

EXHIBIT D

PUD Written Description

SILVER LAKE PUD

June 26, 2013

October 2, 2013

I. PROJECT DESCRIPTION

The subject property, hereafter referred to as the "Property", is legally described on Exhibit 1. The property is identified under Real Estate Numbers 145170-0050, 145174-0000, and 145232-0000, of the Duval County Tax Assessor's map. The property is titled in the name of GWW Properties, L.L.C. and Warren Asphalt, Inc. The property contains 3.5 acres +- and is located at the dead end of Silver Lake Terrace, west off of Arlington Road. Currently, the property has a CGC and MDR Land Use and a CCG-2 and RMD-A zoning. It should be noted that R75-262 (exhibit M) rezoned a portion of the property from RM & CM to C1. Also, that E-75-94 (exhibit N). Granted the right of outside storage of construction materials and equipment and fence materials to be transferable and run with the ___title___ to the land.

In August of 1992 the Planning and Development Department issued a letter stating "that" the asphalt operation was not allowed in the MDR land use designation but since it existed prior to the adaption of the plan, the facility is considered a legal non-conforming use. (Copy of letter is attached as exhibit 1).

North of the property the contiguous property is zoned CCG2 East and West of the Property. the contiguous property is zoned RMD-A South of the property there is a large wet lands zoned RMD-D. Since 1991 the property has been used by Warren Asphalt as outside construction yard to store construction equipment used in road paving and construction materials used in road paving. In addition there is office space on the site.

II. USES AND RESTRICTIONS

A. Permitted Uses:

1. Building trades contractor with outside storage of construction equipment and building materials.
2. Vocation, trade or business schools and similar uses.
3. All types of professional and business offices.
4. Small scale operations including wholesaling, warehousing, storage, distributorship business where the total operation does not require more than 10,000 square feet of floor space, all merchandise is stored within an enclosed building and not heavy machinery or manufacturing is located on the premises.
5. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.

6. 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.
7. Essential services including water, sewer, gas, telephone, radio, television and electric, meeting the performance standard and development criteria set forth in Part 4.
8. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

B. Permissible uses by exception:

1. Day labor pools.
2. Crematories.
3. Automobile storage yards.
4. Bus, semi-tractor (but not trailer) or truck parking and/or storage.
5. Service and repair of general appliances and small engines.
6. Commercial retail sales and service establishments.
7. 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 permit holder, adult arcade amusement centers operated by a licensed permit holder, game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, and similar uses;
8. Retail sales of new or used automobiles, trucks and tractors, mobile homes, boats, pawnshops subject of Part 4 automotive vehicle parts (but not automobile wrecking yards, junkyards or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nurseries, lumber and building supplies and similar products;
9. Major automotive repair, car or truck rental;
10. Recycling collection points meeting the performance standards and development criteria set forth in Part 4;
11. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4;
12. Express or parcel delivery offices and similar uses (but not freight or truck terminals);
13. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4;
14. Personal property storage establishments meeting the performance development criteria set forth in Part 4;
15. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliance, furniture and similar uses;

C. Accessory Structures:

1. Accessory uses and structures are allowed as defined in Part 4 of the zoning code.

III. DESIGN GUIDELINES

A. Lot requirements:

1. *Minimum lot area: none*
2. *Minimum lot width: none*
3. *Maximum lot coverage: 50,000 square feet of building and other structures.*
4. *Minimum front yard: none*
5. *Minimum side yard: none*
6. *Minimum rear yard: none*
7. *Maximum height of structure: 35 feet*
8. *Public Right of Way: none*
9. There will be no requirement for a storm detention/retention pond as this is a currently developed site. If any new building or structures are added to the site all storm water pond requirements will be met.
10. There may be new buildings added to the site subject to the review and approval of the Planning and Development Department of the City of Jacksonville: However, the total square footage of all buildings existing and future will not exceed 50,000 square feet.
11. Fencing: Since 1991 there has been a 6 foot high chain link fence enclosing the property this will be the sole requirement for fencing and screening.
12. Recreational Requirement: This is a commercial PUD no recreational over will be required.
13. Construction Schedule: There is no proposal new construction at this time.
14. This PUD will bind the owner of the property to continued operation and maintenance of those areas and functions which are not operated or maintained by the City.

