

## **EXHIBIT “D”**

### **St. Johns Village Center PUD Amendment**

**September 19, 2016**

**RE #s: 092703-0000 & 092941-0000**

**Current Land Use Designation: CGC/HDR**

**Current Zoning District: PUD**

**Proposed Zoning District: PUD**

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

CRP/Chance Jacksonville Owner, L.L.C. and CRP/Chance Jacksonville Owner II, LLC (the “Applicant”) proposes to rezone approximately 5.78± acres of property located at 3946 and 4000 St. Johns Avenue from Planned Unit Development (“PUD”) to PUD. The property is bounded on the south and southeast by Fishweir Creek and Little Fishweir Creek, on the northeast by DuPont Circle, on the north by St. Johns Avenue, and on the west by Herschel Street. The property is more particularly described by the legal description attached hereto as **Exhibit “1”** (the “Property”). As described below, the PUD zoning district is being sought to provide for a redevelopment of the Property for multifamily residential uses and recreational uses.

The Property is currently developed as two separate parcels. The parcel to the east (RE # 092703-0000) is developed with the Commander apartments (the “Commander Parcel”). The parcel to the west (RE # 092941-0000) is developed with the St. Johns Village shopping center which has a mix of retail, restaurant and office uses (the “Village Parcel”). The Commander apartments were constructed in the early 1960’s, and the St. Johns Village shopping center was constructed in the 1980’s. The Property was rezoned in 2006 (Ordinance 2005-1330-E) and again in 2014 (Ordinance 2013-342-E), both times to a PUD which would permit redevelopment as mixed use projects consisting of a variety of multifamily and commercial uses. Neither redevelopment ever commenced. The transformation of nearby parts of Avondale to commercial and restaurant uses, the continued uses of adjoining areas to the northeast as residential, the increasing need and market for multifamily uses in Riverside/Avondale and the location of the Property on Fishweir Creek have prompted the Applicant to re-evaluate the use of the Property. Responding to recent trends, the Applicant proposes a multi-family residential development and recreational uses that will avoid exacerbating commercial and parking pressures in the Avondale area, provide new customers within walking distance to existing commercial uses, and be compatible with the residential uses to the northeast while taking full advantage of the waterfront location.

The Property lies within the CGC and HDR land use categories on the Future Land Use Map of the Comprehensive Plan and is designated as an Urban Development Area. The Property is currently zoned PUD and is in the “Commercial Character Area” of the Riverside/Avondale Zoning Overlay which provides that the predominant uses in the area shall be a mix of commercial, office and multi-family residential uses compatible with existing residential neighborhoods.

As shown on the Conceptual Site Plan attached as **Exhibit “E”** (“Site Plan”), the St. Johns PUD Amendment includes renovation of the Commander apartments on the Commander Parcel and demolition of the existing commercial shopping center to be replaced by new multifamily uses and structures and a parking garage on the Village Parcel.

**II. SITE SPECIFICS**

The Property is currently developed as described above, with the Commander apartments and the St. Johns Village Shopping Center.

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

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	LDR	RLD-60	Fishweir Creek & Single Family Residential
East	LDR	RLD-60	Single Family Residential & Vacant
North	CGC, MDR & LDR	CCG-1, RMD-B & RLD-60	Retail, Office, Parking Lot & Single Family Residential
West	CGC, PBF & LDR	CCG-1, PBF-1 & RLD-60	Warehouse/storage, Office, Retail, School & Single Family Residential

**III. CURRENT PUD**

The current PUD (Ordinance 2013-342-E) proposed the demolition of the Commander apartments and St. Johns Village shopping center, to be replaced by three residential structures with up to 250 units, 10,000 square feet of commercial space and a 112,000 square foot parking garage.

**IV. PUD DEVELOPMENT CRITERIA**

**A. Permitted Uses and Structures.** As shown on the Site Plan, the PUD proposes the renovation of the Commander apartments and the development of additional multifamily apartment buildings and recreational areas. **The total number of apartment units will not exceed 228**, an 8.8% decrease in density from the current PUD. The existing multifamily structures and uses on the Commander Parcel may continue. The existing commercial and office structures and uses on the Village Parcel may continue until the buildings are demolished.

**B. Permitted Uses.**

1. Rental apartments; condominiums.
2. Leasing/sales/management offices, models, and similar uses.
3. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.
4. Parks, open space, playgrounds, playfields, fire pit/gathering areas, observation and shade pavilions, dog parks, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, noncommercial greenhouses and plant nurseries, tool houses, garden sheds, garden work centers, ponds, observation platforms, benches, picnic areas, shelters and informational kiosks, informational signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses and structures designed for and used for recreational/open spaces.
5. On the Commander Parcel: Docks, piers, over-water walkways or promenades, boardwalks, kayak/boat launches, kayak/boat slips, kayak/boat shelters, bulkheads, pilings, and similar facilities.
6. Mail center.
7. Car wash (self) area for residents.
8. Structured parking including, but not limited to, parking garages (not to exceed two elevated levels), underbuilding parking, covered parking spaces and parking lots.
9. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.
10. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.
11. Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.
12. Existing rooftop antennas on the Commander apartments structure; new rooftop antennas subject to the provisions of Part 15 of the Zoning Code.
13. Essential services, including water, sewer, gas, telephone, radio, cable, television, and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

**C. Permissible Uses by Exception**

1. All permissible uses by exception in the Commercial, Residential and Office (CRO) zoning district pursuant to Section 656.311(A)(III)(d), Zoning Code.

