

EXHIBIT D

PUD WRITTEN DESCRIPTION

MAYPORT ROAD

SEPTEMBER 27, 2013

I. PROJECT DESCRIPTION.

The proposed PUD rezoning is comprised of one 1.17 acre parcel located on the West side of Mayport Road between Brazeale Lane and Bulldairy Road (the “Parcel”). The rezoning request is from PUD to PUD. The purpose of this rezoning is to permit use of the Parcel as an automobile display lot, which is not a permitted use in the current PUD. At this time, there is no intent by the Applicantⁱ to make immediate improvements to the Parcel, and desires to use the vacant lot to store vehicles for sale. The Parcel is currently under contract for sale to an existing automobile retail center located adjacent to the Parcel to the North. The immediate use of the Parcel as a vehicle storage lot will not require the Owner to engage an engineer, architect, or developer. Applicant does not intend to pave or improve the surface of the Parcel at this time.

Improvements to the Property will begin in about a year, and shall making improvements to make use of the Property as a retail sales lot for displaying automobiles for sale. No building is planned for the Property as part of the improvements. Since no building will be constructed on the Parcel, the non-residential floor space will be zero. The coverage of the designated area for the automobile lot will be approximately 170’ x 200’, or .78 acres. The remaining area of the Parcel will be the driveway access, landscape and open areas equaling approximately .39 acres. Improvements will be completed in a single phase, and is expected to take no more than ninety (90) days to complete. Maintenance of all areas within the proposed PUD will be maintained by the Applicant. Applicant will work with the appropriate City and State authorities to ensure the improvements comply with all local and state laws as they pertain to the improvement of the automobile display lot, at the time the improvements are made.

It is the purpose and intent of this proposed PUD to provide for uses consistent with the current surrounding uses, which includes commercial (CCG-1, CCG-2, and other commercial designations) along the Mayport Road corridor where the subject parcel is located. This proposed PUD differs from the zoning code for CCG-1 and CCG-2 in that it allows for an automobile storage lot by permitted use, and not by conditional use under the CCG-2 zoning code. Further, there are certain businesses that the applicant intentionally excluded from the permitted uses that are typical permitted in the CCG-1 and/or CCG-2 zoning code. For

example, adult entertainment and pawn shops are not a permitted use in this proposed PUD. In short, the permitted uses set forth in this proposed PUD are more restrictive than what is found in a CCG-1 and/or CCG-2 zoning code. There is some residential use to the West and South of the Parcel, but not immediately adjacent thereto. In keeping with the consistency and goal of the commercial sites along Mayport Road, the proposed PUD is designed to provide for appropriate setbacks, signage, landscaping, lighting, and vehicular ingress and egress passages that are compatible with the current zoning code and the Comprehensive Plan, and do not significantly deviate from the current PUD. It is the intent of the Applicant to work with staff in the development of the Parcel and to prioritize compliance in all stages of development and/or improvement to the Parcel. The overall goal with this proposed PUD is to provide for uses consistent with those predominantly currently in use along Mayport Road while at the same time, setting forth a development standard that will ensure the safety and welfare of the community and enhance the aesthetics of the immediate area.

The proposed PUD uses allow only non-residential uses. It will not alter population density, and should have no impact to schools, parks and recreation, and only a de minimis impact to other public facilities. All development will meet all surface drainage standards as imposed by Duval County Roadway and Drainage Standards and the criteria set out by the St. Johns River Water Management District (“SJRWMD”). The Parcel is benefited by an easement for surface water drainage system in, to, over, and upon the adjacent parcel to the South. The system was designed to include capacity and use for this parcel and is adequate and consistent with the requirements of the SJRWMD, and development of this parcel will not require an additional facility or increase to the capacity of the existing system. The proposed use of the parcel as an automobile display lot will not result in a significant increase to the potential traffic impact, and is likely to result in less traffic than what would be likely in a traditional commercial use. The Applicant does not expect traffic to increase as a result of the use of this parcel, which will be de minimis inasmuch as development and use of this parcel will consist of a development activity that has no vehicle trip generation beyond that which has already been determined for the car dealership that will utilize the Parcel for storing automobiles for sale.

