

**Butler Creek PUD
Written Description
July 16, 2024**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: BP-Urban Area
- B. Current Zoning District: PUD (Ords. 2007-512-E and 2020-605-E)
- C. Requested Zoning District: PUD
- D. Real Estate Number: 152577-0010, 152577-0020, 152577-0050, 152578-0010

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 72± acres of property (the “Property”) from Planned Unit Development (PUD) to PUD. The subject property is located at 7407 and 0 Salisbury Road, as shown on Exhibit “K”. The Property is more particularly described in the legal description attached as Exhibit “1” to this application. A composite conceptual site plan of the proposed development alternatives is attached as Exhibit “E” to this application (the “Site Plan”).

The purpose of this rezoning is to permit the infill development of the Property with multifamily uses and related multifamily development criteria at a density of forty (40) dwelling units per acre. Recreational facilities for the exclusive use of the residents and their guests will be provided.

III. PUD DEVELOPMENT CRITERIA

A. Description of Uses and Apartment Development Criteria

- 1. *Permitted uses.* Multi-family residential dwelling units including apartments and townhomes (which may or may not be platted) and a mix thereof, related amenities including but not limited to walking path(s), dock, pool, cabana/clubhouse, health/exercise facility, business/conference center, sales office, dog park and dog wash area, bike shop, electric car charging stations, and similar uses; park/open space; essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and 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; and home occupations meeting the performance standards and development

criteria set forth in Part 4 of the Zoning Code. Cellular towers, communication antennas and communication towers as described in Part 15 of the Zoning Code are permitted.

2. *Permitted accessory uses and structures.* Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code; provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures. In addition, accessory uses and structures may be located within any required buffer.
3. *Minimum lot requirement (width and area).* 20 acres.
4. *Maximum lot coverage by all buildings.* Fifty percent (50%).
5. *Impervious surface ratio.* Seventy-five percent (75%).
6. *Minimum Yard Requirements and Building Setbacks.* Front – 20 feet; Side (north and south) – 10 feet; Rear (east) – 10 feet. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks. There shall be not less than fifteen (15) feet between residential buildings meeting “end to end,” and not less than twenty-five (25) feet between residential buildings meeting “face to end.” All buildings shall be at least twenty (20) feet from parent parcel boundaries.
7. *Maximum height of structure.* Sixty-five (65) feet. 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.

B. Minimum Townhome Lot and Building Requirements.

1. *Minimum building setbacks and yard requirements.* The building setbacks will be provided for the individual buildings/units from the lot lines except as otherwise allowed in this text as follows:
 - a. Front – Twenty-two (22) feet from face of garage to back of curb and fifteen (15) feet from building face to back of sidewalk or back of curb.
 - b. Side – Zero (0) feet for interior units; ten (10) feet for end units.
 - c. Rear – Ten (10) feet.

Note: Encroachments by parking, signage, utility structures, fences, street/park furniture, and other similar improvements shall be permitted within the minimum building setbacks.

2. *Minimum lot area.* 1,500 square feet.
3. *Minimum lot width.* Fifteen (15) feet.
4. *Maximum height of structures.* Thirty-five feet (35) feet. 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.
5. *Maximum lot coverage by all buildings.* Sixty (60) percent per lot; thirty-five (35) percent overall townhome development area.
6. *Impervious surface ratio.* Seventy-five (75) percent.

C. Overall Development Criteria.

1. *Access.* As shown on the Site Plan, access to the Property will be from Salisbury Road. Vehicular and pedestrian interconnectivity to the multifamily residential Belfort Creek PUD (Ord. 2023-594-E) to the south is permitted. The entrance road shall not require bicycle lanes, and may have a ten (10) foot multi-use path.

Interior access roads will be privately owned and maintained by the owner and/or an owners' association and/or a management company and may be gated. The location and design of all access points and interior access roads is conceptual and the final location and design of all access points and interior access roads is subject to the review and approval of the City Traffic Engineer and the City Planning and Development Department.

2. *Pedestrian Circulation.* No external sidewalks exist along Salisbury Road and none will be provided in connection with the proposed development. Internal sidewalks will be provided. Townhome development may provide a six (6) foot sidewalk on one side of the internal roads. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
3. *Recreational/Open Space.* Pursuant to the Comprehensive Plan, recreational/open space will be provided at a minimum of one hundred

fifty (150) square feet per apartment and/or unplatted townhome unit, and at a minimum of one (1) acre per one hundred (100) platted townhome units. Walking trails around water features/stormwater management facilities will qualify as active recreation areas. Recreation areas may be provided in multiple locations throughout the Property, and individual recreation areas may be less than one-half acre in size.