**D. Permitted Accessory Uses and Structures.**

1. Retail sales of convenience goods, vending machine facilities, laundromats, personal and professional service establishments, day care centers with fewer than 15 children or adults and similar uses are permitted within the residential structures or amenity/recreation centers; provided, however, that these uses and associated facilities shall be designed and scaled to meet only the requirements of the occupants of the PUD and their guests with no signs or other external evidence of the existence of these establishments visible from off-site.
2. 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.

**E. Development Criteria.**

1. *Minimum lot requirement (width and area).* None.
2. *Maximum lot coverage by all buildings.* Fifty (50) percent.
3. *Minimum Yard Requirements and Building Setbacks.*
  - a. St. Johns Avenue/Herschel Street frontage – For residential units, six (6) feet; for all other structures, ten (10) feet. Stoops and covered entrances for the carriage home and townhome residential units may encroach into front yards but shall be a minimum distance of three (3) feet from the property boundary.
  - b. Side – None; provided, however, that existing building setback between the Commander apartments structures and the wall along the boundary of the Property with residences on DuPont Circle shall remain the existing minimum twenty feet (20’).
  - c. Fishweir Creek and Little Fishweir Creek frontage – Eight (8) feet; provided, however, that encroachments by uses set forth in Section IV.B.4, 5, 10, 11, and 13 above and balconies shall be permitted within the Fishweir Creek and Little Fishweir Creek frontage yard/setback.
4. *Maximum height of structure.*

- a. The Commander Parcel: existing, 16 stories and approximately 165 feet, including mechanical/stairwell room.
  - b. The Village Parcel:
    - (i) For the multifamily structures fronting St. Johns Avenue to the north: thirty (30) feet.
    - (ii) For the parking garage: thirty (30) feet at St. Johns Avenue frontage; thirty-five (35) feet at Fishweir Creek frontage.
    - (iii) For the multifamily structures abutting Herschel Street to the west and fronting Fishweir Creek/Little Fishweir Creek to the south: sixty (60) feet.
  - c. Spires, belfries, cupolas, chimneys, and architectural accent elements that are not intended for human occupancy shall not count towards height measurement.
5. Development criteria for permissible uses by exception in the CRO zoning district shall be those provided in the CRO zoning district pursuant to Section 656.311(A)(III)(e)-(i).

**F. Overall Development Criteria.**

- 1. *Access.* As shown on the Site Plan, access to the Property will be available via two access points located along St. Johns Avenue. Interior access drives will be privately owned and maintained by the owner and/or an owners' association and/or a management company and may be gated. The location and design of all access points and interior access drives is conceptual, and the final location and design of all access points and interior access drives is subject to the review and approval of the City Traffic Engineer and the City Planning and Development Department.
- 2. *Pedestrian Circulation.* Sidewalks shall be provided as required in the Comprehensive Plan. Additionally, with regard to external sidewalks, the Applicant will comply with the requirements of Section 656.399.29(3), Zoning Code. The location of any internal pedestrian circulation connecting the sidewalk on St. Johns Avenue to internal parking, recreational areas, etc., shall be subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- 3. *Recreational/Open Space.*
  - a. Pursuant to Section 656.399.33, Ordinance Code, attached residential buildings with ten (10) units or greater require a minimum of fifty (50) square feet of public space per unit. Excluding the carriage home and townhome buildings on St. Johns

Avenue, which have two (2) units in each building [eight (8) units in total], the proposed 220 units in buildings with ten (10) units or greater require a minimum of approximately 0.2525 acres of publicly viewable space, which will be provided within the open spaces publicly viewable from St. Johns Avenue and Herschel Street.

- b. Pursuant to the Comprehensive Plan, active recreational amenities shall be provided at a minimum of 150 square feet per residential unit cumulatively throughout the PUD; accordingly, the proposed 228 units require approximately 0.785 acres of active recreational amenities. A minimum of 0.785 acres of active recreational amenities shall be provided, which may include the permitted uses listed in Section IV.B.3.-5. above.

4. *Parking and Loading Requirements.* Parking will be provided at a minimum of 1.39 parking spaces per dwelling unit. The PUD permits a mix of: parking garage, underbuilding parking, covered parking spaces and parking lots. Approximately thirty-five percent (35%) of the parking spaces may be compact spaces. No loading spaces are needed or will be provided. The PUD also permits tandem parking spaces in conjunction with the attached garage parking connected to or under the multifamily residential buildings. The tandem parking spaces may not encroach on sidewalks. Parking shall comply with Section 656.399.30, Zoning Code, where applicable.

