

San Marco Crossing PUD

~~April 13~~ July 11, 2018

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 081527-0000; 081528-0000; 081529-0000; 082083-0000; 081852-0000; 081855-0000; 081856-0000; 081857-0000; 081859-0000; 081860-0000; 081861-0000; 081862-0000; 081863-0000; 081868-0000; 081869-0000; 081870-0000; 081871-0000; 081872-0000; 081879-0000; 081880-0000; 081880-0010; 081881-0000; 081857-0010; 081858-0000; 081865-0000; 081882-0000; 081883-0000; 081884-0000; 081886-0000
- B. Current Land Use Designation: CGC; HDR, ROS
- C. Current Zoning District: PUD, CCG-2, and CO
- D. Proposed Zoning District: PUD
- E. Proposed Land Use Designation: HDR, ROS

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

Chance Olevia, LLC (the “Applicant”) proposes to rezone approximately 7.32 acres of property bounded to the north and south by Olevia Street and Mitchell Avenue, and bounded to the west and east by Kings Avenue and Perry Place. The property is more particularly described by the legal description attached to this ordinance as **Exhibit “1”** (the “Property”). This PUD rezoning (the “Proposed PUD”) is being sought to extend the original San Marco Crossing PUD approved by Ordinance 2018-15 (the “Original PUD”) over certain additional properties (the “Additional Property”) located adjacent to the property covered by the Original PUD (the “Original Property”). The Proposed PUD does not add any uses to the Original PUD, but rather substitutes new site plans to incorporate the Additional Property and addresses the increase in permitted density due to the Additional Property. Furthermore, the Proposed PUD does not alter the Original PUD as it relates to Parcel C thereunder, and the development of Parcel C shall continue to be governed by the Original PUD.

The Proposed PUD shall be developed in accordance with this PUD Written Description and the PUD Conceptual Site Plan, Alternate Site Plan 1 and/or Alternative Site Plan 2, each site plan dated April 13, 2018, (collectively, the “Site Plan”) which are each in **Exhibit “4”** to this ordinance. The Alternate Site Plans provide options for the development of Parcel B with either townhomes or a less dense multifamily product. The Applicant will select a site plan and notify the Planning and Development Department at the time of verification of substantial compliance.

The Original Property was recently purchased by the Applicant. The Additional Property is currently owned by multiple individuals and entities. The Additional Property is currently utilized for single family residential, office and light industrial uses and is under contract to be sold to the Applicant. As shown on the Site Plan, Parcel A consists of the majority of the block between Olevia Street and Bertha Street. Parcel B consists of the majority of the block between Bertha Street and Mitchell Ave. The surrounding uses on these blocks consist of industrial, commercial, and residential uses.

The Applicant plans to develop the Property with a mix of multifamily residential uses and recreation and open space uses. Specifically, the Applicant plans to develop the Property as follows: Parcel A with apartments and recreation/open space uses; Parcel B with apartments, townhomes, or (upon approval of a minor modification as provided in Section V.I. herein) detached single family dwellings. or townhomes.

The Original Property was designated High Density Residential (“HDR”) and Recreation and Open Space (“ROS”) pursuant to a companion land use amendment (2018-14) to the Original PUD. The parcels that comprise the Additional Property are designated as Community General Commercial (“CGC”) on the Future Land Use Map (FLUM) of the 2030 Comprehensive Plan and are within the Urban Priority Development Area. As a companion application to this Proposed PUD, the Applicant is seeking a land use amendment to designate Additional Property as HDR. All parcels will remain in the Urban Priority Area.

III. SITE SPECIFICS

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

	<u>Land Use Category</u>	<u>Zoning</u>	<u>Use</u>
South	CGC	CCG-2, CO	Residential, Hotel/Motel
East	CGC	CCG-2	Office, Hotel/Motel, Industrial
North	CGC, RPI	CCG-2, PUD, CO, CRO	Gas Station, Professional Office
West	CGC, RPI	CCG-1, RMD-A, PUD	Residential, Office, Railroad Tracks, Industrial

IV. PERMITTED USES

A. Maximum Densities/Intensities

Consistent with the Operative Provisions of the Future Land Use Element of the 2030 Comprehensive Plan governing the HDR Urban Priority Area land use designation, maximum densities/intensities on the Property shall be as follows:

Parcels A and B: 60 units per acre, cumulatively over Parcels A and B¹

A maximum number of 436 dwelling units are permitted on Parcels A and B, cumulatively. This is based on 7.27 acres being located in the HDR land use category with a maximum of 60 units per acre.

