

**S-10/Burnt Mill PUD**  
**REVISED Written Description**  
**August 6, 2018**

**I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A.** RE #s: 167741-0510
- B.** Current Land Use Designation: MDR & RPI
- C.** Current Zoning District: CO & RMD-A
- D.** Proposed Zoning District: PUD
- E.** Proposed Land Use Designation: MDR & CGC

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

The Arthur Chester Skinner, III, Trust, et al., and Nouveau Management Group, LLC (the “Applicant”) propose to rezone approximately 15.44 acres of property in the northwest quadrant of the intersection of Gate Parkway and Burnt Mill Road from Commercial Office (“CO”) and Residential Medium Density (“RMD-A”) to Planned Unit Development (“PUD”). The property is more particularly described by the legal description attached to this ordinance as **Exhibit “1”** (the “Property”). As described below, the PUD zoning district is being sought to provide for a mixed-use development, which may include a mix of commercial, office, retail and public uses. The PUD allows for a diversity of uses and building types to be developed in a manner that is internally consistent, compatible with external uses, and provides for innovative site planning concepts that will create an aesthetically pleasing environment. Furthermore, the PUD provides for the location of public buildings and facilities on the northern portion of the Property. The PUD will be developed in accordance with this PUD Written Description and the PUD Site Plan attached to this ordinance as **Exhibit “4.”**

The Applicant plans to develop the Property with a mix of commercial, retail and office uses, in addition to public buildings and facilities that would be developed by the City of Jacksonville. Specifically, the Applicant plans to develop (1) three commercial/retail/office buildings with retail on the ground floor and office space on the second floor (Buildings 1, 2 and 3) and (2) an enclosed personal property storage facility (Building 4), and a site for public buildings and facilities on the northern portion of the Property, all as general depicted on the PUD Site Plan. This mix of uses will provide the surrounding area with important opportunities for commercial/retail services, office space, storage, and public services.

The Property is designated as Residential-Professional-Institutional (“RPI”) and Medium Density Residential (“MDR”) on the Future Land Use Map (“FLUM”) of the 2030 Comprehensive Plan and is within the Urban Development Area. As a companion application to this PUD, the Applicant is seeking a land use amendment to designate the RPI portion of the Property as Community General Commercial (“CGC”). The entire Property will remain in the Urban Development Area. The MDR portion of the Property will remain as a buffer between the commercial and other uses within the PUD and the adjacent multifamily residential development.

**III. SITE SPECIFICS**

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

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	RPI, LDR	PUD	Vacant, Residential
East	CGC, RPI	PUD	Vacant
North	RPI	PUD, CO	Vacant, Office
West	MDR	RMD-A, PUD	Multifamily Residential

**IV. PUD DEVELOPMENT CRITERIA**

**A. Development Densities/Intensities**

The PUD proposes the following permitted densities/intensities:

Retail/commercial (including personal property storage): Up to 175,000 enclosed sq. ft. (not including parking structures or outside uses).

Office: Up to 75,000 enclosed sq. ft.

Public buildings and facilities: Up to 7,500 enclosed sq. ft.

Any permitted uses not included in the densities/intensities above are not subject to the densities/intensities set forth in this section.

**B. Permitted Uses**

This section of the Written Description addresses the items required in Section 656.341(c)(2)(ii) of the Zoning Code: Permitted Uses and Structures, Permitted Accessory Uses and Structures, Minimum Lot Requirements (width/density/area), Maximum Lot Coverage by all Buildings and Structures, Minimum and/or Maximum Yard Requirements, and Maximum Height of Structures.

1. *Permitted Uses and Structures:*

- a. Retail outlets for the sale of food and drugs including grocery stores, apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry, art, cameras or photographic supplies including camera repair, sporting goods, hobby shops and

pet shops, musical instruments, florists, delicatessens, bakeries, restaurants, home furnishings and appliances including repairs incidental to sales, office equipment or furniture, hardware, antiques, new automobile parts (including rebuilt parts) and accessories, plant nurseries, home improvement, and all other similar retail uses. These uses include drive-through and drive-in facilities and other similar uses.

