

Johnston Island

ATLANTIC BEACH, FLORIDA

A PLANNED UNIT DEVELOPMENT

Prepared for:

Bridge Tenders, LLC

Prepared by:



July 20, 2005

A. Summary of the Plan

Bridge Tenders, LLC (the "Developer") proposes to rezone approximately 7.5 acres (the "Site") from Conservation to a mixed-use Planned Unit Development. The Site is generally located north of the Atlantic Boulevard (U.S. Highway 90) Intracoastal Waterway bridge at the westernmost extent of the municipal limits of the City of Atlantic Beach, Florida. The subject property is more particularly described by Legal Description within following Section C.

Johnston Island is planned to integrate single-family residential, recreation and limited supporting commercial uses, with open space and associated amenities. Commercial uses within the PUD are limited to the floating private club's dining facilities. All other uses are residential and accessory in nature and in a form not uncommon to private country clubs throughout Northeast Florida. The vertically and horizontally mixed areas will be interconnected by pedestrian scale roadway and sidewalk systems. Set within a suburban infill site, adjacent to existing regional transportation infrastructure, this mixed-use development is designed to promote contemporary conveniences for both residents and visitors alike.

This PUD offers the City of Atlantic Beach an opportunity to promote redevelopment by eliminating significant physical blight and structural deterioration. Without redevelopment activities, this isolated island will certainly continue to erode and continue to be an eyesore at the City's entrance containing dilapidated structures that will eventually collapse into the Intracoastal Waterway.

The mixture of uses within the PUD may contain the following:

- Ten (10) detached single-family units.
- Opportunity for each lot to also contain a single smaller accessory unit which shall remain in ownership with the principal residence, and which shall not be rented or leased, and also potential reuse of the existing bridge tender's house as a single dwelling unit. In no case shall the number of dwelling units on the Site exceed twenty-one (21) dwelling units.
- Floating two-story, private club, which may include dining facilities not to exceed 250 seats with no outside speakers or amplified music, and subject to all federal, state and local permitting requirements. The club dining facilities shall be operated in a manner typical to private country club facilities and shall not be accessible to the public-at-large, but shall be limited to use by private club members and their guests only. Club membership shall include a minimum \$2,500 initiation fee and monthly dues of at least \$100 plus food and beverage costs. The 0.5-acre commercial area may also include service, office and supporting uses for the marina use.
- Pervious (coquina, gravel, pavers, or porous concrete) vehicular parking area and access drive to reduce the amount of impervious surface.
- Floating common dock on the east and north sides of the island accessible by all residential units.
- Docks on the west side of the island, parallel to the tide, for transient boat docking.
- A safe harbor interior to the island containing a maximum of 25 slips. The marina shall not be permitted to sell or dispense gasoline and shall make all reasonable efforts to qualify as a "clean marina" as described in the current *Florida Statutes*.
- Canoe/kayak landing area on a platform similar to the one at Castaway Island in Jacksonville, subject to local permitting requirements.

B. Purpose and Intent

On November 08, 2004, the City Commission adopted Ordinance No. 31-04-03 amending the City's Future Land Use Map designation of the Site to 3.6 acres of Residential, Low Density and 0.5 acre of General Commercial. Pursuant to Chapter 163.3194, Florida Statutes, enactment of this PUD, and the proposed development as set forth herein, shall create consistency with the Comprehensive Plan and the underlying adopted future land use designations of the Site, which provide for a maximum of twenty-one (21) residential dwelling units on the residential portion of the Site and commercial uses as limited herein on the 0.5 acre commercial portion on the Site.

It is the Developer's intent to create a diverse, functional and compact mixed-use development that complements Atlantic Beach's character. In addition to facilitating the provisions of the 2010 Comprehensive Plan, the Johnston Island PUD will be used to emulate valued community features such as smart growth design, integrated land uses, pedestrian oriented scale, and preservation of natural site features and open spaces. The project layout is illustrated on attached Exhibit D, the Johnston Island Master Development Plan.

The Developer stipulates and agrees to proceed with the proposed development in accordance with this PUD Ordinance as enacted by the City Commission of Atlantic Beach, Florida. The term "Developer" shall include any subsequent owner(s) or developer(s) of this Site.

