

EXHIBIT D

PUD Revised Written Description

Oak Street Lofts PUD
March 10, 2006

Deleted: December 19, 2005

Development #7043 RE#090326-0000

I. DESCRIPTION OF PLANS

Applicant proposes to rezone approximately 0.17 acres from CCG-1 to Planned Unit Development (PUD) to allow for the development of a mixed-use project known as Oak Street Lofts. The parcel shall allow for a mix of retail use and multi-family condominium units. The parcel is located north of the convergence of Oak and Margaret Streets.

II. PLANNED UNIT DEVELOPMENT USE RESTRICTIONS

The ground floor of the site shall be developed for retail uses consistent with the current CCG-1 zoning category and shall also contain on-site parking as shown on the conceptual site plan. The upper floors shall be developed for multi-family condominium units generally consistent with the current RMD-E zoning category. This PUD shall allow: (a) 8 residential units total on the upper floors; and (b) up to 1,100 square feet of retail use on the ground floor.

Deleted: As shown on the Site Plan attached as Exhibit E, the property will be developed into two (2) distinct parcels which shall have separate use restrictions and development standards. Parcel 1 (ground floor)

Deleted: Parcel 2 (upper floors)

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Deleted: in Parcel 2; and (b) more than 2,000

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A. PERMITTED USES AND RESTRICTIONS

The existing Comprehensive Plan designation for this property is CGC. The current zoning is CCG-1. The purpose of the application for PUD approval is to allow for a use of the property that is consistent with the CGC category of the 2010 Comprehensive Plan (up to 90% residential use). The project shall be constructed as depicted in conceptual renderings as shown on Exhibit "F" to be a part of the final approval.

Permitted Uses and Restrictions - Ground Floor

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The permitted uses on the site, in the approximately 1,100 square foot ground floor retail facility shall be as follows:

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- (1) Retail sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry, art, cameras or photographic supplies, sporting goods, hobby shops and pet shops, musical instruments, delicatessens, bakeries, home furnishings and appliances (including repair incident to sales), office equipment, furniture, antiques, hardware, and similar uses;

- (2) Service establishments such as barber or beauty shops, shoe repairs, restaurants, interior decorators, reducing salons or gymnasiums, self-service laundry or dry cleaners, tailors or dressmakers, laundries or dry cleaning pickup stations, travel agents, employment offices, and similar uses;
- (3) Banks, loan companies, mortgage brokers, stock brokers and similar financial institutions; however, drive-up or drive-thru ATM or banking facilities shall be strictly prohibited;
- (4) All types of professional and business offices;
- (5) Establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises consumption with the service of food which is ordered from a menu and prepared or served for pay or consumption on premises;
- (6) Establishment or facility which includes retail sale or service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both, including permanent or restricted outside sale and service meeting the performance standards and development criteria set forth in Part 4;
- (7) Restaurants with the outside sale or service of food meeting the performance standards and development criteria set forth in Part 4.

Sale, service and display, preparation and storage shall be conducted generally within an enclosed building. In addition, all uses permitted or permissible by right or exception within this current CCG-1 zoning district as provided in §656.313 of the Zoning Code will be allowed within the property upon approval of a revised site plan as a minor modification to the PUD pursuant to the provisions of the Jacksonville Zoning Code.

Permitted Uses and Restrictions – Upper Floors

The upper floors shall be developed generally using the development standards of the current RMD-E zoning district, except as otherwise restricted herein. The site shall not allow for more than 8 units. The units may include overhanging balconies. The permitted uses as to the upper floors shall be multi-family condominium units. The following criteria shall apply:

- Minimum lot width – 20 feet
- Maximum lot coverage, 95 percent
- Minimum yard requirements
 - front 0 feet
 - side 0 feet
 - feet

Maximum building height for residential use – 45 feet (as show on Exhibit “F”)

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B. RESIDENTIAL DEVELOPMENT STANDARDS

1. Parking Requirements

The site shall contain one (1) on-site parking space for each residential unit, but shall require no on-site parking for the retail use. Additionally, the off-site surrounding lands shall be improved for parking as authorized by the City of Jacksonville.

2. Vehicular Access Residential

Vehicular access to the property will be from Oak Street and out on Margaret Street. All ingress and egress points shall be designed and constructed in accordance with City standards and shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer.

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3. Pedestrian Circulation System

Sidewalks currently exist along Oak Street and Margaret Street, and both shall be maintained and improved, in accordance with the Five Points Streetscape standard. Access to the site shall be off Oak and Margaret Streets as depicted on the site plan.

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C. DEVELOPMENT STANDARDS

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1. Retention

If required, stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the ST. Johns River Water Management District.

2. Utilities

All streets and drainage improvements will be designed and constructed in accordance with the standards and specifications of the City of Jacksonville and the Public Works Department. The electrical power will be underground. The sewer service will be gravity flow and the potable water will be furnished by JEA as well as water for the fire hydrants.