- b. Retail outlets for the purchase, sale, or trade of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- c. Fruit, vegetable, poultry or fish market.
- d. Personal service establishments such as barber and beauty shops, shoe repair, interior decorators, health clubs and gymnasiums, laundries and dry cleaners, tailors, dry cleaning pickup, travel agencies, and similar uses.
- e. Libraries, museums, and community centers.
- f. Personal property storage meeting the performance standards and development criteria set forth in Section IV.D.7 below.
- g. Establishments which include the retail sale and service of beer or wine for on-premises consumption or off premises consumption or both.
- h. Convenience stores, without petroleum or natural gas sales, but with electric sales.
- i. Restaurants with on premises consumption of beer, wine and alcohol.
- j. Restaurants with the outside sale and service of food.
- k. Outside sale and service of beer, wine, and alcohol, subject to the criteria set forth in Section IV.D.5 below.
- l. The retail sale and on-premises consumption of alcoholic beverages, including liquor, beer and wine, permitted under Sub-sections g, i, j, k, m, p, w and aa and Sub-section 2(a) herein are exempt from the distance limitations set forth in Part 8 of the Zoning Code from applicable uses within this PUD.
- m. Retail and restaurant kiosks (static or mobile kiosks).
- n. Uses permitted within the PBF-1 zoning district.

- o. Banks, savings and loans, and other financial institutions and similar uses, including drive-through and drive-up facilities.
- p. Commercial recreational or entertainment facilities such as bowling alleys, swimming pools, skating rinks, cinemas and theaters.
- q. Express or parcel delivery offices, but not trucking distribution centers.
- r. Veterinarians and animal hospitals meeting the performance standards and development criteria set forth in Section IV.D.6 below.
- s. Off-street parking lots, meeting the performance standards and development criteria set forth in Section IV.D.4 below, which may include outdoor sales, entertainment, and public displays.
- t. Parking decks and parking garages.
- u. Medical, dental and chiropractic offices and clinics.
- v. Business and professional offices.
- w. Meeting facilities and conference centers for business meetings, social gatherings (holiday events, parties, reunions, weddings, and similar events), including the associated service of food and alcohol and the outside sale and service of alcohol meeting the performance standards and development criteria set forth in Section IV.D.5 below.
- x. Facilities for the production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products in conjunction with a professional service being rendered at the time.
- y. Buildings and uses immediately and exclusively accessory to the uses permitted above, including automobile parking or valet facilities, living quarters for custodians or caretakers of the office buildings, and storage of documents and equipment.
- z. Child and adult day care centers meeting the performance standards in Section IV.D.1 below.
- aa. Art galleries, dance, art, gymnastics, karate and martial arts and music studios, and theaters for stage performances.
- bb. Blueprinting and job printing.
- cc. Research, dental, and medical laboratories.

- dd. Vocational, trade and business schools or special needs schools, subject to the performance standards and development criteria set forth in Section **Error! Reference source not found.** below.
  - ee. Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric and cellular communication towers subject to performance standards in Section IV.D.3 below.
  - ff. Cellular telephone towers and radio towers meeting the performance standards and development criteria set forth in Section IV.D.2 below.
  - gg. Parks, playgrounds, playfields, recreational and community areas and structures, multi-use paths, trails, lakefront promenade, public art, and similar uses.
  - hh. Any uses permitted herein may be integrated vertically within a structure.
  - ii. Silviculture uses may continue until build-out.
2. *Permissible Uses by Exception:*
- a. Establishments which include the retail sale and service of all alcoholic beverages, including liquor, beer or wine for on-premises consumption or off premises consumption or both, including outside sale and service of all alcoholic beverages, subject to the criteria set forth in Section IV.D.5 below.
3. *Minimum lot requirements (width and area):*
- a. None.
4. *Maximum lot coverage by all buildings and structures:*
- a. None.
5. *Minimum yard requirements:*
- a. Front- None.
  - b. Rear – None.
  - c. Side – None.
6. *Maximum height of structures:*
- a. Forty-five (45) 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 forty-five (45) feet.

- b. 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.

**C. 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 (or contiguous lot in the same ownership) as the principal use. 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 building. Accessory uses shall not involve operations or structures not in keeping with character of the district where located.

**D. Additional Performance Standards**

Additional performance standards for those uses identified shall be as follows:

1. Child or adult day care centers shall be allowed subject to the following conditions:
  - a. All centers shall provide an adequate off-street area for the stacking of vehicles and required parking.
  - b. Child day care centers shall provide a fenced outdoor play area which meets the minimum requirements set forth by the state licensing agency and which shall be located in the rear or side yards of the subject property.
2. Communication towers shall be permitted subject to the requirements relating to the location of such towers pursuant to Part 15 of the City of Jacksonville Zoning Code.
3. Essential services (utility systems) shall be allowed as a permitted use subject to the following conditions:
  - a. Central water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the Jacksonville Municipal Code.
4. Off-street parking lots shall be allowed subject to the following condition:
  - a. If the facilities are lighted, lighting shall be designed and installed

so as to prevent glare or excessive light on any adjacent residential properties, subject to the review and approval of the Planning and Development Department.