The Project Team that formulated this PUD is listed below:

Developer

Bridge Tenders, LLC
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Contact: Ron Zajack, Managing Director

Legal Counsel

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Contact: Paul Harden, Esquire

Land Use and Transportation Planning

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Environmental Planning

Environmental Resource Solutions, Inc.
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Contact: Nancy C. Zyski, C.E.P.

C. Property Identification

The Duval County Property Appraiser real estate identification number for the Site is 172391-0000 and the physical address is 14001 Atlantic Boulevard. The Legal Description for the Site is as follows:

Tract 1: That part of unsurveyed fractional Section 19, Township 2 South, Range 29 East, lying North of the 100 foot right-of-way of Atlantic Boulevard and lying East of unsurveyed fractional Section 24, Township 2 South, Range 28 East, and lying South of unsurveyed fractional Section 18, Township 2 South, Range 29 East, and lying West of a line 200 feet easterly (measured along the north right-of-way line of Atlantic Boulevard) of and parallel to the east 500 foot right-of-way of the Intracoastal Waterway as shown on a map recorded in Plat Book 14 page 70, of the current public records of Duval County, Florida.

Subject However, to the Easement of the United States of America in and to the 500 foot right-of-way of the Intracoastal Waterway described in Deed recorded in Deed Book 592 page 257, said public records, and shown on a map recorded in Plat Book 14 page 70, said public records.

Subject further however, to the interest of the United States of America as set forth in instruments recorded in Deed Books 698 at pages 421, 424, 427, 437, 440, 444, 448 said public records, and by instrument recorded in Deed Book 809 page 167, said public records.

Tract 2: Section 24, Township 2 South, Range 28 East, lying east of the center of the Intracoastal Canal as the waters in the same now flow; said parcel of land being also described by metes and bounds as follows:

Commencing at the point where the eastern boundary of said Section 24, township 2, Range 28 East, intersects the northern boundary of said Section 24, running thence south to a point 200 feet, more or less, south of Atlantic Boulevard where said eastern boundary of Section 24 intersects the center line of the Intracoastal Canal as the water in the same now flow to where said center line intersects the northerly boundary of said Section 24, thence east along the northerly boundary of said Section 24 to the Point of Beginning; subject to easement for the Canal and the right-of-way of Atlantic Boulevard as now located.

The Site is designated Low Density Residential (LDR), Conservation (CON) and General Commercial (GC) on the Future Land Use Map. The surrounding land use categories are as follows:

- North: Conservation, CON
- South: Conservation, CON (City of Neptune Beach jurisdiction)
- East: Conservation, CON
- West: Water Dependent/Water Related, WD/WR (City of Jacksonville jurisdiction)

The current zoning for the Site is Conservation (CON). The immediately surrounding zoning districts are as follows:

- North: Conservation, CON
- South: Conservation, CON (City of Neptune Beach jurisdiction)
- East: Conservation, CON
- West: Industrial Waterfront, IW (City of Jacksonville jurisdiction)

D. Existing Site Characteristics

The Site consists of approximately 7.5 acres, located in Section 24, Township 2 South, Range 28 East. It is bound to the east, north, and west by the Intracoastal Waterway and to the south by the Atlantic Boulevard (U.S. Highway 90) Intracoastal Waterway bridge. The main ingress and egress point is the FDOT-maintained bridge connecting the island to Atlantic Boulevard.

The Site is flat with little or no topographic relief having a maximum elevation of approximately 6.5 feet msl and a minimum elevation of approximately 4 feet msl. The Site contains several dilapidated residential structures and a deteriorating restaurant. The majority of the existing understory vegetation is either turf, introduced plant species or invasive plant species. There are a few planted trees observed on-site, including Live Oak, Laurel Oak, Holly, and Cabbage Palm.

The Site is located entirely within Flood Zone AE. The Soil Survey of Duval County, Florida identifies one type of soil in the upland portions of the Site, Arents (Map Symbol 4), which are soils with a medium potential for community development.

E. Development Plan

The Residential Commons element will make up the primary component of the PUD. The Residential Commons will consist of single-family dwellings. Each lot may also contain an additional accessory unit. The Mixed-Use Center will comprise of a diverse active community with a floating marina club with fine dining facilities on the waterfront and landscaped plazas. This area may also include a marina office, marina service uses with a ship's store to be located within a structure not to exceed 5,000 square feet in size and two-stories in height.

