

Exhibit "D"

**Riverside Court PUD
Revised Written Description
Date: August 15, 2006
Ordinance 2006-868**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A.** Current Land Use Designation: MDR
- B.** Current Zoning District: RMD-B
- C.** Requested Zoning District: PUD
- D.** RE #: 064660-0000, a portion of 064684-0000

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 1.84 ± acres of property from Residential Medium Density-B (RMD-B) to Planned Unit Development (PUD). The Property is located on the north side of Lydia Street between Frederica Place and Sydney Place, as shown on Exhibit "K" (the "Property"). A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan"). The proposed PUD rezoning permits the Property to be developed as a residential condominium community consisting of one-story and two-story townhomes and flats and single or multi-car garages with a unit above each. The Property is currently undeveloped.

The proposed development is designed to provide an integrated development, with a combination of fencing, buffering, landscaping, and architectural controls to blend the proposed development into the surrounding area. The placement of the garages in the rear of the lots allows the development to have a more traditional neighborhood design: smaller scale, lower height, and a more residential appearance.

III. PUD DEVELOPMENT CRITERIA

- A.** Description of Uses.
 - 1. A maximum of twenty-two (22) condominium units, to consist of townhomes and flats in one-story or two-story buildings and single or multi-car garages with or without a dwelling unit above;
 - 2. Essential services including roads, water, sewer, gas, telephone, storm water management facilities, radio, television, electric, land communication devices, small satellite dishes, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code.

3. Home occupations meeting the performance criteria of Part 4 of the Zoning Code.

B. Permitted Accessory Uses and Structures. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code, provided, however, that the yard, setback and height restrictions of Section 656.403 do not apply to such uses and structures.

C. Minimum Lot and Building Requirements.

1. *Minimum building setbacks and yard requirements.* The building setbacks will be provided for the development as a whole from the overall Property boundaries for all uses and structures as follows:

- a. Front (from Lydia St.) – Twenty (20) feet.
- b. Side – Five (5) feet.
- c. Rear – Five (5) feet.

Note: Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, and other similar improvements shall be permitted within the minimum building setbacks. Minimum side and rear yard requirements may overlap with the uncomplimentary land use buffer.

2. *Minimum Lot Requirements.* None.
3. *Maximum lot coverage by all buildings.* Thirty five percent (35%).
4. *Maximum Height of All Structures.* Thirty-five (35) feet, as measured from the established grade for each building to the top of the highest eave and/or ridge. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

D. Common Landscape Maintenance. The Applicant shall ensure the proper maintenance of all common areas, lawns, and landscaping to be funded by mandatory condominium association dues.

E. Access. Access to the site will be from Lydia Street. As indicated on the Site Plan, the Property will have one primary private drive and multiple smaller private drives off the primary drive. The design of the access point and internal road as shown on the Site Plan may vary prior to development; provided, however, that the final design of both shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer. Upon completion, the internal road will be private and maintained by the homeowners' association.

F. Pedestrian Circulation. The site will be developed with an internal sidewalk system as shown on the site plan. The existing sidewalk along Lydia Street shall be preserved and repaired if damaged during construction. The existing historic street sign monument on Lydia Street shall be preserved.

G. Signage. Real estate signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. However;

Directional Signs: Directional Signs that indicate ways to and from the PUD entrance and key components of the Project for drivers of vehicles and for pedestrians shall be permitted throughout the PUD. The design of such Directional Signs shall be reflective of the overall character of the PUD, and may include the relevant logo and name of the Project. Vehicle-oriented Directional Signs shall be a maximum of eight (8) square feet in area per sign face.

Temporary Signs: Temporary signs, including but not limited to real estate for lease/sale, contractor, modular units or financing signs or banners, shall not exceed a maximum of twenty-four (24) square feet each and shall be strictly limited to two (2) such signs on site at any one time. Construction fence screening shall be allowed under the following conditions; (a) it shall not exceed eight (8) feet in height, (b) graphics shall not exceed fifty percent (50%) of the entire exterior surface area, (c) shall be maintained in good order, condition and repair, and (d) shall be removed upon Certificate of Occupancy. Temporary yard signs and banners in any form or fashion shall be strictly prohibited.

Backlit Signage: Any and all forms of backlit signage, including but not limited to incandescent, neon, electronic, software or scrolling signage, shall be strictly prohibited throughout the entire Project and PUD.

H. Parking and Loading Requirements. The proposed PUD will provide detached garages and surface parking spaces in close proximity to each unit. A minimum of two (2) parking spaces per multi-bedroom dwelling unit and one (1) parking space per single bedroom dwelling unit will be provided within the PUD. Modifications to parking requirements within the PUD may be permitted by an administrative modification.