II. USES AND RESTRICTIONS.

A. Permitted Uses.

1. Commercial retail sales and service establishments;
2. Retail sales of new and used automobiles and automobile storage yards (but not automobile wrecking yards, junkyards or scrap processing yards), and plant

nurseries, including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one ton capacity;

3. Restaurants, laundromat or dry cleaning, veterinarians, pest control, carpenter or cabinet shops, home equipment rentals, job printing or newspaper, radio or television office and studios, and similar uses;
4. All types of professional and business offices, and medical laboratories;
5. Commercial, recreational and entertainment facilities such as carnivals or circuses, theatres, athletic complexes, skating rinks, arenas, auditoriums, convention centers;
6. Hotels and motels;
7. Day care centers and care centers meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code;
8. Hospital, nursing homes, assisted living facilities, group care homes, housing for the elderly or orphans and similar uses;
9. 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, no vehicle is used in excess of one and one-half ton capacity, all merchandise is stored within and enclosed building and no heavy machinery or manufacturing is located on the premises;
10. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating;
11. Off-street commercial parking lots meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code;
12. Retail outlets for sale of used wearing apparel, toys, luggage, jewelry, cameras, sporting goods, home furnishing and appliances, furniture and similar uses, but not pawn shops;
13. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code;
14. Churches, including a rectory or similar use;

15. Personal property storage establishments meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code;
16. Vocational, trade, and business schools;
17. Banks, including drive-thru tellers; and
18. A restaurant which includes service of beer and wine for on-premises consumption.

B. Permissible Uses By Exception. The following uses shall be permitted by permissible use only:

1. Service stations, car washes, major automotive repair;
2. Recycling collection points meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code; and
3. Blood donor stations.

In addition to the specific permissible uses by exception listed herein, the CCG-2 zoning district permissible uses by exception that are not otherwise set forth in section “A” above as a permitted use may be requested through the conventional application process as set forth in the Zoning Code.

C. Accessory Structures. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

D. Restrictions on Uses.

1. Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located, or to be located, on the parcel.
2. Any request to deviate from these restrictions on the aggregate building area or uses shall be evaluated through the PUD minor modification process with a revised Site Plan to evaluate the internal and external compatibility of such proposed uses.
3. The proposed PUD specifically prohibits all, or any part, of the parcel to be used for adult entertainment establishments.

III. DESIGN GUIDELINES.

A. *Lot Requirements.*

1. Minimum lot requirements (width and area). None, except as otherwise stated required for certain uses.
2. Minimum lot coverage by all buildings. None, except as otherwise stated required for certain uses.
3. Minimum yard requirements:
 - a. Front: None.
 - b. Side: No less than six (6) feet shall be provided between buildings.
 - c. Rear: Ten (10) feet, but no less than fifteen (15) feet from the parcel boundary line between this parcel and neighboring residential property to the West.
4. Maximum height of all structures. Sixty (60) feet; provided, however, that height may be unlimited where the building is setback on all sides not less than one (1) horizontal foot, for each six (6) vertical feet in excess of sixty (60) feet.

B. *Ingress, Egress, and Circulation.*

1. Vehicular Access. Parking requirements for this parcel as an automobile storage lot shall consist of one thirty foot (30') wide internal driveway from the adjacent property to the North as shown on Exhibit E-1 submitted with this application. The final use and location of the access point is subject to review and approval by the City of Jacksonville Traffic Engineer. Cross access is permitted to the South through coordination with the Owner and the Applicant, which is retaining ownership of the remaining existing PUD property, but is not a preferred access by the Applicant or the Owner. The intended development of the existing PUD property is no longer possible or desired. Therefore, the original concept of the cross access between the current PUD parcels is not needed by the Applicant or Owner. Non-use of the cross access will not in any way effect the free flow of vehicular or pedestrian ingress and egress for this parcel or the parcel to the South, nor shall non-use of the cross access create an unsafe traffic flow for either parcel. The cross access is not at

issue as an alternative outflow onto Mayport Road because the Parcel does not have direct access to Mayport Road at this time. The Owner contemplates improvements to the subject parcel for a future ingress and egress access directly onto Mayport Road. At such time as when the access will be completed, Owner will work with the City of Jacksonville and DOT to obtain the necessary approvals for the exact location and requirements for the access. The future access is shown on the proposed PUD drawings submitted with this application for your reference.