The PUD shall be developed within ten (10) years of City of Atlantic Beach approval of construction/engineering plans. There is an extensive permitting process among numerous of regulatory agencies that must be accomplished prior to construction/engineering plan approval by the City. Once the permitting and plan approval is obtained, the Developer shall commence with construction of the PUD's residential element first as expeditiously as possible.

F. Permitted Uses and Structures

The uses that make up the integrated plan for Johnston Island are residential, marina and marina supporting commercial, recreation and open space. These uses will be incorporated into the Residential Commons and the Mixed-Use Center. In accordance with the City of Atlantic Beach Land Development Regulations, the description of permitted uses and structures, accessory uses by exception and limitation within each of these districts is as follows:

- (i) Permitted uses and structures in Residential Commons
 - (1) Single-family dwellings
 - (2) Accessory dwelling units
 - (3) Parks, playgrounds and playfields
 - (4) Recreational or community structures
 - (5) Noncommercial greenhouses, private boathouses or shelters less than 900 square feet in area, garden sheds, children's play areas and play equipment, and swimming pools

Prior to the issuance of a Certificate of Occupancy for the first residential dwelling unit, a Final Subdivision Plat shall be approved. Lots shall be platted, and the following regulations shall apply to such subdivision plat and to the individual units or lots:

- (a) Each ~~lot~~ unit shall be on a lot not less than forty-one (41) feet wide except for flag lots, which shall not be permissible on lots less than twenty-five (25) feet wide.
 - (b) The minimum ~~lot~~ unit area for each individual unit shall be not less than one thousand eight hundred (1,800) feet square feet.
 - (c) Each lot shall have frontage on a public or approved private street, which frontage shall not be less than eight percent (8%) of the required lot width.
- (ii) Permitted uses and structures in Mixed-Use Center (commercial area)
 - (1) Private clubs within private dining facilities not exceeding 250 seats and associated offices;

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- (2) Community structures;
 - (3) Designated off-street parking lots;
 - (4) Parks, playgrounds, and playfields;
 - (5) Outdoor storage and/or display areas;
 - (6) Open space, greenways, natural vegetation/landscaping, waterbodies, common areas, civic space, and
 - (7) Boat and canoe launch areas.
- (iii) The Conservation area is made up of valuable environmental resources, such as sensitive vegetation and wetlands. No development activities shall be allowed within the land designated CON except for those activities permissible for conservation lands in the 2010 Comprehensive Plan.

G. Development Standards

The following development standards will maintain the character and quality that exists in the City of Atlantic Beach.

- Minimum Front Yard: 15 ft.
- Minimum Side Yard: 0 ft. on one side, 5 ft. on the other side
- Minimum Rear Yard: 20 ft.
- Maximum Lot Coverage: 70%
- Minimum Standard Lot Width: 41 ft.
- Minimum Flag Lot Width: 25 ft.
- Minimum Lot Depth: 100 ft.

Note: In no event shall any of the dwelling units be permitted to cantilever over the seawall.

Maximum Residential Units: Twenty-one (21)

Maximum Non-Residential Intensity: Twelve thousand square feet per acre (12 ksf/ac)

Minimum Residential Unit Square Footage: Fifteen hundred (1,500) square feet

Minimum Accessory Residential Unit Square Footage: Eight hundred (800) square feet

Maximum Height of Structures: The maximum height shall be thirty-five (35) feet.

Stoops, front porches, and handicap ramps may encroach up to ten (10) feet into the front yard setbacks and shall not count against lot coverage limitations. Every part of every required yard shall be open and unobstructed from the ground to the sky, except as follows:

- (1) Sills, belt courses, chimneys, fireplaces or pilasters may not project over two (2) feet in a required yard.
- (2) Fire escapes, stairways, and balconies, which are unroofed and unenclosed, may not project over three (3) feet into a required side yard.
- (3) Awnings, hoods, roof overhangs, canopies, bay windows or marquees may not project over three (3) feet into a required yard.
- (4) Flagpoles, fences, walls and hedges or ornamental features are permitted in required yards, provided, however, that no fence or wall in excess of six (6) feet shall be permitted in a residential area.