4. *Parking and Loading Requirements: Apartments.* Parking will be provided at a minimum rate of 1.5 spaces per apartment dwelling unit. Up to thirty percent (30%) of the parking spaces may be compact spaces. No loading or guest parking spaces will be required. Single-story garages are permitted. Bicycle parking will be provided at a rate of two percent (2%) of minimum required parking. Parking may be modified by an administrative modification.
5. *Parking and Loading Requirements: Townhomes.* Two (2) parking spaces per unit will be provided, which may consist of one garage parking space and one driveway parking space. The driveway parking space will be long enough to ensure that the car will not protrude into the sidewalk. No guest or bicycle parking will be required. Parking may be modified by an administrative modification.
6. *Signage.* There will be one (1) single- or double-faced illuminated monument master community identification signs, not to exceed forty-eight (48) square feet in area per sign face and sixteen (16) feet in height, at the Salisbury Road entrance to the Property. Any subdivision within the master community may have one (1) single- or double-faced illuminated monument subdivision identification signs, not to exceed forty-eight (48) square feet in area per sign face and sixteen (16) feet in height, at the entrance to the subdivision from the internal road network. The master community identification signage and the subdivision identification signage may be located in medians. Temporary leasing signs up to one hundred (100) square feet in area are also permitted. Should portions of the Property be under separate ownership in the future, all allowed signage will not be considered “offsite” and may be allowed to be remain in place, and repaired and/or replaced as needed.

Directional Signs that indicate ways to and from property entrances, major buildings, common areas and key components of the development within the PUD, for drivers of vehicles, for pedestrian users of the PUD, 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 project logo and name. Directional signs may be attached to lighting fixtures within the PUD. Temporary real estate and construction

signage is permitted. Signs to identify entrances to buildings that contain residential model units not to exceed twelve (12) square feet shall be permitted throughout the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

7. *Landscaping/fencing.* Landscaping will be provided in accordance with the requirements of Part 12 of the Zoning Code; provided, however, that all uses internal to the Property shall be deemed compatible and no internal uncomplimentary buffers shall be required. Should any uncomplimentary buffer(s) be required for uses external to the Property, and/or should any internal uncomplimentary buffer(s) be imposed as a condition of PUD approval, the buffer(s) may overlap with the building setbacks and/or subdivision buffer and/or perimeter landscaping. In addition, accessory structures may be located within any required buffer. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation.
8. *Architectural Design.* Buildings (including roof types and facades), structures and signage will be constructed and painted with materials which are aesthetically compatible.

Dumpsters, propane tanks, and similar appurtenances in each parcel shall be kept behind substantially opaque enclosures composed of the same material and painted the same or complementary color as the structures located on the parcel, such that the dumpster, propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.
9. *Lighting.* Lighting within the PUD shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on adjacent uses.
10. *Stormwater Retention.* Stormwater facilities will be provided in accordance with all applicable regulations.
11. *Utilities.* Electric, water, and sewer services will be provided by the JEA.

12. *Maintenance of Common Areas and Infrastructure.* The common areas and infrastructure will be maintained by the owner and/or an owners' association and/or a management company.
13. *Conceptual Site Plan.* The Site Plan is comprised of a composite of two conceptual site plans of proposed development alternatives, either of which may be the basis for a plan of development submitted for verification of substantial compliance. The configuration and mix of 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. The building locations and roadways shown on the Site Plan are schematic and may change prior to development subject to the review and approval of the Planning and Development Department.
14. *Temporary Uses.* Temporary leasing office(s) and/or construction trailer(s) shall be allowed to be placed on site and moved throughout the site as necessary.
15. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.
16. *Conservation Easement.* Approximately twenty-one (21) acres at the eastern end of the Property adjacent to Big Pottsburg Creek has been subjected to a conservation easement in favor of the Florida Department of Environmental Protection, recorded in Official Records Book 20645, page 154 of the current public records of Duval County. Pursuant to the terms of the easement, development is prohibited on this acreage, which must be maintained in its natural vegetative state.

IV. PUD REVIEW CRITERIA

- A. **Consistency with Comprehensive Plan:** The Property is located within the BP – Urban Area land use category according to the Future Land Use Map of the 2045 Comprehensive Plan. The PUD permits a maximum density of forty (40) dwelling units per acre on approximately 72 acres and therefore is consistent with the Comprehensive Plan density limitations. The proposed development is consistent with the following objectives and policies of the Future Land Use

Element of the 2045 Comprehensive Plan, among others: 1.1.9, 1.1.17, 1.1.21, 1.1.22, 1.2.4, and 1.2.8.

