

## Westgate PUD

### Written Description January 12, 2022

#### I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 154210-0000 & 154211-0000
- B. Current Land Use Designation: MDR
- C. Proposed Land Use Designation: MDR (no change)
- D. Current Zoning District: PUD
- E. Proposed Zoning District: PUD

#### II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

Avanta SFR Holdings LLC (the “Applicant”) proposes to rezone approximately 19.35 acres of property located in the southwest quadrant of the intersection of Newton Road and Hogan Road, which is more particularly described by the legal description attached to this ordinance as **Exhibit “1”** (the “Property”). The front half of the Property is currently zoned as a Planned Unit Development pursuant to Ordinance 2004-1079-E, as modified by that Order Approving Application MM-05-11 (collectively, the “Existing Front PUD”). The Existing Front PUD proposed the development of the front half of the Property with 153 condominium units. The rear half of the Property is currently zoned as a Planned Unit Development pursuant to Ordinance 2003-1506-E, as modified by that Order Approving Application for Minor Modification to Approved PUD MM-04-09, and as further modified by that Order Approving Application MM-05-06 for Minor Modification to Approved PUD (collectively, the “Existing Rear PUD”). The Existing Rear PUD proposed development of the rear half of the Property with at least 127 apartment units. The developments proposed by the Existing Front PUD and Existing Rear PUD are collectively referred to herein as the “Existing Proposed Development”.

As described below, this Planned Unit Development (this “PUD”) zoning district is being sought to provide for the development of the Property with a gated, rental community consisting of carriage home/townhome-style buildings, with a common scheme of development, as shown on the PUD Conceptual Site Plan attached to this Ordinance as Exhibit 4 (the “Site Plan”). In other words, although the buildings within the proposed development will look like typical townhomes, the community will be managed more similarly to a typical apartment community. However, the carriage homes/townhomes may be owned individually in fee simple by the residents, as in a typical townhome community, with common areas maintained by a homeowners’ association; may be owned as condominiums, with common areas maintained by the condominium association; or may be owner by a single owner/landlord who manages and maintains the entire community as a rental community.

This PUD allows for a maximum to 158 units with a maximum height of three stories and 45 feet. As such this PUD results in substantial deintensification of use (from 280 residential units to 158 residential units) and provides for an ideal transition in uses between single family residential to the west and more intense commercial uses to the east. The PUD shall be

developed in accordance with this PUD Written Description and the Site Plan, which is attached to this ordinance as **Exhibit “4”**.

The Property lies within the Medium Density Residential (MDR) land use category on the Future Land Use Map (FLUM) and within the Urban Development Area of the Comprehensive Plan. Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	LDR, MDR	PUD	Park, Vacant
East	PBF, ROS, BP, CGC	PBF-1, IBP, CCG-1	Park, Retail, Commercial
North	PBF, MDR	PBF-2, RMD-A	Single-family residential, vacant, radio facilities
West	LDR, MDR	RLD-60, RMD-A	Single-family residential

### **III. DESCRIPTION OF PERMITTED USES**

#### **A. Maximum Densities/Intensities**

Consistent with the operative provisions of the Future Land Use Element of the 2030 Comprehensive Plan governing the MDR Urban Area land use designation, maximum density on the Property shall be 158 units (+/- 8.2 units per acre), or less than half of that permitted under the MDR Urban Area land use designation, and roughly 56% of the density permitted by the Existing Front PUD and Existing Rear PUD.

#### **B. PUD Conceptual Site Plan**

The Site Plan shows the proposed PUD layout, including the access point, schematic internal roadway layout, and other features of the proposed development. The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the 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.

#### **C. Permitted Uses**

##### *1. Permitted Uses and Structures*

- a. Townhomes/carriage homes (fee simple, condominium ownership, or rental).

- b. Leasing/sales/management offices, models, and similar uses.
  - c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.
  - d. Parks, open space, playgrounds, playfields, fire pit/gathering areas, observation and shade pavilions, dog parks, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, noncommercial greenhouses and plant nurseries, tool houses, garden sheds, garden work centers, ponds, observation platforms, benches, picnic areas, shelters and informational kiosks, signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses and structures designed for and used for recreational/open spaces.
  - e. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.
  - f. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.
  - g. Mail center.
  - h. Carwash (self) area for residents.
  - i. Live-work uses, subject to the provisions of Part 4 of the Zoning Code.
  - j. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.
  - k. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.
  - l. Essential services, including water, sewer, gas, telephone, radio, cable, television, and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
2. Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures.
- a. For a Townhome Community under Unified Ownership, with each “Unit” being a rental unit:
    - i. *Minimum lot width – N/A*