A maintenance easement must be provided on any lot adjacent to a zero-lot line property. The easement shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to dominant and servient property. Roof overhangs may penetrate the easement on the adjacent lot to a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is limited to the easement area. The easement shall be maintained, unless otherwise agreed to in writing, by the two affected lot owners.

H. Signage

A unified signage plan will be developed and implemented within the Johnston Island PUD. All signage will be consistent with the architecture and character of the development and its associated buildings and structures. A coordinated system of identification, directional and control signage will be provided for both vehicle and pedestrians on all common areas and rights-of-way.

One (1) sign identifying the development name shall be allowed at both the intersection of the access road and Atlantic Boulevard and near the existing ingress/egress point into the PUD. Johnston Island shall adhere to all City of Atlantic Beach signage regulations.

I. Landscaping and Buffering

The Developer will consult with the City's Community Development Director with regard to landscaping design in order to receive input regarding vegetative buffering of the wetlands surrounding Johnston Island as well as maintenance of the landscaping through use of herbicides and pesticides.

Ten (10) percent of vehicular use areas (VUAs) used for non-residential off-street parking shall be landscaped. At least twenty-five (25) percent of that shall be covered with shrubs; the remainder in shrubs, groundcover, mulch, and grass. Shrubs shall be spread on three (3) foot spacing. Not less than one (1) tree for every four thousand (4,000) square feet, or fraction thereof, of VUA shall be required.

Each row of non-residential parking spaces shall be terminated by a landscape island with inside dimensions of not less than five (5) feet wide and seventeen (17) feet long, or thirty-five (35) long for a double row of parking. Each terminal island shall contain at least one (1) tree. Each side of the terminal island adjacent to a travel lane shall have a continuous six (6) inch high curb of concrete or other appropriate permanent material.

All VUAs that are not entirely screened from view by the street by an intervening building shall contain (i) a continuous landscape area at least five (5) feet wide between the VUA and the abutting property, landscaped with shrubs, ground covers, preserved existing vegetation, mulch and grass; and (ii) no less than one (1) tree, located within twenty-five (25) feet of the outside edge of the VUA, for every fifty (50) linear feet thereof, of the distance the VUA abuts the adjacent property. Trees may be clustered, but shall be no more than seventy-five (75) feet apart.

J. Allocation of Residential Land Use

The proposed residential density for the overall development is approximately 5.8 units per acre (21 units/3.6 acres). The maximum residential density permitted within the Site's underlying Low

Density Residential (LDR) future land use classification is specified in the City's Comprehensive Plan as six (6) units per acre.

K. Internal Compatibility

Johnston Island is planned to integrate homes, services, civic plazas and recreation/open space within an easy walk to one another. It is the intent to create a diverse, functional and compact mixed-use development that complements the regional character of the area. Adjacent to existing regional transportation infrastructure and destination shopping, this PUD is designed to enhance a lifestyle that promotes contemporary conveniences for both residents and guests alike.

An existing entry/egress point abutting the existing FDOT-maintained road providing access to Atlantic Boulevard shall be retained for the residences. The access roadway shall be composed of pervious material to reduce the amount of impervious surface within the PUD. All internal vehicular use areas connecting to this road will be maintained by the property owner's association and shall not be the responsibility of the City of Atlantic Beach.

L. Streetscape

Street furniture such as trash containers, ornamental light fixtures and benches shall be permanently secured to the sidewalk. Colonnades shall have, at the sidewalk, a minimum clear height of ten (10) feet (excluding signage and lighting) and a minimum clear width of eight (8) feet (from frontage line to inside column face). Colonnades shall be constructed thirty-six (36) inches from the frontage line. Awnings are permitted but are not considered colonnades.

M. Treatment of Pedestrian Ways

Pedestrian pathways shall not be less than five (5) feet on at least one side of the road.

N. Use and Variety

Inherent to the design of this PUD, the Site will incorporate a variety of building groupings that generally make up the atmosphere of each area. The Residential Commons will include a diverse cluster of units. The building sizes will vary throughout the Site, while architectural styles and themes will be consistent throughout. Architectural and façade treatments will be addressed on all sides of the buildings. These development concepts of possible building size, height, and architectural styles are represented in the attached exhibits. The residential dwellings constructed upon Johnston Island shall compare to the architectural styles illustrated in those exhibits; under no circumstances shall the constructed dwellings resemble conventional style homes found in nearly any residential subdivision. Building materials, both structural and ornamental façade treatments, will represent the appropriate architectural styles and themes carried throughout the Site.