B. PUD Conceptual Site Plan and Parcels

The Site Plan shows the uses to be permitted in parcels within the Property. The parcel designations are solely for the purpose of defining the general location of permitted uses within

¹ This density calculation shall not include the acreage of the ROS portion of Parcel A.

the Proposed PUD; they do not define or correlate to ownership and do not subdivide the Property. Parcel size, configuration, and boundaries as shown on the Site Plan may be modified as an administrative modification to the Proposed PUD subject to the review and approval of the Planning and Development Department.

The following uses, as described in Sections IV.C, ~~D~~, and ~~ED~~ shall be permitted uses in the parcels as follows:

In Parcels A and B as shown on the Site Plan, Apartments, and Townhomes ~~and Single Family~~, including live/work units, and related amenities and recreation/open space uses, as described in Sections IV.C, ~~D~~ and ~~ED~~, shall be permitted.

The residential uses within the Proposed PUD may be integrated horizontally or vertically (e.g., a “Townhome” with an apartment as a third story).

C. Apartments

1. *Permitted uses and structures.*

- a. Apartments (rental or condominium ownership).
- b. Leasing/sales/management offices, models, and similar uses.
- c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.
- d. 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, 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.
- e. Mail center.
- f. Live-Work uses, subject to the provisions of Part 4 of the Zoning Code.
- g. Carwash (self) area for residents.
- h. Structured parking including, but not limited to, parking garages, underbuilding parking, covered parking spaces and parking lots.
- i. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.

j. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.

k. Rooftop antennas subject to the provisions of Part 15 of the Zoning Code.

l. 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.

2. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Apartment use.* The “Property” in “Minimum Setback from Property Boundary” refers to Parcel A, or B, as applicable.

a. As to Parcels A and B:

(i) Minimum lot width—None.

(ii) *Maximum gross density*— Sixty (60) units per acre within Parcels A and B, cumulatively.

(iii) *Maximum lot coverage by all buildings*— Eighty-five (85) percent with “lot” being defined as Parcels A and B, combined.

(iv) *Minimum yard requirements.* The minimum yard requirements for all structures are:

(a) Front—None.

(b) Side— None.

(c) Rear— None.

(v) *Minimum Setback from Property Boundary*—Five (5) feet; provided, however, that only recreation/open space structures, as described in IV.C.1.d. above, may be located within the ROS portion of Parcel A.

(vi) *Maximum height of structure.* Sixty (60) feet, provided, however, height may be unlimited where all required yards are increased by one (1) foot for each three (3) feet of building height or fraction thereof in excess of sixty (60) feet.

D. Townhomes

1. *Permitted uses and structures.*

a. Townhomes/carriage homes (fee simple, condominium ownership, or rental).

b. Leasing/sales/management offices, models, and similar uses.

c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.

d. 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, 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.

e. Mail center.

f. Carwash (self) area for residents.

g. Live-Work uses, subject to the provisions of Part 4 of the Zoning Code.

h. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.

i. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.

j. 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.

2. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Townhome use.* The “Property” in “Minimum Setback from Property Boundary” refers to Parcel A or B, as applicable.

a. As to Parcels A and B:

(i) *Minimum lot width.*—Fifteen (15) feet; for end units, twenty-five (25) feet.

(ii) *Maximum gross density.*—Sixty (60) units per acre, cumulatively.

(iii) *Maximum lot coverage by all buildings.*—Eighty-five (85) percent with “lot” being defined as Parcels A and B, combined.

(iv) *Minimum yard requirements.* The minimum yard requirements for all structures are:

(a) Front—None.

- (b) Side— None.
- (c) Rear— None.