In between the carriage home buildings along St. Johns Avenue, a knee wall not to exceed three (3') feet tall and landscaping consistent with Section 656.399.29(9), Zoning Code, including perimeter landscape buffers averaging ten (10) feet in width, shall be provided. To preserve existing trees, portions of the knee wall may be omitted, subject to the review and approval of the Planning and Development Department.

The parking garage shall not exceed two elevated levels and will be fully screened from public view along the St. Johns Avenue frontage by the townhome residential units, vegetation, and a "Green Screen" (trellis, lattice, or mesh with vegetation) as shown on the illustrative Street Elevation attached hereto as **Exhibit "J"** and from Fishweir Creek by the Green Screen and existing creekfront vegetation as shown on the illustrative Fishweir Creek View attached hereto as **Exhibit "K."** The parking garage also shall be designed to prevent headlights from parked cars using the garage from shining onto adjacent properties.

Parking for permissible uses by exception in the CRO zoning district shall be those provided for such uses pursuant to Part 6 (Off-Street Parking) and Part 3, Sub-part O (Riverside/Avondale Zoning Overlay) of the Zoning Code.

5. *Signage.*

- a. The PUD permits up to two (2) double-faced or four (4) single-faced externally illuminated monument parcel identification sign(s), not to exceed thirty-two (32) square feet in area per sign face (not including the structure on which the sign face is mounted) and five feet (5') in height, at the two entrances to the development. Internally illuminated signage is prohibited.
- b. Wall signs are permitted. Wall signs shall be clearly integrated with the architecture of the building and shall be consistent in design and materials with the architecture of the building. Two (2) wall signs not exceeding thirty-two (32) square feet in area shall be permitted on each building.
- c. Under canopy signs are permitted. One (1) under the canopy sign per accessory use is permitted not exceeding a maximum of twenty (20) square feet in area per sign; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs on the building in question.
- d. Directional signs indicating major structures, common areas such as parking and recreational uses, various building entries, etc. are permitted. The design of these signs should reflect the character of the use identity signs and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of four (4) square feet in area per sign face. For pedestrian directional signage, such as "informational side walk kiosks" 1, 2, 3 or 4 sided (or cylindrical), such signs shall be a maximum of twenty (20) square feet per side and a maximum of twelve feet (12') in height. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.
- e. Temporary signs such as real estate signs, leasing signs, model units and construction signs are permitted. Temporary signs shall be limited to twenty-four (24) square feet in area per sign face.
- f. As between the Commander Parcel and the Village Parcel, the purpose of these sign standards is to establish a coordinated signage program that provides for the identification of the project, uses, and for directional communication in a distinctive and aesthetically pleasing manner. A coordinated system of identification, directional, and vehicular control signage will be provided for all common areas and road right-of-way. The PUD identity and uses on the parcels may be identified on signs within

the PUD without regard to property ownership boundaries and uses among the parcels and without regard to parcel location or frontage.

- g. 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.
- h. Signage for permissible uses by exception in the CRO zoning district shall be those provided for such uses pursuant to Part 13 (Sign Regulations) and Part 3, Sub-part O (Riverside/Avondale Zoning Overlay) of the Zoning Code.

6. *Landscaping.*

- a. Landscaping shall comply with the requirements of Part 12 of the Zoning Code. As between the Commander Parcel and the Village Parcel, for individual uses on a parcel, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries which may exist among individual parcels and uses.
- b. The parking garage shall not be deemed to be a vehicular use area for purposes of the Landscape and Tree Protection Regulations. As described above, the parking garage will be screened from St. Johns Avenue with the townhome residential units, vegetation, and Green Screen as depicted in Exhibit “J” and from Fishweir Creek by the Green Screen and existing creekfront vegetation as depicted in Exhibit “K.”
- c. There is an existing approximately six (6) foot tall block wall which runs along portions of the boundary separating the Commander Parcel and the adjacent homes on Dupont Circle. Simultaneous with the renovation of the Commander apartments structure: the block wall shall be extended east along the southern boundary of the residential parcel at 3928 Dupont Circle from the current terminus of the block wall to as close to Little Fishweir Creek as practically possible (replacing the existing chain link fence); the block wall shall be extended west along the southern boundary of the residential parcel at 3932 Dupont Circle (replacing



the existing chain link fence); the concrete lattice strip of the existing sections of the block wall along the southern boundary of these parcels shall be filled-in/rendered opaque; along the top of the existing and proposed sections of the block wall at the southern boundary of these parcels, an additional decorative and opaque extension [minimum one (1) foot in height] shall be added to the wall to provide additional privacy and screening; and along the western boundary with the residential parcel at 3932 Dupont Circle, the block wall shall be extended or an otherwise appropriate six (6) foot visual screen of a fence and/or landscaping shall be installed (replacing the existing chain link fence) north to the proposed green space adjacent to St. Johns Avenue.

- d. Street trees shall be provided along the street frontage in accordance with Section 656.399.32(b) of the Zoning Code and such trees shall be canopy trees and reach a minimum of forty (40) feet in height, subject to JEA restrictions as to powerlines, at maturity in order to provide shade for pedestrians.