I. Landscaping / Fencing / Screening. Landscaping will be constructed and maintained in accordance with the Landscape and Tree Protection Regulations set forth in Part 12 of the City of Jacksonville Zoning Code, except as specifically noted immediately below. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs. An uncomplimentary buffer meeting Section 656.1216 will be provided on the southern, western and northernwestern perimeter. The uncomplimentary buffer will be a minimum 10 feet wide. The fence will be 6 feet high along the perimeter; the fence will step down to 4 feet beginning 20 feet from Lydia Street.

- J. Architectural Design.** Buildings, structures, fencing and signage shall be constructed and painted with materials that are aesthetically compatible and blend in with the historical character of the surrounding area. The PUD will be required to obtain a Certificate of Appropriateness from the Jacksonville Historic Preservation Commission. Mechanical equipment, including but not limited to antennas and satellite dishes, may not be readily visible from the front of the residential units.
- K. Lighting.** Exterior lighting shall be 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 requirements of the Historic Preservation Guidelines for the Riverside and Avondale Historic District, as defined in Chapter 307 Ordinance Code.
- L. Storm water Retention.** Storm water retention / detention systems shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District. The established grade of all buildings shall be designed with best efforts to minimize storm water runoff onto adjacent properties.
- M. Utilities.** Electric power will be provided to the site by JEA. Water and sewer services will be provided by JEA.
- N. Temporary Uses.** Temporary sales, leasing and construction offices and trailers shall (a) be placed within the PUD, (b) shall be maintained in good order, condition and repair, and (c) shall be removed upon the issuance of the last Certificate of Occupancy. Parking for such temporary uses may be provided off-site in the event of insufficient on-site parking. Construction shall proceed in a manner which reasonably attempts to mitigate any adverse impacts on neighboring properties.
- O. Modifications.** Amendments to this approved PUD district may be accomplished by administrative modification, by minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically listed, but similar to or associated with a listed use may be permitted by an administrative modification or minor modification.
- P. Conceptual Site Plan.** The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including access points and internal circulation, 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.
- Q. Notice to Riverside Avondale Preservation.** Riverside Avondale Preservation shall receive notice of any changes to architectural design, to this PUD, and of

concurrency certificates issued in relation to the Property. Upon issuance of the last Certificate of Occupancy for the Property, this notice requirement shall be of no further force or effect.

- R. Successors in Title.** All successors in title to the Property, or any portion of the Property, shall be bound by the conditions of this PUD, unless modified as provided above or otherwise by law.

IV. PUD REVIEW CRITERIA

- A. Consistency with Comprehensive Plan.** The Property is currently within the MDR land use category, which permits residential development at a density of up to twenty (20) units per acre. At 1.84 ± acres, the proposed density of twenty-two (22) condominium units results in a density of twelve (12) units per acre, which is consistent with the MDR land use category. The proposed development is consistent with the following policies of the 2010 Comprehensive Plan: 1.1.1, 1.1.6, 1.1.10, and 3.1.5.
- B. Roadways / Consistency with the Concurrence Management System.** The development of the Property will comply with the requirements of the Concurrence Management System.
- C. Allocation of Residential Land Use.** This proposed development will not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2010 Comprehensive Plan.
- D. Internal Compatibility / Vehicular Access.** The Site Plan attached as Exhibit “E” addresses access and circulation within the site. The Property will have one primary access point from Lydia Street. The development is designed to contain traffic circulation internal to the site. The location and final design of the access point are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department. The completed internal roads will be maintained by the homeowners’ association.
- E. External Compatibility / Intensity of Development.** The proposed development is consistent with and comparable to permitted development in the area. The Property is surrounded by MDR land use and RMD-B zoning. The Property is bounded on the south and west by single-family homes and multi-family duplexes, triplexes, and quadplexes and to the north by a vacant lot. The proposed use is compatible in both intensity and density with these surrounding uses and zoning districts, and will compliment the existing home ownership options for buyers.
- F. Recreation / Open Space.** Because the development is less than 100 dwelling units, it is not subject to the Comprehensive Plan requirement that 150 square feet of recreational/open space be provided per dwelling unit. However, residents will be able to utilize nearby Willowbranch Park for recreational activities.

- G. Impact on Wetlands.** Development that would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. Listed Species Regulations.** The Property is less than fifty acres and therefore a listed species survey is not required.
- I. Off-Street Parking & Loading Requirements.** The proposed PUD will provide integrated parking facilities to support the proposed residential community as described above.
- J. Sidewalks, Trails, and Bikeways.** Internal sidewalks complying with the requirements of Section 654 of the City of Jacksonville Ordinance Code will be provided.