2. Pedestrian Access. Pedestrian access and circulation will be provided by the existing sidewalks and walkways, and any improvements which may be required by the City of Jacksonville Traffic Engineer and Department of Public Works, and in accordance with the 2030 Comprehensive Plan.

C. *Signs.*

1. One (1) street frontage, monument style, maximum of eight (8) feet in height, and maximum of 96 square feet in area.
2. Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage or respective side of the building abutting a public right-of-way or approved private street.

- D. *Landscaping.*** Applicant requests this proposed PUD be approved without requiring Applicant to comply with Chapter 656.1214 because the use of the Parcel to store and display automobiles for sale is not typically landscaped other than the perimeter. It would not be safe for prospective purchasers to be required to drive around trees, and it may be a hazard to the Applicant's inventory of automobiles as the leaves dropping on the automobiles can damage the paint and finish, which may result in a great loss to the Applicant. Notwithstanding anything to the contrary herein, and to the extent required, Applicant will ensure Landscaping will comply with the Chapter 656, Part 12 Landscaping and Tree Protection Regulations zoning code and applicant will work in coordination with the City of Jacksonville.

The Parcel will maintain a fifteen (15) foot wide buffer on the West side of the Parcel. Evergreen trees shall be planted (one tree for each twenty-five linear feet of buffer area) in the buffer area as well as grass or ground cover in all areas of the buffer. A six foot high, 85% opaque visual screen (wood fence, masonry wall, landscaping, earth mounds, or a combination thereof) along the length of the buffer shall be provided. A five (5') landscape area will be placed between the Parcel and the parcel immediately to the South. Keeping in mind that Owner's

purchase of the Parcel is so it can expand its existing business, Applicant is submitting the PUD without a landscape plan for the North boundary of the Parcel, which is the location of Owner's business. Landscaping the Northern boundary of the Parcel will prevent the Owner's intent to integrate the Parcel with its current business.

E. ***Recreation and Open Space.*** Open space will consist of about .39 acres.

F. ***Utilities.*** All street and drainage improvements, as well as any other public works/engineering related issues will be designated as constructed in accordance with the standards and specifications of the City of Jacksonville, Public Works Department. Potable water and sanitary sewer can be provided by the City of Atlantic Beach, and electric can be provided by JEA. Since the Parcel is intended to display automobiles, it is not necessary to provide public facilities for public use as the public facilities are located in the showroom at the dealership next door. The applicant will be subscribing to electric services for lighting and security.

G. ***Wetlands.*** There are no wetlands on this site.

H. ***Parking.*** If the Parcel is developed for any use other than retail sale of automobiles and trucks, the parcel use shall comply with Chapter 656, Part 6, Off Street Parking and Loading Regulations of the Zoning Code.

IV. DEVELOPMENT PLAN APPROVAL. The Applicant will submit a request for verification of substantial compliance with the proposed PUD by providing the attached drawing to the City of Jacksonville Planning and Development Department identifying all existing and proposed uses within the Parcel. Landscaping compliance shall be determined by visual inspection of the Parcel by the appropriate inspector once improvements are complete.

V. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT. The proposed development of the Parcel is consistent with the general purpose and intent of the City of Jacksonville's 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding commercial areas.

1. Is more efficient than would be possible through the strict application of the CCG-1 and CCG-2 zoning code, and prohibits certain uses that are typically not desired in commercial districts;
2. Is compatible with surrounding land uses and will improve the characteristics of the immediate and surrounding area;
3. Will promote the purpose of the City of Jacksonville's 2030 Comprehensive Plan.
4. Will allow the Owner to improve and expand its current business which has been a good citizen to the area for many years.

VI. PUD REVIEW CRITERIA.

The site is designated CGC (Community General Commercial) according to the Future Land Use Map portion of the 2030 Comprehensive Plan. CGC is stated as a commercial category intended to provide a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Principal uses under the CGC designation include automobile sales and off street parking lots.

ⁱ This application refers to the current landowner as the "Applicant", and the purchaser, which owns the parcel immediately to the North of this PUD parcel as the "Owner".