7. *Architectural Design.*

- a. The development shall meet the requirements of Section 656.399.34, Zoning Code. The Planning and Development Department shall review the development for compliance with Section 656.399.34, Zoning Code, during the review of plans for PUD compliance and during the “ten-set” review of construction plans. Notwithstanding the foregoing, in no event shall Applicant be required to submit to the jurisdiction of the Jacksonville Historic Preservation Commission or the Certificate of Appropriateness review process. Applicant shall provide Riverside Avondale Preservation (RAP) with site plans, architectural plans and elevations simultaneous with submittal to the Planning and Development Department.
- b. Consistent with Section 656.399.29(5), Zoning Code, dumpsters, propane tanks, recycling receptacles, 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.
- c. Any and all mechanical equipment and rooftop appurtenances, including but not limited to HVAC units, vents, wireless communication facilities, antennas, and satellite dishes, shall not be visible from street level and shall comply with Section 656.399.29(5), (6) & (7), Zoning Code.

8. *Lighting.* Lighting within the PUD, including lighting on the top level of the parking garage, shall be designed and installed to direct and localize illumination onto the Property and shall be screened, baffled, or otherwise designed to minimize unreasonable interference or impact on adjacent residential uses consistent with Section 656.399.34(8), Zoning Code. The design of the light fixtures shall be architecturally compatible with the Historic Preservation Guidelines for the Riverside/Avondale Historic District as set forth in Chapter 307, Ordinance Code.
9. *Stormwater Retention.* Stormwater facilities will be provided in accordance with all applicable regulations.
10. *Utilities.* Electric utility, water and sewer services will be provided by the JEA and shall be placed underground, except for transformers, switch gear, back-flow preventers, etc. which may be placed within landscaped buffers.
11. *Maintenance of Common Areas and Infrastructure.* The common areas and infrastructure will be maintained by the owner and/or a management company. For all other uses, the common areas and infrastructure will be maintained by the owner and/or an owners' association and/or a management company.
12. *Temporary Uses.* On-site, temporary construction offices/trailers/model units/rental or sales offices are permitted. Real estate rental or sales activities are permitted within model units. Associated parking for rental or sales activities is permitted adjacent to model units.
13. *Other provisions for CRO Uses by Exception.* To the extent not addressed in this PUD, provisions in the Zoning Code applicable to permissible uses by exception in the CRO zoning district shall apply to such uses in this PUD.
14. *Construction.* To minimize adverse construction impacts on adjacent residences during the construction process, construction activities on the Property shall be governed as follows: (a) construction workers shall be prohibited from and instructed not to park in any adjacent neighborhood and provided with appropriate routes from U.S. 17 to San Juan Avenue to Herschel Street; (b) construction work shall be limited to the hours of 7:30 a.m. to 7:30 p.m.; (c) a pest control company shall be engaged to address rodent control during demolition and renovation of any existing buildings; and (d) the Applicant shall provide RAP with: (i) a designated contact person for any and all construction-related issues who will serve as a liaison to a committee of neighborhood residents, such committee to be convened prior to commencement of construction; (ii) quarterly construction updates, as well as notice of any and all anticipated unusual construction disturbances; and (iii) if at any time during construction there

is not enough parking available on-site for construction workers, an off-site location that will not have adverse impacts on the neighborhood will be chosen and workers will be transported to and from said site by the contractor.

15. *Modifications.*
  - a. 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. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.
  - b. The Applicant shall notify RAP by first class U.S. mail and by e-mail at least ten (10) days prior to seeking either an administrative modification or minor modification to the approved PUD. Upon filing any modification, the Applicant shall concurrently notify both RAP and the district City Councilmember via the means specified above with a copy of said filing and all related revised plans.
16. *Conceptual Site Plan.* The configuration of the development as depicted in the Site Plan is conceptual, and revisions to the Site Plan, including but not limited to the locations and configuration of the access points, internal circulation, parking, Village Parcel buildings may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.
17. *Floridan Aquifer.* Development within the PUD shall comply with Section 752.104, Ordinance Code, as applicable.
18. *Pre-application conference.* A pre-application conference was held regarding this application on June 29, 2016.
19. *Justification for the PUD Rezoning.* As described above, the St. Johns Village PUD Amendment is being requested to permit the redevelopment of the Property as a multi-family community which will serve as infill redevelopment of the site. The Property is currently zoned PUD pursuant to Ordinance 2013-342-E, which proposed the demolition of the Commander apartments, the construction of up to 250 new multifamily residential units in three buildings, 10,000 square feet of commercial space and a 112,000 square foot parking garage. The proposed PUD includes the renovation of the Commander apartments, the construction of a new apartment building not to exceed 228 units, and the construction of a

parking garage. The proposed use represents a less intense use of the Property and a transition from the more intense commercial uses located west and north of the Herschel Street and St. Johns Avenue node and the single family residential uses located on DuPont Circle and further north on St. Johns Avenue. Use of the Property for the proposed multifamily development is consistent with the intent and purpose of the HDR land use category, the 2030 Comprehensive Plan, the Urban Priority Area, the Riverside/Avondale Overlay Zone and the surrounding zoning and existing uses. The PUD provides for flexibility in the site design that could otherwise not be accomplished through conventional zoning.