(v) *Minimum Setback from Property Boundary*—Five (5) feet; provided, however, that only recreation/open space structures, as described in IV.D.1.d. above, may be located within the ROS portion of Parcel A.

(vi) *Minimum Lot Area*—1100 square feet.

(vii) *Maximum height of structure*. Forty-five (45) feet.

3. *Alley Access*. Alleys will be permitted to be constructed for designated Townhome uses. Alleys shall have a minimum of an eighteen (18) foot right of way if two-way and a ten (10) foot right-of-way if one-way. Alleys may provide one-way traffic and access to the dwelling by the residents, garbage pickup, and deliveries.

4. *Patios/porches*. Patios and porches, including screened patios/porches with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures, shall be permitted for each unit and may be located within the Minimum Setback from the Property Boundary, but shall not be located within five (5) feet of any right-of-way.

5. *Number of units in building*. Up to twelve (12) units shall be permitted in any single townhome building.

E. Single Family

~~1. Permitted uses and structures.~~

~~a. Single family detached dwellings (fee simple and rental).~~

~~b. Leasing/sales/management offices, models, and similar uses.~~

~~c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.~~

~~d. 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, 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.~~

~~e. Mail center.~~

~~f. Carwash (self) area for residents.~~

~~g. Live Work uses, subject to the provisions of Part 4 of the Zoning Code.~~

~~h. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.~~

~~i. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.~~

~~j. 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.~~

~~2. Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Single Family use. The "Property" in "Minimum Setback from Property Boundary" refers to Parcel A or B, as applicable.~~

~~a. Minimum lot width. forty (40) feet.~~

~~b. Maximum gross density Sixty (60) units per acre within Parcels A and B, cumulatively.~~

~~c. Maximum lot coverage by all buildings Eighty (80) percent.~~

~~d. Minimum yard requirements. The minimum yard requirements for all uses and structures are:~~

~~(i) Front None~~

~~(ii) Side None~~

~~(iii) Rear None~~

~~e. Minimum Setback from Property Boundary Five (5) feet; provided, however, that only recreation/open space structures, as described in IV.E.1.d. above, may be located within the ROS portion of Parcel A.~~

~~f. Minimum lot area None~~

~~g. Maximum height of structure. Forty-five (45) feet~~

~~3. Alley Access. Alleys will be permitted to be constructed for designated Single Family uses. Alleys shall have a minimum of an eighteen (18) foot right of way if two-way and a ten (10) foot right of way if one way. Alleys may provide one-way traffic and access to the dwelling by the residents, garbage pickup, and deliveries.~~

~~4. Patios/porches. Patios and porches, including screened patios/porches with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures, shall be~~

~~permitted for each unit and may be located within the Minimum Setback from Property Boundary but shall not be located within five (5) feet of any right-of-way.~~

F.E. Accessory Uses and Structures

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot as a principal use within the development. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal structure. Accessory uses shall be subject to the following:

- (a) An establishment for the retail sales of convenience goods, laundromats, vending machine facilities, personal and professional service establishments, day care centers and similar uses are permitted; provided, however, that these establishments shall be designed and scaled to meet only the requirements of the occupants of the Proposed PUD and their guests with no signs or other external evidence of the existence of these establishments visible from off-site.
- (b) 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. In addition, accessory uses and structures may be located within any required uncomplimentary buffer.

G.F. Height Limitations

Decorative rooftop structures are not included in the maximum height, including: screening, mechanical equipment, roof access, mansard roofs, spires, cupolas, parapets, antennas, chimneys and other appurtenances not intended for human occupancy.

V. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

It is the intent of the Proposed PUD that the Overall Development Standards and Criteria from the Original PUD remain in place such that the Original Property and the Additional Property may be developed in harmony. As such the provisions of this Section V. shall be read in harmony with the same provisions of the Original PUD. For clarity, the term “PUD” as used in this Section V. shall refer to both the Proposed PUD and the Original PUD and the term “Property” as used in this Section V. shall refer to both the Original Property and the Additional Property. Furthermore, references to “Parcel C” are references to “Parcel C” under the Original PUD.