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3. Site Lighting

Any and all forms of exterior lighting or interior parking lighting shall be “full cut-off” only and designed and installed to localize illumination onto the property, and to minimize unreasonable interference or impact on any adjacent property outside of the PUD. The design of the light fixtures shall be architecturally compatible with the Historic Preservation Guidelines for the Riverside and Avondale Historic District, as defined in Chapter 307.

D. PLANNED UNIT DEVELOPMENT DESIGN GUIDELINES

1. Tree Protection and Landscape Buffers

The requirements of the City of Jacksonville Code 656 Part 12 shall be waived, in that the site is urban infill of an existing developed site. Any landscaping installed shall be installed and maintained in accordance with the Landscape and Tree Protection Regulations set forth in accordance with the Five Points Streetscape standard.

2. Signage

- a. Residential Signage: The residential use shall allow for signage not to exceed 50 square feet;
- b. Commercial Establishment Signage: Commercial uses within the PUD shall be permitted wall signs, window signs, awnings with identification signage and under canopy signage which collectively shall not exceed 5 percent of the square footage of the occupancy front façade and 1 sign not to exceed 24 square feet;
- c. Directional Signage: Directional signs are permitted along Oak Street and Margaret Street. The design of such Directional Signs shall be reflective of the overall character of the PUD and may include the relevant log and name. Vehicle-oriented Directional Signs shall be a maximum of 8 square feet in area per sign face;
- d. Temporary Construction Signage: Temporary signs, including but not limited to real estate for lease/sale, contractor or financing signs or banners, shall not exceed a maximum of 24 square feet each and shall be strictly limited to 2 such signs on site at any one time. Construction fence screening shall be allowed under the following conditions: (1) it shall not exceed 8 feet in height; (2) graphics shall not exceed 50 percent of the entire exterior surface area; (3) shall be maintained in good order, condition and repair; and (4) shall be removed upon Certificate of Occupancy;
- e. Temporary Signage: Temporary yard signs and banners, excluding for lease/sale signs, shall be strictly prohibited; and
- f. Backlit Signage: Any and all forms of backlit signage, including but not limited to incandescent neon or scrolling signage, shall be strictly prohibited.

3. Dumpster

The dumpster shall be enclosed by a 100 percent opaque wall and gate to match building material and character.

4. Mechanical Equipment

Vents, wireless communications, facilities, antennas or satellite dishes shall not be visible from street level. Any and all required or installed noise-producing equipment or appurtenances shall be designed, located and adequately buffered to minimize the impact of noise on adjacent property outside the PUD.

5. Architecture

The architecture and building standards for the project have been designed to be compatible with the Historic Preservation Guidelines for the Riverside Avondale Historic District, as defined in Chapter 307.

E. SUCCESSORS IN TITLE

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

F. EXTERNAL COMPATIBILITY

1. Uses on or Near the Perimeter of the PUD

The zoning of all adjoining lands is CCG-1. The general area, however, is developed into mixed uses similar to those proposed in the PUD. The development shall provide adequate buffers to accommodate adjoining inconsistent uses.

G. INTENSITY OF DEVELOPMENT

1. Proposed Use

The proposed PUD is a mixed use PUD. The proposed development will allow for on-site parking, ground floor retail and multi-family condominium units.

2. Availability of Utility Services

As stated in Section C under Development Standards, all utilities are available for the proposed PUD.

3. Access to and Suitability of Transportation Arteries

The proposed PUD is located on Oak and Margaret Streets and has convenient access to Interstate 95 and Interstate 10. The proposed development will have a one-way entrance from Oak Street and a one-way exit onto Margaret Street. The design of the internal circulation is designed for low-speed residential traffic, with transportation signage meeting the City of Jacksonville requirements.

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H. MODIFICATIONS

Any changes or amendments to this approved PUD district shall only be accomplished by Minor Modification or by the filing of a rezoning application, pursuant to §656.341 of the City of Jacksonville Zoning Code. Upon filing either a Minor Modification or rezoning, the applicant shall concurrently notify both Riverside Avondale Preservation and the respective district City Councilmember.

JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

1. The PUD application submitted herein should prove to reflect a development that will not only respond to the uses in the Riverside area, but will meet the need that exists to provide quality housing and amenities in an urban infill location.
2. The PUD application submitted conforms to the Goals, Objectives and Policies of the Jacksonville Planning Department, more specifically the Future Land Use Element dated May 2000, Sections 1.1.8, 1.1.9 and 1.1.10 and 1.1.11.
3. The proposed PUD allows for an efficient use of land.
4. Enhances the appearance of the area through upgrading of an infill location.
5. Allows for quality mixed use development in an existing neighborhood.
6. Provides for redevelopment of an existing use.
7. Provides for infill by use of an existing facility for new homes.