- ii. *Minimum lot area* – None
  - iii. *Maximum lot coverage by all buildings* – 50%
  - iv. *Minimum yard requirements* – None
  - v. *Minimum Building Setback from Property Boundary:*
    - (1) North – 20 feet
    - (2) East – 10 feet
    - (3) West – 15 feet
    - (4) South – 10 feet
  - vi. *Maximum height of structure* – 45 feet and three stories.
- b. For a Townhome Community with each “Unit” being Owned separately in Fee Simple:
- i. *Minimum lot width* – 15 feet, 25 feet for end units
  - ii. *Minimum lot area* – 1,300 square feet
  - iii. *Maximum lot coverage by all buildings* – 70%
  - iv. *Minimum yard requirements.* The minimum yard requirements for all structures are:
    - (1) Front—20 feet, if front street access with garage; 10 feet, if garage access is from the rear.
    - (2) Side— 0 feet; 10 feet for end units.
    - (3) Rear— 10 feet.
  - v. *Maximum height of structure* – 45 feet and three stories.
- c. Alley Access. Alleys will be permitted to be constructed for designated Townhome uses. Alleys shall have a minimum of an eighteen (18) foot right of way if two-way and a ten (10) foot right-of-way if one-way. Alleys may provide one-way traffic and access to the dwelling by the residents, garbage pickup, and deliveries.
- d. Patios/porches. Patios and porches, including screened patios/porches with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures, shall be permitted for each unit and may be located within any required yard or the Minimum Building Setback from the

Property Boundary, but shall not be located within five (5) feet of any right-of-way.

- e. Number of units in building. Up to twelve (12) units shall be permitted in any single townhome building. For purposes of clarification, there is no required minimum distance between townhome buildings.

**D. Excavations, Lakes, Ponds**

Excavations, lakes, and ponds, dug as a part of the development's stormwater retention system(s) are permitted, subject to the regulations contained in Part 9 of the Zoning Code. Such excavations, etc., may commence prior to submittal of construction plans for the subdivision improvements (10-set construction plans).

**E. Accessory Uses and Structures**

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Accessory uses and structures shall be subject to Section 656.403, Zoning Code.

**F. Height Limitations**

Building height shall be measured as set forth in Part 16 of the Zoning Code.

**IV. OVERALL DEVELOPMENT STANDARDS AND CRITERIA**

**1. Recreation**

Active recreation will be provided pursuant to Policies 2.2.4 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code.

**2. Access/Entry Feature**

Access will be provided as shown on the Site Plan via Newton Road. The location and design of the access point on Newton Road and internal driveways as shown on the Site Plan may vary prior to development; provided, however, that the final design of the access point(s), potential connection, and internal roads shall be subject to the review and approval of Development Services and the Planning and Development Department. The fence and/or wall along boundary of the Property adjacent to Newton Road may be up to eight (8) feet in height, with architectural features (e.g. pillars or columns) up to ten (10) feet in height. Furthermore, the Property may have an entrance feature at the access point on Newton Road that may be up to 24 feet in height. In any event, access to the proposed development shall be controlled (e.g. gated).

**3. Signage**

Signage will be provided in accordance with Part 13 of the Zoning Code for property within the RMD-D zoning district.

4. **Construction offices/model homes/real estate sales.**

On-site, temporary construction offices/trailers/model units/rental or sales offices will be permitted in any lot, “unit,” or “phase” until that lot, “unit,” or “phase” is built out. Real estate rental or sales activities are permitted within model units. Associated parking for rental or sales activities is permitted adjacent to model units.

5. **Silviculture Uses May Continue.**

Silviculture operations are a permitted use in this PUD and may continue on the Property until build-out.

6. **Landscaping/Buffer**

Landscape and tree protection will be provided in accordance with Part 12 of the City’s Zoning Code (Landscape and Tree Protection regulations).

7. **Modifications**

Amendment to this approved PUD district or any portion thereof may be accomplished through an administrative modification, minor modification, or an application filed for rezoning as authorized by Section 656.341 of the Zoning Code.

8. **Parking**

Off street parking will be provided in accordance with Part 6 of the City’s Zoning Code (Off-street Parking and Loading Regulations) (2021), except that parking, including bicycle parking, will not be provided “on-site” of each platted lot (if applicable) and instead may be provided “on-site” throughout the PUD. As such, the parking requirements herein must be met cumulatively throughout the PUD. Furthermore, perpendicular or angled parking shall be permitted within the private roadway or access drive, as shown on the PUD Site Plan. For purposes of clarification, in accordance with the foregoing, two (2) parking spaces will be provided for each townhome unit (whether fee simple or condominium ownership, or rental), and one guest parking space will be provided for every three (3) such units, which parking requirements will be met cumulatively throughout the PUD and may be met with parking spaces in garages, driveways or the private roadway/access drive in accordance with the foregoing.