A. Access

As shown on the Site Plan, access to the Property may be available via access points located along Olevia Street, Kings Avenue, Mitchell Avenue, Bertha Street and Perry Place. Interior access drives will be privately owned and maintained by the owner, 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.

B. Sidewalks, Trails, and Bikeways

Sidewalks shall be provided as required in the 2030 Comprehensive Plan.

C. Recreation/Open Space

For Apartment and Townhome uses within the PUD, active recreation/amenities (including active recreational facilities such as playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, pedestrian walkways, and similar uses) shall be provided at a ratio of a minimum of 150 square feet of recreational land per residential unit cumulatively throughout the PUD. As between Parcels A, B and C, required active recreation/amenities may be provided “off-site” within the other parcels in the PUD, as long as the PUD in its entirety provides sufficient active recreation/amenities for all uses.

~~For Single Family uses within the PUD, if such uses cumulatively throughout the PUD exceed 24 Single Family lots, then the Applicant shall pay a recreation and open space fee of two hundred fifty dollars (\$250) per lot or provide at least four hundred thirty five (435) square feet of useable uplands for each lot (and any fraction thereof) to be designated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid. No more than 99 Single Family lots shall be developed within the PUD.~~

For each residential use, the preliminary sketch plan submitted to the Planning and Development Department for verification of substantial compliance with this PUD shall contain specifications (including recreation land area and information regarding the active recreation facilities to be included) demonstrating compliance with these standards cumulatively throughout the PUD.

D. Landscaping/Landscaped Buffers

Landscaping and tree protection shall be provided in accordance with Ordinance Code, Chapter 656, Part 12, with the following additional and superseding provisions specifically noted to address the integrated design qualities of the PUD. Landscaping standards shall be applied taking into consideration all parcels within the PUD. As between Parcels A, B and C, required landscaping may be provided “off-site” within the other parcels in the PUD, as long as the PUD in its entirety provides sufficient landscaping for all proposed uses. To the extent applicable, the buffer required by Section 656.1222 for residential subdivisions shall not be required for uses within the PUD. Landscape standards shall be applied within the PUD without regard to property ownership boundaries which may exist among individual uses. The parking garage shall not be deemed to be a vehicular use area for purposes of the Landscape and Tree Protection Regulations.

Uncomplementary buffers shall be provided as follows: whenever the PUD boundary abuts an existing single family residential or a non-residential use (excluding right-of-way), a visual screen running the entire length of common boundaries of such abutting use shall be installed. No such buffers shall be required between uses internal to the PUD. The visual screen may be a wood, wood composite, or masonry wall, PVC fence, landscaping or combination thereof so long as such strips shall provide at the time of installation a minimum of 85 percent opacity for that area between the finished grade level at the common boundary line and six feet above such level and horizontally along the length of common boundaries. Plants or preserved vegetation shall be evergreen, a minimum of five feet tall at the time of installation, and spaced so that 85 percent opacity is achieved within two years. If a visual screen which satisfies all applicable standards exists on adjacent property abutting the property line or exists between the proposed development on the site and the common property line, then it may be used to satisfy the visual screen requirements.

E. Signage

The purpose of these sign standards is to establish a signage program that provides for the identification of the project, uses, users, and tenants and for directional communication. A system of identification, directional, and vehicular control signage will be provided for all common areas and road right-of-way. The PUD identity, multiple uses, owners, and/or tenants may be identified on signs within the PUD without regard to property ownership boundaries that may exist among the individual uses, owners, and/or tenants and without regard to lot location or frontage. All project identity and directional signs shall be architecturally compatible with the project or buildings represented. Signs may be internally or externally illuminated. In addition to the uses, owners, and or tenants, the signs may include the overall PUD identity.

1. Project Identity Monument Signs on Kings Avenue.

A maximum of one (1) project identity monument sign will be permitted along Kings Avenue for the project. This sign may be two sided and externally illuminated or non-illuminated. This monument sign will not exceed fifteen (15) feet in height and fifty hundred (50) square feet (each side) in area.