5. Outside sale and service of alcoholic beverages as permitted or permissible above shall be allowed subject to the following conditions:
  - a. The area for outside sale and service shall be limited to an area which is contiguous to an existing licensed facility or establishment and which shall be no greater than the inside area for sale and service.
  - b. The outside area also shall be surrounded by a permanent railing or other barrier at least three and half feet high; provided that the barrier may be broken up by multiple entranceways no more than six feet wide each.
6. Veterinarians and animal hospitals shall be allowed subject to the following condition:
  - a. Animals shall be kept in the enclosed soundproofed buildings during the hours of 8:00 p.m. to 8:00 a.m.
7. Personal Property Storage will be allowed on minimum lot size of not less than 1.5 acres and the minimum parking spaces required are .24 per 1000 square feet. Otherwise, use is subject to the remaining conditions of 656.401(q).

## **V. OVERALL DEVELOPMENT STANDARDS AND CRITERIA**

### **A. Access**

Access will be provided via Burnt Mill Road and Gate Parkway, and vehicular internal circulation will be as shown on the PUD Site Plan. The proposed access points and vehicular internal circulation as shown on the PUD Site Plan are conceptual and may be subject to revision during final design, engineering, and permitting. Design of the access and vehicular internal circulation is subject to review and approval of the Planning and Development Department.

### **B. Sidewalks, Trails, and Bikeways**

Sidewalks shall be provided as required in the Comprehensive Plan.

### **C. Landscaping/Landscaped Buffers**

Landscaping and tree protection shall be provided in accordance with the City of Jacksonville Ordinance Code and Article 25 of the Charter of the City of Jacksonville, with the following additional and superseding provisions specifically noted to address the integrated mixed use qualities of the PUD. Landscaping standards shall be applied taking into

consideration all proposed uses and the entire PUD site. For individual uses, which may own their sites in fee simple, 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 uses.

1. *Buffers*

- a. The City’s Ordinance Code requires buffers for “uncomplementary land uses and zones” in Section 656.1216. Due to the integrated nature of this project, all internal uses within the PUD are considered compatible with each other and no buffers between such internal uses are required.
- b. A buffer area will be provided in the MDR portion of the property along the western boundary of the Property in lieu of an uncomplementary buffer pursuant to Section 656.1216 between the commercial and other uses within the PUD and the multifamily residential development located to the west. The eastern boundary of this buffer area that is adjacent to the office and retail/commercial uses will include a fence a minimum six (6) feet in height and composed of durable, permanent material (not wood) and a ten (10) foot strip of landscaping that shall provide at the time of installation a minimum of eighty five percent (85%) opacity, all as shown on the PUD Site Plan. Except as set forth in the preceding sentence, no new development is permitted within the buffer area and existing vegetation will remain.

2. *Perimeter Vehicle Use Area Buffer*

A ten (10) foot buffer shall be provided between public rights-of-way and vehicle use areas. Parking along the perimeter vehicle use area buffer may be reduced in depth from eighteen (18) feet to sixteen (16) feet provided that the additional two (2) feet of parking depth be added to the width of the landscape buffer.

**D. Signage**

The purpose of these sign standards is to establish a coordinated signage program that provides for the project and tenants’ identification and for directional communication in a distinctive and aesthetically pleasing manner. The sign standards apply project-wide. A coordinated system of identification, directional, and vehicular control signage will be provided for all common areas and road right-of-way. Multiple tenants and/or uses may be identified on signs within the PUD without regard to property ownership boundaries that may exist among the individual uses. All project identity and directional signs shall be architecturally compatible with the project or buildings represented. Signs may be internally or externally illuminated. The specific signage standards below are based on the proposed building layout based on the PUD Site Plan. In the event that the proposed layout changes, a substantially similar type and

cumulative amount of signage shall be permitted based on such layout, subject to the review and approval of the Planning and Development Department.

1. Project Identity Monument Signs for Buildings 1, 2 and 3.

A maximum of two (2) project identity monument signs will be permitted along Burnt Mill Road and Gate Parkway for the PUD project and/or uses, owners, and tenants within Buildings 1, 2 and 3, as shown on the PUD Site Plan. These signs may be two sided and externally or internally illuminated. Multiple uses/owners/tenants within one building or a series of buildings may be identified with one shared monument sign.

