uses. The following uses are prohibited:
1. Convenience stores.
  2. Tattoo parlors.
  3. Check-cashing establishments (but not included banks or credit unions).
  4. Pawn shops.
  5. "Adult entertainment or service facility," as defined in the Jacksonville Zoning Code, including but not limited to adult entertainment and adult novelties stores.
  6. Internet cafes.

### III. *DESIGN GUIDELINES*

- A. Lot requirements
1. Minimum lot area: None
  2. Minimum lot width: None
  3. Maximum lot coverage by buildings and structures: 100% per lot; however, the overall PUD shall have a maximum lot coverage by building and structures of 28.7%
  4. Minimum front yard: 25 feet, as applied to the San Jose Boulevard frontage of the PUD site only
  5. Minimum side yard: 10 feet
  6. Minimum rear yard: 10 feet, as applied to the rear (east side) of the PUD site only
  7. Maximum height of structures: 50 feet.

B. Ingress, Egress and Circulation

1. Parking requirements. Per §656.401(e)(6) and substantially as shown on the site plan.
2. Vehicular Access. Access to the project will be provided by one driveway on San Jose Boulevard; however, additional access points connecting the property north of the project are allowed with the consent of the adjoining property owner, notwithstanding anything shown on the site plan to the contrary.
3. Pedestrian Access. The developer will comply with the applicable sidewalk regulations.

C. Signs.

1. Signage shall be allowed as follows below.
2. Shared Entrance Sign. One entrance monument sign having a maximum sign area of 100 square feet (per side) and 15 feet in height is allowed. Such entrance sign may be internally or externally illuminated and shall be an approximately 90 degree angle to the San Jose Boulevard right-of-way.
3. Directional Sign. Directional signs having a sign area of up to four square feet (per side) may be placed adjacent to the project entrance and at locations around the facility to direct traffic.
4. Wall Signs. Wall signs are permitted on building walls within the PUD which face (i) San Jose Boulevard, or (ii) towards the interior of the PUD. Wall signs shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building. Such signs shall be externally illuminated.

D. Landscaping.

1. Uncomplimentary use buffer. The north boundary of the site is shared with the Beauclerc Bay Apartments. Should multi-family uses continue to exist at this site at the time of construction, then along this boundary, the applicant shall comply with the uncomplimentary land use buffer set forth in section 656.1216. Only emergency access shall be allowed at the rear of any building whose wall is within ten (10) feet of the northerly property boundary. Should the rear of a structure be constructed within 10 feet of the shared property boundary, the rear wall shall be architecturally finished (i.e. finished masonry, paint or stucco, not unfinished cement block). Structures whose rear walls are within ten (10) feet of the north boundary shall not exceed twenty-four (24) feet in height as measured within twenty-five (25) feet of the north boundary. No uncomplimentary use buffer is proposed for the east or south boundaries.
2. Perimeter landscaping adjacent to San Jose Boulevard. Perimeter landscaping meeting the requirements of Section 656.1215, Jacksonville

Zoning Code, will be provided along the project's frontage on San Jose Boulevard and having an average width of at least fifteen (15) feet, except for the driveway.

3. Landscaping requirements for PUD as a whole. Compliance with the perimeter landscaping requirements and vehicular use area interior landscaping requirements in Chapter 656, Part 12 (August, 2010) shall be measured against the PUD as a whole, rather than against individual lots within the PUD. Should the Director of Planning and Development determine at the time of verification of substantial compliance review that the landowner's exercise of this provision would result in landscaping for the site that is substantially less extensive than that which would be required if applied to individual lots, the Director may require exercise of this provision to be subject to review as a minor modification to this PUD.
- E. Open Space. At least fifty percent (50%) of the site will be passive open space, which may consist in part of stormwater pond area.
  - F. Utilities. Utilities will be provided by JEA.
  - G. Wetlands. Wetlands impacts and any required mitigation will be subject to permitting in accordance with the rules and regulations of the St. Johns River Water Management District and the U.S. Army Corps of Engineers. Any wetlands and wetlands buffers required to be conserved pursuant to the St. Johns River Water Management District environmental resource permit shall be placed in a conservation easement in favor of the St. Johns River Water Management District.
  - H. Outdoor noise. There shall be no electronically amplified outdoor sound.