B. Ingress, Egress and Circulation:

1. *Parking Requirements:*

- a. The parking requirements will be as they currently exist and are shown on the site plan.

2. *Vehicular Access:*

- a. Vehicular access to the Property shall be by way of Silver Lake Terrace. The connection to Silver Lake Terrace shall be as shown on site plan and currently exist.

3. *Pedestrian Access:*

- a. As required and approved by the City of Jacksonville Planning and Development Department.

C. Signs

1. One (1) double-faced or up to two (2) single-faced signs, not to exceed twenty-four (24) square feet and not more than twelve (12) feet in height; and
2. Directional signs shall not exceed four (4) square feet and must be approved by the Jacksonville Planning and Development Department.

D. Landscaping

1. This is an existing site at the end of a dead end street with very little road frontage. The site will be exempt from Part 12 of the Landscape Regulation of the Zoning Code.

E. Recreation and Open Space:

None will be required.

F. Utilities

1. Water will be provided by Jacksonville Electric Authority
2. Sanitary sewer will be provided by private sewer system
3. Electric will be provided by Jacksonville Electric Authority

G. Wetlands

1. Wetlands will be permitted according to local, state and federal requirements.

IV. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville's Planning and Development Department identifying all existing and proposed uses within the Property, and showing the general layout of the overall Property.

V. 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 project will be beneficial to the surrounding neighborhood and community. The design and layout of the PUD accomplishes the following:

- A. Allows for a creative approach through the use of natural features of the site with existing vegetation and existing TOPO;
- B. Allows for an effective use of the land, resulting in lower development costs;
- C. Provides an environment that is characteristic of the surrounding area;
- D. Supports the preservation of property values by providing needed services and support for the surrounding residences and businesses in the area; and
- E. Enhances the appearance of the area through the preservation of natural features, vegetation, and by using existing TOPO and grade in order to develop the project.

VII. PUD PREVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* According to the Future Land Use Map Series (FLUMs) of the 2030 Comprehensive Plan, the designated Land Use Category is MDR & CGC. If the companies Small Scale Land Use is approved the site will have a CGC Land Use. If the PUD is approved, the site will be consistent with the LDR Land Use Category and the Comprehensive Plan.
- B. *Consistency with the Concurrency Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency Management System Office (CMSO), and it has been assigned City Development Number _____.
- C. *Allocation of Commercial Land Use.* This is a commercial PUD commercial land use is 100%.
- D. *Internal Compatibility/Vehicular Access.* The proposed PUD contains limitations of the uses permitted on the subject Property as well as a common development scheme that contains provisions or relief from the requirements for signage, landscaping, sidewalks, and other issues relating to common areas and vehicular and pedestrian traffic. The

site will have direct access to Silver Lake Terrace. The location of access points and driveway connections are as they currently exist.

- E. *External Compatibility/Intensity of Development.* The Property is located in an existing commercial area along Silver Lake Terrace. The aesthetic and design guidelines will ensure a development that is compatible with and compliments recent activity in the immediate area. The project allows limited commercial development compatible with the uses located along Silver Lake Terrace.
- F. *Recreation/Open Space.* Will not be required.
- G. *Impact on Wetlands.* Development that would impact wetlands will be permitted through the local, state, and federal agencies with jurisdiction.
- H. *Listed Species Regulations.*
- I. *Off-Street Parking and Loading Requirements.* The site will comply with Part 6 of the Zoning Code or as otherwise exists subject to the review and approval of the Planning and Development Department.
- J. *Sidewalks, Trails, and Bikeways.* Will not be required.
- K. *Stormwater Retention.* Retention shall meet the requirement of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District.
- L. *Utilities.* JEA will provide electric sewer, and water, in addition there will be a private sewer system

VII. SUCCESSORS IN TITLE

All successors in title to the Property, or any portion of the Property, shall be bound to all the development standards and conditions of this PUD as contained herein and in the Ordinance approving the same.

VIII. GOALS AND POLICIES

Specifically, the PUD complies with the following Goals, Objectives, and Policies of the Comprehensive Plan, Future Land Use Element:

POLICY 3.1.1:

POLICY 3.1.4: The City shall allow expansion of residential uses within identifies residential enclaves, and accommodate or facilitate or encourage or foster renovation and reconstruction of existing structures in these areas.

POLICY 3.1.5: The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristic and socioeconomic profiles of the City's households as described in the Housing Element.