These monument signs will not exceed fifteen (15) feet in height and one hundred (100) square feet (each side) in area.

2. Project Identity Monument Sign for Building 4.

A maximum of one (1) project identity monument sign will be permitted along Gate Parkway for the PUD project and/or uses, owners, and tenants within Building 3, as shown on the PUD Site Plan. This sign may be two sided and externally or internally illuminated. Multiple uses/owners/tenants within one building or a series of buildings may be identified with one shared monument sign.

This monument sign will not exceed fifteen (15) feet in height and one hundred (100) square feet (each side) in area.

3. Project Identity Monument Sign for Public Buildings and Facilities.

A maximum of one (1) project identity monument sign will be permitted along Gate Parkway for any public buildings and facilities. This sign may be two sided, externally or internally illuminated. Multiple uses/owners/tenants within one building or a series of buildings may be identified with one shared monument sign.

This monument sign will not exceed fifteen (15) feet in height and fifty (50) square feet (each side) in area.

4. Other Signs.

Wall signs and awning signs are permitted. Wall and awning signage visible from public rights-of-way will be permitted for each use and/or tenant within a multi-tenant building. Cumulatively, both wall and awning signage will not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building visible from public rights of way.

Projecting signs are permitted and will not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building visible from a public right-of-way to which side the projecting sign is attached. The ten (10) percent shall be measured cumulatively with any wall and awning signs on the same side of the building.

Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of ten (10) square feet in area per side.

Internal directional signs indicating major buildings, major tenants, 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. 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 eight (8) square feet per side. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

Changing message devices are permitted for non-residential uses subject to the provisions of Section 656.1302, Zoning Code, as it may be amended.

Because all project identity 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, 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 banner signs will be permitted not to exceed twenty-five (25) square feet in area. Banner signs will be permitted in the entrances and interior of the PUD. Seasonal festive banners may be displayed for a maximum of fourteen (14) days without a permit except that such banners may be displayed forty-five (45) days prior to and thirty (30) days following the holiday. Other banners (including but not limited to “Now Opening” or “Hiring Soon” banners) may be displayed for a maximum of thirty (30) days. The banners shall be allowed to display logos and/or the name of the project and/or owner. Banner signs do not count toward the overall maximum sign face allowable for monument signs.

##### 5. General Provisions Governing All Monument Signage

- a. All monument signs on the same lot must be a minimum of one-hundred (100) feet apart.
- b. As a part of verification of substantial compliance with this PUD, prior to commencement of each use which proposes a monument sign, the applicant for that use shall submit a plan showing the location, height, size and design of the proposed monument sign to the Planning and Development Department for its review and approval for consistency with this PUD.

## Sign Guidelines

Sign Type	General Location	Quantity	Max Area Per Side (sq ft)	Max Height (ft)	Min Dist Btwn Signs (ft)
Project Identity Signs – Buildings 1, 2 and 3	Burnt Mill Rd. and Gate Pkwy	2	100	15	100
Project Identity Signs – Building 4	Gate Pkwy	1	100	15	100
Project Identity Signs – Public buildings and facilities	Gate Pkwy	1	50	15	100
Wall Signs	Project Wide		10% of sq ft of occupancy frontage		
Projecting and Roof Signs	Project Wide		10% of sq ft of occupancy frontage		
Awning Signs	Project Wide		10% of sq ft of occupancy frontage		
Under Canopy Signs	Project Wide		10		
Directional Signs	Project Wide		8		
Information Kiosks	Project Wide		8		
Temporary Banners	Project Wide with 14 Day Limit (45 Days Prior to Christmas)		25		
Festival Banners	Project Wide on Light Poles		N/A		

**E. Architectural Guidelines.**

Buildings, structures, and signage shall be architecturally compatible with those in other uses within the PUD. Dumpsters shall be located within enclosures/visual screens a minimum six (6) feet in height and composed of durable, permanent material (not wood), such that the dumpsters are screened from view from surrounding roadways and adjacent properties.

**F. Construction offices/model homes/real estate sales.**

On-site, temporary construction offices or trailers/sales offices or trailers will be permitted in any commercial parcel or “phase” until that parcel or “phase” is built out. Associated parking for sales activities is permitted.

**G. Modifications**

Amendment to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as authorized by this PUD or by Section 656.341 of the Zoning Code.