#### IV. *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. In the event of a conflict between the site plan and this Written Description, this Written Description shall take precedence. Any modifications to the site plan shall be processed pursuant to §656.341 as a minor modification.



V. *PUD REVIEW CRITERIA*

- A. Consistency with Comprehensive Plan. The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan (the “Comprehensive Plan”) and land use regulations and specifically contributes to:
1. Policy 1.1.22 of the Future Land Use Element (“FLUE”) of the Comprehensive Plan - Future development orders, development permits and plan amendments shall maintain compact and compatible land use pattern, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
  2. Policy 3.2.1 of the FLUE - The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.
  3. Policy 3.2.6 of the FLUE 3.2.6 - The City shall encourage neighborhood commercial uses to be located in nodes at the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for non-residential traffic. The subject site is the closest site to the intersection of San Jose Boulevard and Beauclerc Road (a collector) road that is currently developable. It is approximately 300 feet from this intersection. It will not encourage the use of local streets for non-residential traffic, in that it is situated directly on San Jose Boulevard, a minor arterial road.
- B. Consistency with the Concurrency Management System. The property will be developed in accordance with the applicable rules of the City of Jacksonville’s Concurrency Management System Office.
- C. Allocation of Residential Land Use. No residential uses are proposed as part of this application.
- D. Internal Compatibility/Vehicular Access. The uses proposed within the project are compatible with each other. The uses described in the application are either allowed by right or by exception in the standard Commercial Neighborhood (CN) zoning district.

- E. External Compatibility/Intensity of Development. The proposed project is consistent with the existing and planned uses of the surrounding properties and will not have any avoidable or undue adverse impact on existing or planned surrounding uses. The compatibility of the project with the multi-family project to the north is addressed through the section above entitled “Uncomplimentary use buffer”.
- F. Recreation/Open Space. 5% recreation area is proposed as part of this project. At least fifty percent (50%) of the project will be open space, which would include any areas used for retention and wetlands.
- G. Impact on Wetlands. All wetlands impacts will be mitigation, either through perseveration of nearby properties or through mitigation provided offsite. Federal, state and local policies, including Comprehensive Plan Conservation/Coastal Element Policy 4.3.3 recognize the “no net loss” requirement for wetlands impacts.
- H. Listed Species Regulations. Development of the project will comply with the Endangered Species Act and other laws concerning the protection of listed species.
- I. Off-Street Parking & Loading Requirements. See the parking requirements proposed above.
- J. Sidewalks, Trails and Bikeways. A sidewalk currently exists on the west side of San Jose Boulevard. There is no sidewalk on the east side of San Jose boulevard at this location, nor on the adjacent properties to the north or south.
- K. Stormwater Retention. Stormwater treatment facilities will be designed and installed in accordance with the rules of the St. Johns River Water Management District. The current design calls for location of a retention pond on the eastern portion of the project. However, the use of stormwater vaults or other underground or alternative designs permitted by the St. Johns river Water Management District area allowed uses under this PUD. In the event use of a vault or other alternative systems reduces the need for a stormwater pond or its size, the site of the pond shown on the Site Plan may be instead used for parking or loading areas, subject to final site plan review by the Planning and Development Department.
- L. Utilities. Utilities will be provided by JEA.

VI. *STATEMENTS*

- A. How does the proposed PUD differ from the usual application of the Zoning Code? The proposed PUD differs from the usual application of the provisions of the Zoning Code, in that the Assisted Living Facility use is allowed by PUD only in the Neighborhood Commercial designation. The use is allowable, however, as a secondary use, in that the site is less than 300 feet from the intersection of State Road 13 and Beauclerc Road. The usual application of the Zoning Code would not allow this less intense use.
  
- 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. The intention for the operation and maintenance of facilities will be with the land owner. There will be no common area maintenance or any areas to be operated or maintained by the City on the lands described in the PUD.