O. Usable Open Space

Johnston Island shall provide adequate open space for use by the residents of the PUD that may include a promenade along the waters edge, preserved wetlands, greens and landscaped areas.

P. Off-street Parking Requirements

Off-street parking spaces required:

- A. Residential Two (2) spaces per dwelling unit
- B. Accessory Residential One (1) space per accessory dwelling unit
- C. Marina Club/Restaurant One (1) space for every four (4) seats

Q. Temporary Construction and Sales Trailers

The Developer may install a temporary construction/sales office within the project during the period of construction and sales, but in no event to exceed five (5) years from commencement of construction. The Developer, in its sole discretion, may allow three (3) additional temporary construction/sales offices for the sole purpose of construction of the new structures under the terms and conditions above. If no construction has occurred for a period of six (6) months, then the trailers shall be removed until such time as construction recommences.

R. Infrastructure

Electric service lines and telecommunication lines shall be installed underground in accordance with the policies of the utility provider. The Developer is responsible for construction and/or extension of water and sewer lines as needed to serve this PUD. Ornamental security and low level VUA lighting will be provided and maintained by a property owners association. The City of Atlantic Beach Utility Department in accordance with their terms and requirements shall provide potable water and sanitary sewer service. Any utility facilities proposed for dedication to the City of Atlantic Beach must be acceptable by the City as to construction standards and deemed to be of benefit to the general public by the Director of Public Works.

The development shall conform to the requirements of the St. Johns River Water Management District and City of Atlantic Beach for stormwater storage and disposal. Drainage plans for the development shall be submitted to the City's Building and Public Works Departments for approval prior to commencement of construction.

Proposed interior vehicular use areas (VUAs) will comply with the City's Zoning, Subdivision and Land Development Regulations except as noted herein.

Access will be provided to this PUD by utilizing the existing FDOT roadway that links the property to Atlantic Boulevard. The residences may have a private access point separate from the existing access to the marina club. Access and circulation shall adequately provide for emergency service and fire-fighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries, and debris removal. Fire protection shall provide for adequate protection facilities as required by the City of Atlantic Beach in conformance with standards set forth in Chapter 24 of the National Fire Protection Code, as amended.

Residential trash receptacles, garbage, recycling, and similar containers shall be shielded from view except during time periods associated with refuse collection. Commercial dumpsters and trash receptacles shall be screened from view by fencing or landscaping, or shall be located so that they are not visible from the street.

S. Environmental and Cultural Resources

According to a search of the Florida Division of Historical Resources Master Site File on December 5, 2003, there are no known archaeological or historic resources located within the Site. All buffers and environmental protection measures required by the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, and St. Johns River Water Management District shall be adhered to.

T. Ownership and Maintenance

The common facilities situated within the development shall be conveyed to and maintained by a properly formed property owner's association, its successors and assigns. The permanent utilities will be dedicated to the appropriate utility company. The entry structures (signs, landscaping, etc.) shall be placed within a private easement/right-of-way and shall be owned, managed, and maintained by the property owners association, its successors and assigns.

This PUD shall be made subject to uniform covenants and restrictions prior to the sale of any property within the development. These covenants and restrictions shall, among other things, make all buyers aware of this PUD zoning, the designation of the reserve area as permanent open space, as well as the other restrictions imposed by this PUD zoning. The covenants and restrictions shall also state where to obtain information concerning the requirements for changing the PUD status of the Property.

A property owner's association shall own all open space and amenities within the residential element. Each unit owner will pay a capital contribution fee and will pay annual dues to the property owners association.

The owners of the Property agree to proceed with the proposed development in accordance with this PUD Ordinance and the City Commission may set such conditions and safeguards as in the enacting Ordinance. The owners shall provide a written statement of a proposal for completion of the development according to plans approved by the Ordinance, and for continuing operation and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the City pursuant to written agreement. Furthermore, the owners shall bind all successors and assigns in title to any commitments included in the enacting Ordinance, which shall include by reference the application for rezoning. This must be clearly reflected in the Covenants and Restrictions of this PUD, which shall be recorded with the Clerk of Courts of Duval County.