2. Project Identity Monument Signs on Bertha Street, Perry Place and Olevia Street.

A maximum of two (2) project identity monument signs, cumulatively, will be permitted along Bertha Street, Perry Place and Olevia Street. These signs may be two sided and externally illuminated or non-illuminated. These monument signs will not exceed twelve (12) feet in height and twenty-four (24) square feet (each side) in area.

3. Projecting and Wall Signs Oriented Towards Kings Avenue.

Wall and projecting signs are permitted along Kings Avenue on the building face, or at the corner of the building face, of the apartment building on Parcel A. Such signage will not exceed five (5) percent, cumulatively, of the square footage of the side of the building oriented towards Kings Avenue. These signs may be externally illuminated or non-illuminated.

4. Wall and Projecting Signs Oriented Toward Bertha Street, Perry Place and Olevia Street.

Wall and projecting signs are permitted on the faces of buildings oriented towards Bertha Street, Perry Place and Olevia Street. Such signage will not exceed five (5) percent, cumulatively, of the square footage of the occupancy frontage or respective side of the building oriented toward such public right of way. These signs may be externally illuminated or non-illuminated. In the event that a projecting sign projects from the corner of a building, the five (5) percent measurement shall be based upon the smaller of the two occupancy frontages or sides of the building adjacent to such sign. Further, in the event that any monument signs are constructed along Bertha Street, Perry Place and Olevia Street, then the permitted wall and projecting signage along the frontage where the monument sign is constructed will be reduced by the square footage of such monument sign.

5. Awning Signs.

Awning signs are permitted as set forth for high density residential uses in Section 656.1304, Ordinance Code.

6. Other Signs.

Directional signs indicating major buildings, common areas, and various building entries, will be permitted. The design of these signs should reflect the character of the building and project identity signs and may include the project and/or tenant logo and name. For predominately vehicle directional signage, such signs shall be a maximum of eight (8) square feet in area per sign face and a maximum of six (6) such signs will be permitted. 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 four (4) square feet per side and a maximum of four (4) such signs will be permitted. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

Because all project identity signs, as identified in Sections V.E.1 and 2 above, and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they will be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs, as well as wall, awning, projecting and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.

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 and only one temporary sign per individual activity/unit shall be permitted on the Property.

Sign Guidelines

Sign Type	General Location	Quantity	Max Area Per Side (sq. ft.)	Max Height (ft.)	
Project Identity Monument Sign on Kings Ave.	On Kings Ave	1	50	15	
Project Identity Monument Signs on Bertha St., Perry Pl. and Olevia St.	On Bertha St., Perry Pl. and Olevia St.	2	24	12	
Wall and Projecting Signs on Kings Ave. Frontage	Kings Ave. Frontage		5% cumulative of sq ft of occupancy frontage		
Wall and Projecting Signs on Bertha St., Perry Pl. and Olevia St. Frontages	Bertha St., Perry Pl. and Olevia St. Frontages		5% cumulative of sq ft of applicable occupancy frontage (as may be reduced per V.E.4 above)		
Awning Signs	Per Section 656.1304, Ordinance Code				
Vehicular Directional Signs	Project Wide	6	8		
Information Kiosks	Project Wide	4	4		
Temporary Signs	Project Wide		24		

F. Architectural Guidelines.

Buildings, structures, and signage shall be architecturally compatible with those in other uses within the PUD.

G. Construction offices/model units/real estate rental or sales.

On-site, temporary construction offices/trailers/model units/rental or sales offices will be permitted in any lot, “unit,” or “phase” until that lot, “unit,” or “phase” is built out. Real estate rental or sales activities are permitted within model units. Associated parking for rental or sales activities is permitted adjacent to model units.

H. Modifications

Amendment to this approved PUD district may be accomplished through an administrative modification, minor modification, or by filing an application for rezoning as authorized by Section 656.341 of the Zoning Code. (See Section V.I. herein regarding approval by minor modification of a site plan providing for otherwise permitted uses not currently shown on the PUD Conceptual Site Plan or Alternate Site Plan.)