9. **Sidewalks, Trails and Bikeways**

Sidewalks shall be provided as required in the 2030 Comprehensive Plan and the Subdivision Regulations, Chapter 654, Ordinance Code.

10. **Impervious Surface**

The required impervious surface ratio applicable to this PUD shall be the ratio required for a subdivision zoned RMD-D (75%).

11. **Utilities**

Electric power, water and sewer will be provided by JEA.

12. **PUD Conceptual Site Plan**

The configuration of the development as depicted on the Site Plan is conceptual, and revisions to the Site Plan, including access points, internal circulation, stormwater ponds, and other subdivision features and infrastructure, 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.

**V. PRE-APPLICATION CONFERENCE**

A pre-application conference was held regarding this application on June 29, 2021.

**VI. JUSTIFICATION FOR THE PUD REZONING.**

As described above, this PUD is being requested to permit the development of a townhome rental community, under unified ownership, with a common scheme of development. The PUD allows for certain deviations from the Zoning Code based on the fact that the intended development is for rental townhomes, and the Zoning Code requirements for townhomes are designed primarily for townhomes with each unit being separately owned in fee simple. The PUD design ensures consistency with the surrounding zoning and existing uses.

**VII. PUD/DIFFERENCE FROM USUAL APPLICATION OF THE ZONING CODE**

The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to this Written Description and the Site Plan; it provides for site-specific access requirements; it allows for additional fencing and access features along Newton Road, and requires that the community be gated; and it allows for development of rental townhomes under a unified ownership plan. Differentiations from the Zoning Code that are capable of being specifically set forth are outlined in the table below.

<b>Element</b>	<b>Existing PUD</b>	<b>Proposed PUD</b>	<b>Reasoning</b>
<b>Permitted Uses</b>	Multi-family uses (condominiums and apartments)	<ul style="list-style-type: none"> <li>a. Townhomes/carriage homes (fee simple, condominium ownership, or rental).</li> <li>b. Leasing/sales/management offices, models, and similar uses.</li> <li>c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, meeting rooms, health/exercise facility, sauna, and similar uses.</li> <li>d. Parks, open space, playgrounds, playfields, fire pit/gathering areas, observation and shade pavilions, dog</li> </ul>	To allow for development of a townhome community.

		<p>parcs, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, noncommercial greenhouses and plant nurseries, tool houses, garden sheds, garden work centers, ponds, observation platforms, benches, picnic areas, shelters and informational kiosks, signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses and structures designed for and used for recreational/open spaces.</p> <p>e. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.</p> <p>f. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.</p> <p>g. Mail center.</p> <p>h. Carwash (self) area for residents.</p> <p>i. Live-work uses, subject to the provisions of Part 4 of the Zoning Code.</p> <p>j. Maintenance offices/areas, maintenance equipment storage buildings/ areas, security offices, and similar uses.</p> <p>k. Stormwater, management and flood control improvements, as permitted by the applicable regulatory agencies.</p> <p>l. Essential services, including water, sewer, gas, telephone, radio, cable, television, and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.</p>	
<p><b>Lot Standards</b></p>	<p>See Existing Front PUD and Existing Rear PUD.</p>	<p>1. <u>Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures.</u></p> <p>a. <u>For a Townhome Community under Unified Ownership, with each "Unit" being a rental unit:</u></p>	<p>To allow for development of a townhome community. As to building height, conventional zoning districts that permit townhomes (e.g., RMD-A) allow for a maximum height of 45 feet. Given the lower intensity use of townhomes (as compared to the Existing Proposed Development), height is less of a concern and fewer buildings will be located in close proximity to the western property line, as shown on the Site Plan. Furthermore, the height is still limited</p>