20. *PUD/Difference from Usual Application of the Zoning Code.* The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to this Written Description dated September 19, 2016 and the Conceptual Site Plan dated August 29, 2016; it provides a common scheme of development which is consistent and compatible both internally and with the existing residential uses immediately adjacent to the site; it provides for site-specific access requirements; it provides for site-specific landscaping; it provides for extensive site-specific architectural requirements; and it provides for site-specific signage requirements. Please see the table provided below for a specific listing of the differences between the proposed PUD, the current PUD, and the provisions of the Zoning Code.
21. *Approximate Dates of Phases.* Regarding phasing, demolition of the commercial/retail shopping center and construction of the horizontal improvements on the Property shall be initiated in approximately 2016-17 and be completed approximately in 2017-19. Renovation of the Commander apartments shall be initiated in approximately 2016-17. Construction of the new multi-family residential units will be initiated when the market dictates and will be completed as the market dictates.
22. Names of Development Team.  
  
Owners: CRP/Chance Jacksonville Owner, LLC and CRP/Chance Jacksonville Owner, II, LLC  
  
Planners and Engineers: Kimley-Horn and Associates, Inc.  
  
Architects: Davis Architects, Inc.  
  
Landscape Architect: Pittman Landscape Architecture
23. *Land Use Table.* A Land Use Table is attached hereto as **Exhibit “F.”**

**V. PUD REVIEW CRITERIA**

- A. Consistency with Comprehensive Plan:** The Property is located within the CGC and HDR functional land use categories according to the Future Land Use Map of the 2030 Comprehensive Plan and is in the Urban Area.

A companion Future Land Use Map amendment has been filed which changes the land use category on the Village Parcel from CGC to HDR and CSV.

Currently, the Property is 5.78 acres; the CGC land area within the Property is 3.26 acres; and the HDR land use area within the Property is 2.52 acres. Of the maximum number of units proposed in the PUD (228 units), 140 units are proposed to be located on the Village Parcel in the proposed HDR land use area and 88 units are proposed to be located on the Commander Parcel in the existing HDR land use area. Accordingly, the densities proposed in the PUD are consistent with the HDR density in the Urban Area (60 units/acre).

A portion of the current CGC land area lies within the Coastal High Hazard Area (CHHA). That portion is proposed to be changed to the Conservation (CSV) land use category.

Also, accompanying the above-described Future Land Use Map amendment, site specific text amendments have been filed to limit the number of residential units and to address certain HDR requirements so as to permit residential uses as the sole use and residential uses to be permitted on the ground floor.

The proposed development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained therein, including:

FLUE Policy 1.1.8: Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

FLUE Policy 1.1.9: Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

FLUE Policy 1.1.12: Promote the use of Planned Unit Developments (PUDs), cluster developments, 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 1.1.16: Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through: 1. Creation of like uses; 2. Creation of complementary uses; 3. Enhancement of transportation connections; 4. Use of noise, odor, vibration and visual/ aesthetic controls; and/or 5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

FLUE Policy 1.1.17: Require public and private infrastructure facilities to be located and designed in a manner that complements surrounding development.

FLUE Policy 1.1.22: Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, 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.

FLUE Policy 2.2.8: Encourage the redevelopment and revitalization of run-down and/or under-utilized commercial areas through a combination of regulatory techniques, incentives and land use planning. Adopt redevelopment and revitalization strategies and incentives for private reinvestment in under-utilized residential and/or commercial areas where adequate infrastructure to support redevelopment exists.

FLUE Policy 3.2.2: The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

**B. Roadways / Consistency with the Concurrency Management System:** Confirmation of vesting, Mobility Fee Calculation Certificates, or CCASs/CRCs have been filed or will be filed, as applicable, for the proposed development within the PUD.

**C. Allocation of Residential Land Use:** The Applicant proposes to construct 228 multifamily units consistent with the gross cumulative density within the HDR land use category.

The proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for the 2030 Comprehensive Plan's Future Land Use Element.

**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 St. Johns Avenue. Internal access will be provided by driveways or 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 buildings will be located as shown on the Site Plan and will be separated from vehicular use areas by sidewalks, a knee wall, and landscaping.

- E. External Compatibility / Intensity of Development:** The proposed development is consistent and comparable with the planned and permitted development in the area. The Commander apartments have existed in harmony with the surrounding uses since the early 1960's. The new apartments will be separated from adjacent development by the streetfront improvements, existing/extended block wall and screen, and Fishweir Creek. The new parking garage will be screened by the townhome residential units, landscaping, and Green Screen as described above.

