

EXHIBIT D
SECOND AMENDED WRITTEN DESCRIPTION
Brougham Avenue Commercial PUD
May 2, 2017

I. PROJECT DESCRIPTION

The fee simple owners of the real properties identified in the attached Exhibit, RE#'s 166898-0000 and 166903-0000 totaling .87 acres being combined with RE#'s 166899-0000, 166900-0000, 166901-0000 and 166902-0000 totaling 1.66 acres, in combination the "Property", which grand total contains approximately 2.53 acres, is currently dually designated CGC and LDR, according to the FLUMs. The three parcels fronting Beach Boulevard carry a CCG-1 zoning designation and are approximately 200 feet in depth. The remaining three parcels lying north of those are zoned RLD-60, and measure a depth of approximately 150 feet. The two owners of the Property have identified the site as an opportunity to promote redevelopment and reinvestment into an underutilized commercial property located along a Major Arterial Roadway. Beach Boulevard regularly carries a traffic volume exceeding 50,000 vehicles per day.

The Property is located within 1,700 feet of the intersection of Beach Boulevard and Hodges Boulevard, which forms an intensive commercial node. The majority of the subject property, approximately 1.66 acres, are the site of a lodge for banquet rentals, and a private club. The remaining residential lots in the rear are undeveloped and face an unopened road known as Arpino Drive.

Adjacent and surrounding parcels are utilized for various intensive commercial activities including, a shopping center, other fast food venues and a private school. The subject property would combine the existing Captain's Club with the undeveloped residential properties to create a commercial parcel, mirroring the depth of those properties on east side of Brougham Avenue.

The Subject Property is an underdeveloped commercial parcel, like many along this corridor, and subject to the accompanying Small Scale Land Use Amendment to designate the northerly lots CGC, the proposed PUD would provide opportune infill along this roadway. Finally, the properties do not possess significant or unique characteristics, variation of elevations or natural features.

The applicant has utilized the professional services of Mr. L. Charles Mann in preparing this PUD request, as well as Bohler Engineering, who has assisted with site planning. No other professionals have yet been engaged. This PUD zoning will offer certainty to the abutting homeowners, flexibility to the developers, and a more regulated product than the conventional zoning of the property. The PUD is the appropriate vehicle to assure an appropriately scaled and context sensitive development that will permit the required flexibility for the property owner while allowing input from the residential areas to the north and west.

The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as described within this written description and the City's

Zoning Code. Further, all future maintenance and operations will be the sole responsibility of the land owner(s), in compliance with the Municipal Ordinance for the City of Jacksonville and this PUD. Construction would be intended to commence immediately upon approval of the zoning and engineering entitlements.

II. USES AND RESTRICTIONS

The Property will be developed as 2 Parcels. These Parcels, to be identified as Parcel “A” and Parcel “B” may be further developed as described within this PUD narrative or as depicted on the attached site plan (Exhibit E) dated January 11, 2017 (the “Site Plan,”) which is incorporated herein by this reference.

A. *Permitted Uses:*

The Permitted Uses on Parcel “A” shall be as follows:

- (1) Gas station with convenience store
- (2) Commercial retail sales and service establishments
- (3) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- (4) 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.
- (5) Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
- (6) Auto laundry or manual car wash or automated car wash.
- (7) Restaurants with the outside sale and service of food including drive-thru.
- (8) Permanent or restricted outside sale and service, including food & beverage.

(b) *Permitted accessory uses and structures.* See [Section 656.403](#).

The Permitted Uses on Parcel “B” shall be as follows:

- (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, buildings 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) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permitholder, adult arcade amusement centers operated by a licensed permitholder, and similar uses.
- (5) Art galleries, museums, community centers, dance, art or music studios.
- (6) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
- (7) 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.
- (8) 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.
- (9) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- (10) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

- (11) 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.
- (12) Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
- (13) Auto laundry or manual car wash.
- (14) Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.

(b) *Permitted accessory uses and structures.* See [Section 656.403](#).

III. DEVELOPMENT STANDARDS

A. Dimensional Standards.

1. *Minimum parcel area and yard areas:* The minimum lot size, lot width and yard areas for structures shall be as follows:

Lot Size – No minimum

Lot Width – None

Yards -

Front: None

Side: None

Rear: 10 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures:* None
3. *Maximum height of structures:* Shall be limited to Thirty-five (35) feet.

B. Ingress, Egress and Circulation.

1. Vehicular ingress and egress shall be substantially as shown on the Site Plan.

C. *Signs.*

1. It is the intent of this PUD that each parcel shall be permitted signage along Beach Boulevard. Signage shall be subject to the requirements of Part 13, Zoning Code. With the exception of the aforementioned intent, the number, location size and height of signage to be located on the Property shall be consistent with Section 656.1303(c)(3).