Notwithstanding the foregoing, the maximum residential densities of sixty (60) units per acre, cumulatively, within the Parcels A and B within the PUD, and fifteen (15) units per acre within Parcel C have been placed on the Property as a result of Future Land Use Element (FLUE) Policy 1.1.10A. These density limits can only be changed through application for a rezoning (administrative and minor modifications to increase the density are not permitted) and the requirements of FLUE Policy 1.1.10A must be applied to determine the appropriateness of any increase in residential density.

I. 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 of the access points, internal circulation, pond(s), trash compactor, parking, buildings, and garages, 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.

The development may proceed in compliance with the PUD Conceptual Site Plan, Alternate Site Plan 1 and/or Alternative Site Plan 2 without any modification to this PUD. The PUD Conceptual Site Plan contemplates the development of Apartments on Parcels A and B and Townhomes on Parcel C. The Alternate Site Plan 1 contemplates Apartments on Parcel A and Townhomes on Parcels B and C. The Alternate Site Plan 2 contemplates Apartments on Parcel A, a less intense option of Apartments on Parcel B and Townhomes on Parcel C. The Applicant will select a site plan and notify the Planning and Development Department at the time of verification of substantial compliance.

An otherwise permitted use not currently shown on the PUD Conceptual Site Plan or Alternate Site Plan ~~(e.g. Single Family on Parcel B)~~ may be developed on the Property following

approval of a minor modification to incorporate a site plan that complies with the requirements of this PUD.

J. Phasing

The Property may be developed in a single phase by a single developer or in multiple phases by multiple developers. Verifications of compliance or modifications may be sought for the entire Property, individual parcels, or portions of parcels, as they are developed.

K. Parking and Loading Requirements

For apartment units, parking will be provided at a minimum of 1.30 parking spaces per one (1) bedroom dwelling unit and a minimum of 1.5 parking spaces per two (2) or more bedroom dwelling unit. In the event that more than fifty (50) percent of the apartment units, in the aggregate, contain two (2) or more bedrooms, a PUD amendment (rezoning) will be required to address the parking requirements herein.

For townhomes, parking will be provided at a minimum of 1.5 parking spaces per dwelling unit. ~~For single family dwellings, parking will be provided at a minimum of 2 parking spaces per dwelling unit.~~

The PUD permits a mix of surface parking, enclosed parking garages or parking structures, and attached garage parking connected to or under the apartment; and townhome; ~~and single family~~ buildings. Up to thirty-five percent (35%) of the parking spaces may be compact spaces. The PUD also permits tandem parking spaces in conjunction with the attached garage parking connected to or under the multifamily residential; or townhome ~~or single family~~ buildings. The tandem parking spaces may not encroach on the sidewalks. Bicycle parking for multifamily uses shall be provided at a minimum ratio of 2% of required vehicular parking

All loading areas will comply with Sections 656.605 and 656.399.29(5) of the Zoning Code.

L. Lighting

Lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property.

M. Stormwater Retention

Stormwater facilities will be constructed to serve the PUD in accordance with applicable regulations.

N. Utilities

The Property is served by JEA.

VI. PRE-APPLICATION CONFERENCE

A pre-application conference was held regarding this application on April 11, 2018.

VII. JUSTIFICATION FOR THE PUD REZONING

The Proposed PUD proposes to redevelop an under-utilized property in a corridor that is often viewed as blighted. This residential development will support infill development in the area and serve as a catalyst for future redevelopment. The use of the property for residential and recreation/open space uses is consistent with the proposed HDR and ROS land use categories, the Comprehensive Plan, the Urban Priority Area and the surrounding zoning and land uses. The Proposed PUD provides for flexibility in site design that could otherwise not be accomplished through conventional zoning.

VIII. PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE

The Proposed PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and Site Plan, unless modified; it provides for maximum densities/intensities; it limits certain uses to certain parcels as shown on the Site Plan; for each use, it sets forth minimum lot width, maximum lot coverage, minimum yard requirements, and maximum height of structures which are unique to the urban design and character of this Proposed PUD and therefore vary from the otherwise applicable Zoning Code provisions; it includes variations to the accessory use and performance standards provisions which are consistent with the urban design of this Proposed PUD; it contains Recreation/Open Space provisions which ensure compliance with applicable Comprehensive Plan requirements; it includes variations from the landscaping provisions consistent with the urban design of this Proposed PUD; it provides for signage tailored to the frontage on multiple roads of different sizes and classifications; and it includes variations from the parking standards otherwise applicable to accommodate the urban design of this Proposed PUD, shared parking, and other features of a planned development.