The Property is located in a developed area with a mix of multi-family residential, single-family residential, commercial and office uses. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and with the Riverside/Avondale Zoning Overlay. 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:** Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per residential unit; accordingly, the proposed 228 units would require approximately 0.785 acres of recreational/open space. A minimum of 0.785 acres of recreational/open space will be provided on the Property, which may include the permitted uses in Section IV.B.3.-5. above.

Additionally, Section 656.399.33, Zoning Code, requires residential building with ten units or greater to include fifty (50) square feet per unit of public space; accordingly, the proposed 220 units in such buildings in the PUD would require approximately 0.2525 acres of public space. A minimum of 0.2525 acres of open space publicly viewable from St. Johns Avenue and Herschel Street will be provided on the Property pursuant to Section IV.F.3.a. above.

- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.
- H. Off-Street Parking & Loading Requirements:** For multi-family residential uses: Parking will be provided on the Property at a minimum of 1.39 spaces per unit. Parking may consist of surface parking, tandem parking, garages and/or structured parking. Approximately thirty-five percent (35%) of the parking spaces may be compact spaces. The requirements of Section 656.399.30, Zoning Code, will be complied with where applicable.

- I. Pedestrian Circulation System:** Pursuant to the Comprehensive Plan, there will be internal sidewalks between the buildings and the parking areas. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

## **VI. ADDITIONAL DEVELOPMENT CRITERIA PURSUANT TO THE RIVERSIDE/AVONDALE ZONING OVERLAY**

The Commander and Village Parcels are located within the Commercial Character Area of the Riverside/Avondale Zoning Overlay (the “Overlay”). The proposed PUD rezoning is consistent with the intent and purpose of the Overlay and meets the Overlay goals of encouraging infill, protecting and enhancing existing residential neighborhoods, varying housing types in transition areas between commercial and residential uses, and maintaining appropriate scale, height and density as set forth in Section 656.399.13(11), Zoning Code.

An evaluation of the PUD pursuant to Section 656.399.13(8), Zoning Code, demonstrates that the proposed PUD meets or exceeds the review criteria of the Overlay. (a) The proposed rezoning is consistent with the Overlay in that the PUD will comply with the Overlay requirements with regard to landscaping, lighting, buffers, design and other performance standards and will be compatible with the adjacent residential uses. (b) The proposed rezoning will not negatively affect or alter the character of the character area or corridor in that the overall Commercial Character area contains a mix of commercial, office and residential uses. The proposed multifamily development within the PUD will provide new customers within walking distance of existing nearby commercial areas and represents a transition between the commercial and office uses to the north and west and the single-family residential uses to the south and east. (c) The rezoning and subsequent future development will not result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees. The Property is already heavily developed, there are no wetlands and the current shopping center on the Village Parcel has minimal landscaping. The proposed PUD includes the existing open space currently located at the corner of Herschel Street and St. Johns Avenue, will add open space and will greatly increase the landscaping on the Property. (d) The rezoning will not have a negative effect on any contributing structures within the Riverside Avondale historic district, historic landmarks or landmark sites. There are no contributing structures, historic landmarks or landmark sites on or immediately adjacent to the Property.

The proposed PUD is consistent with the overall Commercial Design Standards for the development node located at Herschel Street and St. Johns Avenue including the buffers, lighting, and building design as set forth in Sections 656.399.21 & 656.399.22, Zoning Code. The proposed PUD will also meet or exceed the general design standards set forth in Section 656.399.29, Zoning Code, and the landscape standards set forth in Section 656.399.32, Zoning Code.

The below chart sets forth the current requirements as set forth in Ordinance 2013-342-E along with the requirements of the Overlay and explains where the proposed PUD complies or deviates from these requirements.