		<ul style="list-style-type: none"> <li>i. <i>Minimum lot width</i> – N/A</li> <li>ii. <i>Minimum lot area</i> – None</li> <li>iii. <i>Maximum lot coverage by all buildings</i> – 50%</li> <li>iv. <i>Minimum yard requirements</i> – None</li> <li>v. <i>Minimum Setback from Property Boundary:</i> <ul style="list-style-type: none"> <li>(1) North – 20 feet</li> <li>(2) East – 10 feet</li> <li>(3) West – 15 feet</li> <li>(4) South – 20 feet</li> </ul> </li> <li>vi. <i>Maximum height of structure</i> – 45 feet and 3 stories.</li> <li>b. <u>For a Townhome Community with each “Unit” being a Owned separately in Fee Simple:</u> <ul style="list-style-type: none"> <li>i. <i>Minimum lot width</i> – 15 feet, 25 feet for end units</li> <li>ii. <i>Minimum lot area</i> – 1,300 square feet</li> <li>iii. <i>Maximum lot coverage by all buildings</i> – 70%</li> <li>iv. <i>Minimum yard requirements.</i> The minimum yard requirements for all structures are: <ul style="list-style-type: none"> <li>(1) Front—20 feet, if front street access with garage; 10 feet, if garage access is from the rear.</li> <li>(2) Side— 0 feet; 10 feet for end units.</li> <li>(3) Rear— 10 feet.</li> </ul> </li> <li>v. <i>Maximum height of structure</i> – 45</li> </ul> </li> </ul>	<p>to three stories. Based on the foregoing, the height increase is consistent with the Zoning Code and the concerns of the Existing Proposed Development are no longer present.</p>
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		<p>feet and three stories.</p> <p><b>C.</b> <u>Alley Access.</u> Alleys will be permitted to be constructed for designated Townhome uses. Alleys shall have a minimum of an eighteen (18) foot right of way if two-way and a ten (10) foot right-of-way if one-way. Alleys may provide one-way traffic and access to the dwelling by the residents, garbage pickup, and deliveries.</p> <p><b>d.</b> <u>Patios/porches.</u> Patios and porches, including screened patios/porches with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures, shall be permitted for each unit and may be located within any required yard or the Minimum Setback from the Property Boundary, but shall not be located within five (5) feet of any right-of-way.</p> <p><b>e.</b> <u>Number of units in building.</u> Up to twelve (12) units shall be permitted in any single townhome building. For purposes of clarification, there is no required minimum distance between townhome buildings.</p>	
<b>Parking</b>	Part 6 of the Zoning Code.	Off street parking will be provided in accordance with Part 6 of the City’s Zoning Code (Off-street Parking and Loading Regulations) (2021), except that parking, including bicycle parking, will not be provided “on-site” of each platted lot (if applicable) and instead may be provided “on-site” throughout the PUD. As such, the parking requirements herein must be met cumulatively throughout the PUD. Furthermore, perpendicular or angled parking shall be permitted within the private roadway or access drive, as shown on the PUD Site Plan. For purposes of clarification, in accordance with the foregoing, two (2) parking spaces will be provided for each townhome unit (whether fee simple or condominium ownership, or rental), and one guest parking space will be provided for every three (3) such units, which parking requirements will be met cumulatively throughout the PUD and may be met with parking spaces in garages, driveways or the private roadway/access drive in accordance with the foregoing.	To allow for development of a townhome community, as described herein.
<b>Temporary Structures</b>	The Zoning Code does not clearly permit on-site, temporary construction offices/models unit/sales and leasing offices.	This PUD permits on-site, temporary construction offices/models unit/sales and	This clarifies the Zoning Code and assists the Applicant in developing and

		leasing offices.	marketing the Property.
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**VIII. Names of Development Team**

Developer: Avanta SFR Holding LLC

Development Consultant: Coastland Group LLC

Planner/Engineer: Kimley Horn.

Architects: N/A

**IX. Land Use Table**

A Land Use Table is attached hereto as Exhibit “F.”

**X. PUD REVIEW CRITERIA**

**1. Consistency With the Comprehensive Plan:**

The PUD will be developed consistent with the LDR land use category of the 2030 Comprehensive Plan. The proposed development is consistent with the following objectives and policies of the 2030 Comprehensive Plan: Future Land Use Element Objectives 1.2 and 3.1 and Policies 1.1.1, 1.1.9, 1.1.10, 1.1.12, 3.1.1, 3.1.15, and 3.1.11.

**2. Consistency with the Concurrency Management System:**

The PUD will comply with the Concurrency and Mobility Management System

**3. Allocation of Residential Land Use:**

The PUD is consistent with land use allocations under the 2030 Comprehensive Plan.

**4. Internal Compatibility:**

The Site Plan addresses access and circulation within the site. Final engineering plans will be subject to review and approval of the City Traffic Engineer.

**5. External Compatibility/Intensity of Development:**

The PUD is consistent with and comparable to planned and permitted development in the area. The PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.

**6. Maintenance of Common Areas and Infrastructure:**

All common areas and infrastructure, excluding roadways dedicated to the City of Jacksonville, will be maintained by the owner, maintenance company and/or one or more owners' association(s).

7. **Usable Open spaces, Plazas, Recreation Areas:**

The PUD provides ample open spaces and recreational opportunities.

8. **Impact on Wetlands:**

Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

9. **Listed Species Regulations:**

The Property is less than fifty acres and therefore a listed species survey is not required.

10. **Off-Street Parking Including Loading and Unloading Areas:**

The PUD provides adequate off-street parking.

11. **Sidewalks, Trails, and Bikeways:**

The PUD provides for compliance with the subdivision regulations and 2030 Comprehensive Plan with regards to sidewalks.