D. *Landscaping*

1. *Site Design Landscaping* Site Design shall promote integration of the proposed development pads. This will eliminate unnecessary landscape areas between the proposed two parcels of the Property and instead utilize a shared driveway between them. This combination of parcels with cross access permits a reduction of traffic at the Brougham Avenue traffic signal by offering turn ins and outs from each user outside of that intersection.
2. Part 12 of the Zoning Code shall be implemented as applicable to all landscape matters, with the exception of the provisions related to uncomplimentary buffers and Perimeter landscape areas. Both of these standards will employ a 5 foot area, meeting all other provisions relating to plant materials, in lieu of the 10 foot standard. The development will utilize both on-site and off-site landscape areas and open space to achieve the necessary buffering. As the residential development to the west has not elected to develop any parcels along its easternmost boundary, the nearest utilized residential structure will be more than 50 feet from the subject property. Others will enjoy more than 80 feet of separation from this development. Similarly, Arpino is unopened west of Brougham Avenue. The subject Property design incorporates two pond areas along the northerly property boundary assuring that the uses occurring on the subject property are located not closer than 40 feet from that boundary. Requisite plant material will be installed along the boundaries consistent with the Zoning Code.
3. The southern 250 feet of the western landscape buffer shall be installed per the Zoning Code. The northern 100 feet of the western landscape buffer shall be oak trees of minimum 12 feet in height installed every 20 feet.

E. *Building Orientation*

1. *General:*

The development will be situated in a manner that permits an efficient use of the property while locating buildings and their primary entryways toward the

adjacent roadways. Loading and storage areas shall be located along the rear of the buildings, in a manner that screens these areas from the adjacent roadways, while at the same time protecting them from being seen from adjacent residential areas.

F. Parking

1. The minimum number of parking spaces will be provided consistent with the Site Data Table found on Exhibit “E”. In consideration of the uses both sharing the available parking and all operations occurring during similar hours, additional parking spaces are warranted. Therefore, the parking maximum limitation of the Zoning Code shall not be imposed upon this development. Otherwise, said parking shall conform to Part 6, Zoning Code, as it relates to all other matters.

G. Lighting

1. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles (“f.c.”) when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be LED. The maximum light pole height in all parking areas should not exceed thirty feet (30’). An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department. Light fixtures shall be mounted on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.

IV. 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 rezoning is a reasonable manner by which to permit the redevelopment of an underdeveloped, parcel located along a major thoroughfare.

The proposed zoning will act as a vehicle to properly locate new commercial uses along this corridor, while promoting redevelopment of underutilized commercial property and the integration of unutilized residential parcels. This PUD is designed to protect the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. The project seeks to permit supportive uses consistent with the nature of the Beach Boulevard corridor.

This PUD:

Is more efficient and effective than would be possible through strict application of the City of Jacksonville Land Use Regulations or a conventional zoning district which cannot be subject to generalized site plans;

Represents a valuable opportunity to promote redevelopment of underutilized commercial property along a major corridor, while promoting reinvestment in the area. The PUD offers a combination of possible uses, properly designed to promote the integration of several properties in an efficient and effective manner. This development plan represents a sustainable and desirable development pattern at an infill location;

Will promote the purposes of the 2030 Comprehensive Plan, including the following:

1. Goal 3, FLUE
2. Objective 3.2, FLUE
3. Policy 3.2.1, FLUE
4. Policy 3.2.2, FLUE
5. Policy 3.2.6, FLUE
6. Policy 3.2.7, FLUE
7. Policy 3.2.12, FLUE

V. SUCCESSORS IN TITLE

All successors in title to the Property, or any portion of the Property, shall be bound to the conditions of this PUD.

VI. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* The Property is designated CGC and LDR pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. This PUD zoning will be accompanied by a Small Scale Land Use Amendment, (LDR to CGC) which, will promote a logical pattern of Land Use that is both appropriate, given the nature of this property along Beach Boulevard, and promotes reinvestment of underutilized commercial property.
- B. *Consistency with the Concurrency Management System.* The development of the Property will comply with the requirements of the Concurrency Management/ Mobility System.
- C. *Allocation of Residential Land Use.* No residential use is intended for this PUD.
- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Brougham Avenue, as well as Beach Boulevard. All access locations and

designs shall be reviewed and approved by the City of Jacksonville or the Florida Department of Transportation as appropriate.

- D. *External Compatibility/Intensity of Development.* The intent of the development is to permit infill along an existing intensive commercial corridor. The City's 2030 Comprehensive Plan promotes uses of this nature at such locations and the specific intent of this PUD is to permit flexibility in the development process, not otherwise permitted in conventional zoning, while promoting redevelopment and reinvestment in an area of limited potential for use.
- E. The development will be appropriately screened from adjacent properties and structures and will be oriented in a manner that will reduce impacts to the surrounding uses.
- F. *Recreation/Open Space.* The PUD will not include recreational uses.
- G. *Impact on Wetlands.* Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements. However, this PUD has been specifically designed to avoid Conservation Areas to the south and west of the site.
- H. *Listed Species Regulations.* Not Applicable.
- I. *Off-Street Parking & Loading Requirements.* The development will be constructed in accordance with Part 6, Zoning Code, with the exception of the number of parking spaces permitted, which is identified on Exhibit E and within this written description.
- K. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.
- L. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements.
- M. *Utilities.* Electric power, water and sewer services are furnished to the Property by the Jacksonville Electric Authority.