Element	Ord. 2013-342-E	Overlay Zone Requirements	Proposed PUD
<b>Commercial Signage</b>	Commercial signage on the Village Parcel: 1 double-faced or single-faced externally illuminated monument sign, not to exceed 32 sq. ft. per sign face and 5 ft. in height; 2 wall signs not to exceed 32 sq. ft. in area; directional signs not exceeding 4 sq. ft. in area and 4 ft. in height are permitted; and, temporary signs not exceeding 24 sq. ft.	§ 656.399.35: Ground signs not exceeding 5 ft. in height are permitted based upon building size: for buildings under 40,000 sq. ft. the max is 32 sq. ft.; for buildings between 40,000 & 125,000 sq. ft. the max is 48 sq. ft.; and for buildings over 125,000 sq. ft. the max is 64 sq. ft. Window signs limited to 20% of 1 window pane per storefront. Wall signs and awning signs are permitted but cannot be illuminated. Building signage is allowed with a max copy area of .5 per lineal feet of store frontage. Temporary signs not exceeding 5 sq. ft. of text and 10 sq. ft. in size & no more than 10% of ground floor street side building transparency. Menu boards not exceeding 8 sq. ft. And, street art, not to exceed 8 sq. ft.	Signage for permissible uses by exception in the CRO zoning district shall be those provided for such uses pursuant to Part 13 (Sign Regulations) and Part 3, Sub-part O (Riverside/Avondale Zoning Overlay) of the Zoning Code.
<b>Residential Signage</b>	Residential signage on the Commander Parcel: 1 double-faced or single-faced externally illuminated monument sign, not exceeding 32 sq. ft. in area per sign face and 5 ft. in height; directional signs not exceeding 4 sq. ft. and 4 ft. in height; 2 wall signs not exceeding 32 sq. ft. in area; and, temporary signs not exceeding 24 sq. ft.	§ 656.399.35: Wall signs and awning signs are permitted but cannot be illuminated. The section is silent as to signage for multifamily uses.	On the Village and Commander Parcels: 2 double-faced or 4 single-face externally illuminated monument signs not to exceed 32 sq. ft. in area per sign face and 5 ft. in height at the entrances. Wall signs are permitted, 2 per building not exceeding 32 sq. ft. Under canopy signs, 1 per accessory use not exceeding 20 sq. ft. per sign. Directional signs for vehicles not exceeding 4 sq. ft. and for pedestrians not exceeding 20 sq. ft. Temporary signs not exceeding 24 sq. ft.
<b>Min Yard Requirements &amp; Building Setbacks</b>	Commander Parcel: Front: (St. Johns Ave): 10' Side: (north boundary of Commander Parcel): As shown on Ex. L to PUD Rear: (Fishweir Creek & Little Fishweir Creek): 8 ft  Village Parcel: Front (St. Johns Ave): 10' Side: 0' Rear (Fishweir Creek): 8'	§ 656.399.20: Front: min. 0', max. 15' Side: 0' & 6' if adjacent to residential Rear: 15'	Front (St. Johns Ave): 6'/10'; stoops and covered entrances for the carriage home and townhome residential units may encroach into front yards but shall be a minimum distance of three (3) feet from the property boundary. Side: 0'; existing building setback between the Commander apartments structures and the wall along the boundary of the Property with residences on DuPont Circle shall remain the existing minimum twenty feet (20'). Rear: (Fishweir Creek & Little Fishweir Creek): 8', permitting encroachments for balconies, recreational structures, etc.
<b>Max Height</b>	Commander Parcel: 56'  Village Parcel: 44' not incl. architectural features and measured from the first floor slab elevation	§ 656.399.19, Table 1.0 (13): 60'.	Commander Parcel: existing structure, 16 stories and approximately 165'; Village Parcel: 60'.
<b>Max Lot Coverage</b>	50%	None	50%
<b>Min Lot Requirements</b>	None	None	None
<b>Landscaping &amp; Buffer</b>	Consistent with Part 12, Zoning Code; provided, however, due to the horizontal and vertical integration of uses, internal buffering between residential and commercial uses not required. An 8' tall masonry/brick wall and 40'	§ 656.399.32(b) for Non-Residential Character areas 1 street tree for every 30 linear feet of frontage or fraction thereof.  § 656.399.21(1) requires a buffer where any use other than a single-family use abuts	Landscaping shall comply with Part 12, Zoning Code. Street trees shall be provided consistent with § 656.399.32(b). There is an existing approximately six (6) foot tall block wall which runs along portions of the boundary separating the Commander

	for landscaped area along the common boundary with DuPont Circle. Street trees provided along street frontage in accordance with § 656.399.32(b), Zoning Code.	another single-family use. A minimum 10' alley shall be maintained and may require a continuous hedge and tree canopy. Additionally a 10' landscape buffer is required between adjacent tracts. Shrubs & groundcover shall comprise 30% of the area.  §656.399.30(1)(e) 1 shade tree for each 200 sq. ft. of separate additional landscaped area for parking lots with more than 30 stalls.	Parcel and the adjacent homes on Dupont Circle. Simultaneous with the renovation of the Commander apartments structure: the block wall shall be extended east along the southern boundary of the residential parcel at 3928 Dupont Circle from the current terminus of the block wall to as close to Little Fishweir Creek as practically possible (replacing the existing chain link fence); the block wall shall be extended west along the southern boundary of the residential parcel at 3932 Dupont Circle (replacing the existing chain link fence); the concrete lattice strip of the existing sections of the block wall along the southern boundary of these parcels shall be filled-in/rendered opaque; along the top of the existing and proposed sections of the block wall at the southern boundary of these parcels, an additional decorative and opaque extension [minimum one (1) foot in height] shall be added to the wall to provide additional privacy and screening; and along the western boundary with the residential parcel at 3932 Dupont Circle, the block wall shall be extended or an otherwise appropriate six (6) foot visual screen of a fence and/or landscaping shall be installed (replacing the existing chain link fence) north to the proposed green space adjacent to St. Johns Avenue.
<b>Parking</b>	A mix of on-site surface and garage parking. Includes a single story parking garage on the Village Parcel separated from St. Johns Ave by 30' of landscaped open space or the front façade will be compatible with adjacent structures. A 4 level garage will be located on the Commander Parcel limited to 46' in height. All commercial parking will comply with Part 6 of the Zoning Code and residential parking shall be provided at a minimum of 1.65 spaces per unit.	§ 656.399.29(9) for through lots fronting onto a navigable waterway, off-street surface parking must be screened from the waterway and the street by the building or by a knee wall with a 10' wide landscaped buffer or landscaped open space with a min depth of 30'.  § 656.399.29(10) requires ground floor commercial or civic floor space to a min depth of 30' along the street, must meet the mass and scale requirements and, for through lots fronting onto a navigable waterway, a parking garage must be screened by the building from either the waterway or the street. If the parking garage fronts the street, a façade compatible with adjacent contributing structures shall be provided.  § 656.399.30(1) for lots with more than 30 stalls clearly defined pedestrian connections must be provided with landscaped walkways and 1 shade tree for each 200' sq. ft. of separate additional landscaped area.	A mix of on-site surface and garage parking. A parking garage not exceeding 30' (St. Johns) - 35' (Fishweir) in height will be constructed predominantly on the Village Parcel and will be screened from St. Johns Ave by townhome residential units, vegetation, and a Green Screen, and from Fishweir Creek by existing creekfront vegetation and a Green Screen. There will be no commercial development within the PUD other than permitted accessory uses for residents and guests only. Residential parking shall be provided at a minimum of 1.39 spaces per unit. The requirements of § 656.399.30 will be complied with where applicable.  Parking for permissible uses by exception in the CRO zoning district shall be those provided for such uses pursuant to Part 6 (Off-Street Parking) and Part 3, Sub-part O (Riverside/Avondale Zoning Overlay) of the Zoning Code.
<b>Use</b>	1. Multiple-family dwellings (including welcome center, sales office, clubhouse, resident entertainment room and similar	§ 656.399.18 Within the Riverside/Avondale Zoning Overlay, in the areas designated as commercial, office and urban transition character areas, the predominant use shall continue to be as a	1. Rental apartments; condominiums.  2. Leasing/sales/management