**H. Parking and Loading Requirements**

Off street parking will be provided in accordance with Part 6 of the City’s Zoning Code, as it may be amended, with the following additional and superseding provisions:

1. Parking shall be provided in garages, driveways, or common parking in accordance with the following standards:
  - a. Retail/Commercial and Restaurants: 4.0 spaces per 1,000 s.f. GLA
    - (1) In accordance with Section IV.D.7. above, for Personal Property Storage: .24 space per 1,000 s.f
  - b. Office: 3.0 spaces per 1,000 s.f. GLA
2. Shared parking can be used to satisfy required parking.
  - a. When two or more uses occupy the same building and when the hours of operation do not overlap, the parking for the use that needs the most parking shall suffice for all uses.
  - b. Shared parking must be provided within 400 feet of the business(es) being served.
3. Valet parking can be used to satisfy parking requirements when provided within 1,000 feet of the business(es) being served.
4. In the verification of substantial compliance process pursuant to Section

656.341(g), Zoning Code, upon submittal to the Planning and Development Department of a study of proposed parking for a mix of identified uses, the total parking requirements for such uses may be reduced to not less than eighty (80) percent of the sum of the amount required for each separate identified use.

5. The PUD may provide for more parking than is required, should the owner or developer deem it necessary and appropriate.

**I. Lighting**

To minimize the effects of site lighting on the adjacent residential properties, directional site lighting fixtures will be utilized along the Property boundaries with adjacent residential properties to cast light downward onto the PUD site.

**J. Stormwater Retention**

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

**K. Utilities**

The Property is served by JEA.

**L. Pre-Application Conference**

Pre-application conferences were held regarding this application on March 29, 2018.

**M. Justification for the PUD Rezoning**

The PUD proposes the concept of a carefully planned mixed-use development with commercial, retail, office and public service uses to complement and provide services to surrounding residential developments. Many best development and planning practices have been incorporated into the PUD including:

- A mix of land uses integrated vertically and horizontally;
- Internal and external vehicular connectivity;
- Creation of employment opportunities; and
- The inclusion of performance standards for the project that will establish the unique quality, identity and character of the PUD.

Furthermore, the PUD allows for the development of public buildings and facilities on the Property, which will be essential for providing services to the surrounding area as it continues to grow.

**N. PUD/Difference from Usual Application of Zoning Code**

The 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 PUD Site Plan; it provides for site-specific design standards and criteria; it permits a unique and creative approach to the planning and development of the Property; it waives certain distance limitations contained in Part 8, Zoning Code, for certain uses within the PUD; it consolidates office, medical, retail, and other commercial uses, which are otherwise set forth in multiple, different zoning districts; it includes variations to the accessory use and performance standards provisions which are consistent with the urban, mixed use design of this PUD; it includes variations from the landscaping provisions consistent with the urban design of this PUD; it provides for site-specific signage tailored to the frontage on Burnt Mill Road and Gate Parkway; and it includes variations from the parking standards otherwise applicable to accommodate the urban design of this PUD, shared parking, and other features of a planned multi-use development. Such a unique and integrated plan requires the use of the PUD ordinance in order to administer the standards that have been designed to ensure proper implementation of the community's intended design. The design and layout of the PUD is: creative in its planning approach as described above; more desirable than would be possible through strict application of the minimum requirements of the Land Development Code; and more efficient.

**O. Permissible Uses by Exception**

There are no permissible uses by exception.

**P. Names of Development Team**

Developer/Owner: Arthur Chester Skinner, III, Trust, et al.

Planner/Engineer: Baker Klein

Architect: N/A

**Q. Land Use Table**

A Land Use Table is attached hereto as **Exhibit "F."** Acreages, densities and intensities in Exhibit F are approximate.

**VI. PUD REVIEW CRITERIA**

**A. Consistency with the Comprehensive Plan:** As described above, the uses proposed herein are consistent with the CGC and MDR land use categories, as applicable. The maximum densities and intensities 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 1.2.9. Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Goal 3. To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

FLUE Objective 3.2. To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

FLUE Policy 3.2.7. The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

**B. Consistency with the Concurrency Management System:** The PUD will comply with the Concurrency Management System and the TMA Development Agreement applicable to the PUD site.

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

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

**E. External Compatibility/Intensity of Development:** The 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 PUD provides ample open spaces and recreational opportunities.

**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. Off-Street Parking Including Loading and Unloading Areas:** The PUD provides ample off street parking.

**K. Sidewalks, Trails, and Bikeways:** Sidewalks shall be provided as required in the Comprehensive Plan.