IX. PERMISSIBLE USES BY EXCEPTION

All uses permissible by exception in the RMD-D zoning district.

X. NAMES OF DEVELOPMENT TEAM

Developer: Chance Partners, LLC

Owner: Southside Assembly of God, Inc.

Planner/Engineer: Kimley Horn and Associates, Inc.

Architect: Dynamik Design

XI. LAND USE TABLE

A Land Use Table is attached hereto as **Exhibit "F."** Acreages in Exhibit F are approximate. While the Proposed PUD only encompasses Parcels A and B, this Exhibit F reflects Parcels A, B, and C, so that the development can be viewed as a whole.

XII. PUD REVIEW CRITERIA

A. Consistency with the Comprehensive Plan: As described above, the uses proposed herein are consistent with the HDR and ROS land use categories, as applicable. The maximum densities are consistent with those prescribed by the Comprehensive Plan. The proposed development is consistent with the Comprehensive Plan and furthers the following goals, objectives and policies contained therein, including:

FLUE Objective 1.1: Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.5: The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

FLUE Policy 1.1.7: Future rezonings shall include consideration of how the rezoning furthers the intent of FLUE Policy 1.1.5.

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 1.1.18. Prohibit scattered, unplanned, urban sprawl development without provisions for facilities and services at levels adopted in the 2030 Comprehensive Plan in locations inconsistent with the overall concepts of the Future Land Use Element and the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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.

FLUE Objective 6.3. The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

B. Consistency with the Concurrency Management System: The Proposed PUD will comply with the Concurrency and Mobility Management System.

C. Allocation of Residential Land Use: The Proposed PUD is consistent with land use allocations under the 2030 Comprehensive Plan.

D. Internal Compatibility: The Proposed PUD provides for integrated design and compatible uses within the PUD.

E. External Compatibility/Intensity of Development: The Proposed PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.

F. Maintenance of Common Areas and Infrastructure: All common areas and infrastructure will be maintained by the owner, maintenance company and/or one or more owners' association(s).

G. Usable Open spaces, Plazas, Recreation Areas: The Proposed PUD provides ample open spaces and recreational opportunities and will provide active recreation for all residential uses consistent with the Ordinance Code and Comprehensive Plan.

H. Impact on Wetlands: Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

I. Listed Species Regulations: The Property is less than fifty (50) acres in size, so a listed species survey is not required.

J. Parking Including Loading and Unloading Areas:

For apartment units, parking will be provided at a minimum of 1.30 parking spaces per one (1) bedroom dwelling unit and a minimum of 1.5 parking spaces per two (2) or more bedroom dwelling unit. In the event that more than fifty (50) percent of the apartment units, in the aggregate, contain two (2) or more bedrooms, a PUD amendment (rezoning) will be required to address the parking requirements herein.

For townhomes, parking will be provided at a minimum of 1.5 parking spaces per dwelling unit. ~~For single family dwellings, parking will be provided at a minimum of 2 parking spaces per dwelling unit.~~

The Proposed PUD permits a mix of surface parking, enclosed parking garages or parking structures, and attached garage parking connected to or under the apartment, and townhome, ~~and single family~~ buildings. Up to thirty-five percent (35%) of the parking spaces may be compact spaces. The Proposed PUD also permits tandem parking spaces in conjunction with the attached garage parking connected to or under the multifamily residential, and townhome ~~or single~~ family buildings. The tandem parking spaces may not encroach on the sidewalks. Bicycle parking for multifamily uses shall be provided at a minimum ratio of 2% of required vehicular parking.

All loading areas will comply with Sections 656.605 and 656.399.29(5) of the Zoning Code.

K. Sidewalks, Trails, and Bikeways: The Proposed PUD will comply with the Zoning Code with regards to Sidewalks, Trails, and Bikeways. Furthermore, the location of the PUD contributes to the connectivity and walkability of the area.