Johnston Island

Potential
Architectural Styles



Exhibit A

Zero Lot Line- Architectural Style A

Johnston Island

Potential Architectural Styles

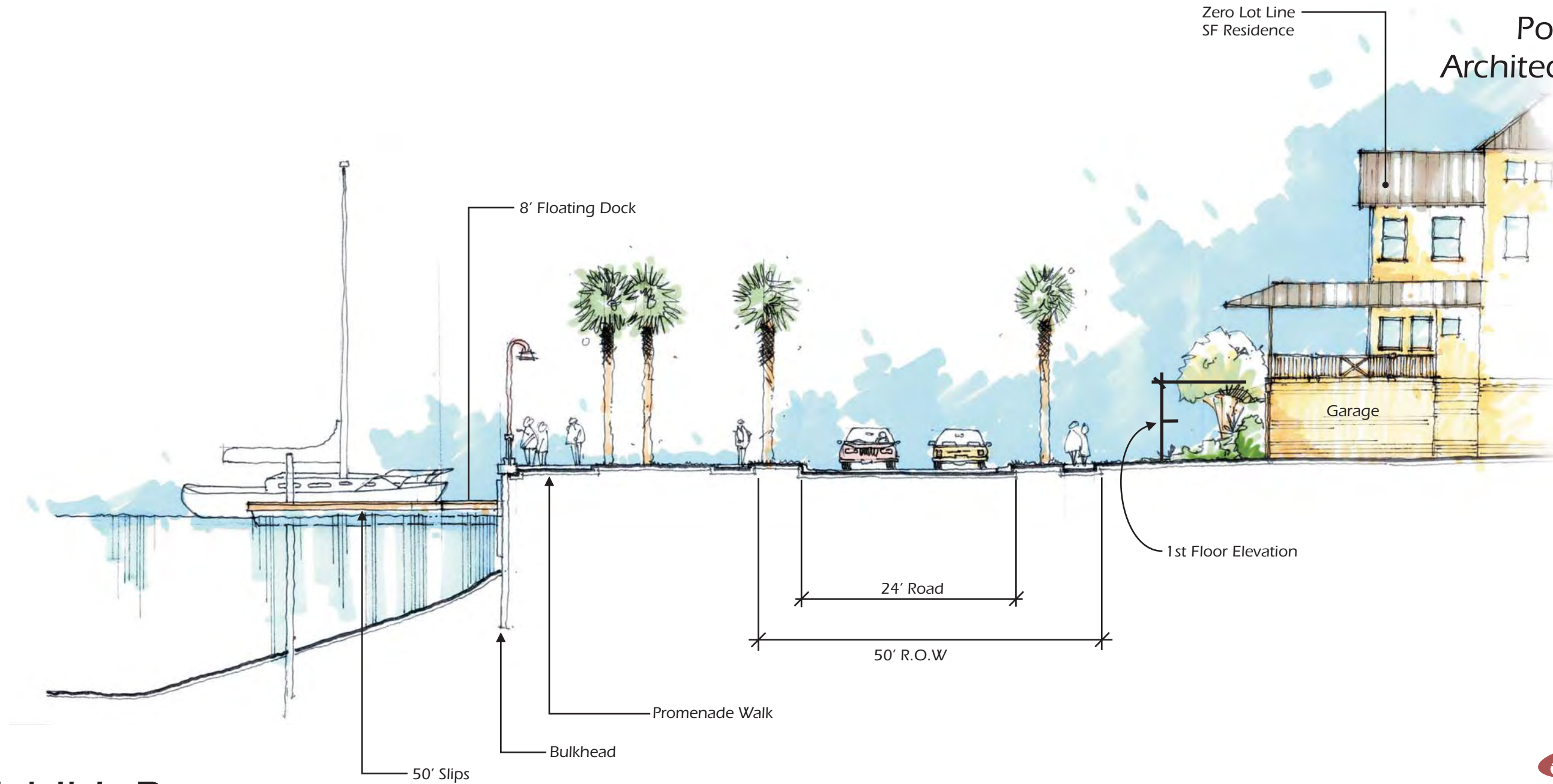


Exhibit B

Marina/ SF Residential Section

Johnston Island

Potential
Architectural Styles




Prosser Hallock
PLANNERS & ENGINEERS

June, 10, 2005

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