	<p>uses).</p> <p>2. Up to 10,000 sq. ft. of retail and service establishments structurally integrated with a multiple-family dwelling. Services establishments shall be limited to 200 restaurant seats collectively.</p> <p>3. Professional office uses structurally integrated with a multiple-family dwelling.</p> <p>4. Housing for the elderly.</p> <p>5. Bank, savings and loans and other financial institutions and similar uses, including walk-up ATM facilities.</p> <p>6. Essential services, including water, sewer, gas, telephone, radio, television and electric.</p> <p>7. Parks, playgrounds and playfields or recreational or community structures.</p> <p>8. In connection with multiple-family dwellings, including housing for the elderly, coin-operated Laundromats and other vending machine facilities, day care centers, establishments for the sale of convenience goods, and personal and professional service establishments; provided, however, that these establishments shall be designed and scaled to meet only the requirements of the occupants of these multiple-family dwellings or housing for the elderly and their guests with no signs or other external evidence of the existence of these establishments.</p> <p>9. Establishments or facilities which include the retail sale and service of all alcoholic beverages for on-premises consumption in conjunction with a restaurant. Restaurants shall close no later than 12 a.m.</p> <p>10. Outside sales and service in conjunction with a restaurant. All outside sales and service shall cease no later than 11 p.m. Outdoor amplified music shall cease at 10 p.m. Outside sales and service shall be restricted to the private property, and shall not be located on the City right-of-way or sidewalk. Any outside sales and service area shall meet Part 4, <i>Jacksonville Zoning Code</i>.</p>	<p>mixed-use category primarily for commercial, office and multi-family residential uses.</p> <p>I. The following uses shall be permitted . . . throughout the Riverside/Avondale Zoning Overlay</p> <p>a. Permitted Uses . . .</p> <p>(3) Original use multi-family dwellings.</p>	<p>offices, models, and similar uses.</p> <p>3. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.</p> <p>4. Parks, open space, playgrounds, playfields, fire pit/gathering areas, observation and shade pavilions, dog parks, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, noncommercial greenhouses and plant nurseries, tool houses, garden sheds, garden work centers, ponds, observation platforms, storage sheds for maintenance equipment, benches, picnic areas, shelters and informational kiosks, informational signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses and structures designed for and used for recreational/open spaces.</p> <p>5. Commander Parcel: Docks, piers, over-water walkways or promenades, boardwalks, kayak/boat launches, kayak/boat slips, kayak/boat shelters, bulkheads, pilings, and similar facilities.</p> <p>6. Mail center.</p> <p>7. Car wash (self) area for residents.</p> <p>8. Structured parking including, but not limited to, parking garages, underbuilding parking, covered parking spaces and parking lots.</p> <p>9. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.</p> <p>10. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.</p> <p>11. Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.</p> <p>12. Existing rooftop antennas on the Commander apartments structure; new rooftop antennas</p>
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			<p>subject to the provisions of Part 15 of the Zoning Code.</p> <p>13. Essential services, including water, sewer, gas, telephone, radio, cable, television, and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.</p> <p>All permissible uses by exception in the Commercial, Residential and Office (CRO) zoning district pursuant to Section 656.311(A)(III)(d), Zoning Code.</p>
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