- B. Roadways / Consistency with the Concurrency Management System:** The development of the Property will comply with the requirements of the CMMSO.
- 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 2045 Comprehensive Plan.
- D. Internal Compatibility:** The Site Plan attached as Exhibit “E” addresses access and circulation within the site. Access to the site will be from Salisbury Road and the Property may be gated. Vehicular and pedestrian interconnectivity to the multifamily residential Belfort Creek PUD (Ord. 2023-594-E) to the south is permitted. Internal access will be provided by approved private roads. The PUD contains special provisions for signage, landscaping, sidewalks, parking, and other issues relating to the common areas and vehicular and pedestrian traffic. Architectural design guidelines within the PUD provide that buildings, structures and signage within the Property are constructed and painted with materials which are aesthetically compatible and that dumpsters or similar appurtenances are screened from view from surrounding roadways and adjacent properties. Final engineering plans will be subject to review and approval of the City Traffic Engineer.
- E. External Compatibility / Intensity of Development:** The proposed development will be consistent and comparable to the existing and permitted development in the area. The surrounding land use categories include BP, RPI, and LI. The multifamily residential Belfort Creek PUD (Ord. 2023-594-E) is located to the south, and the Southpoint Community Church PUD (Ord 2003-116-E) is located further south. Salisbury Road dead-ends to the south, but to the north it leads to two arterial roadways, in a developed area with a mix of office, residential and retail commercial uses. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and increases the mixed use character of this node. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.
- F. Usable Open Spaces, Plazas, Recreation Areas:** Pursuant to the Comprehensive Plan, recreational/open space is required to be provided at a minimum of one hundred fifty (150) square feet per apartment and/or unplatted townhome residential unit, or a minimum of one (1) acre per one hundred (100) platted townhome units. Walking trails around water features/stormwater management facilities will qualify as active recreation areas. Recreation areas

may be provided in multiple locations throughout the Property, and individual recreation areas may be less than one-half acre in size.

- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements. Approximately twenty-one (21) acres at the eastern end of the Property adjacent to Big Pottsburg Creek has been subjected to a conservation easement in favor of the Florida Department of Environmental Protection, recorded in Official Records Book 20645, page 154 of the current public records of Duval County. Pursuant to the terms of the easement, development is prohibited on this acreage, which must be maintained in its natural vegetative state.
- H. Listed Species Regulations:** An environmental site assessment has been submitted as part of this application.
- I. Off-Street Parking & Loading Requirements:** Apartment parking will be provided at a minimum rate of 1.5 spaces per apartment dwelling unit. Up to thirty percent (30%) of the parking spaces may be compact spaces. No loading or guest parking spaces will be required. Single-story garages are permitted. Bicycle parking will be provided at a rate of two percent (2%) of minimum required parking. Townhome parking will be provided at a rate of two (2) parking spaces per unit, which may consist of one garage parking space and one driveway parking space. The driveway parking space will be long enough to ensure that the car will not protrude into the sidewalk. No guest or bicycle parking will be required. All parking provisions may be modified by an administrative modification.
- J. Pedestrian Circulation System:** No external sidewalks exist along Salisbury Road and none will be provided in connection with the proposed development. Internal sidewalks will be provided. Townhome development may provide a six (6) foot sidewalk on one side of the internal roads. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

V. ADDITIONAL § 656.341 CRITERIA

- A. Professional Consultants:** Planner /engineer: ETM. Developer: Butler Creek Owners LLC / First Star Development LLC.
- B. Differences from the 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 the this written description and to the Site Plan; it provides for site-specific design standards and criteria; and it permits a unique and creative approach to the planning and development of the Property. Such a unique and integrated community plan requires the use of the PUD ordinance in

order to administer the standards that have been designed to ensure proper implementation of the community's intended design. The design and layout of the PUD is creative in its planning approach as described above, more desirable than would be possible through strict application of the minimum requirements of the Land Development Code, and more efficient.

- C. Land Coverage of All Buildings and Structures/Nonresidential Floor Area:** Not to exceed fifty (50) percent of the Property for apartment development; for townhome development, sixty (60) percent per lot and thirty-five (35) percent overall townhome development area.
- D. Amount of Public and Private Rights of Way:** The internal circulation consists of private drives and parking areas.
- E. Operation and Maintenance of Areas and Functions:** The Property is privately owned and will remain so.

EXHIBIT F
Butler Creek PUD

Total gross acreage	72.70 Acres	100%
Multi-Family/Townhome Residential	51.70 Acres	70%
Open Space	21.00 Acres	30%
Total number and type of dwelling units ² by each type		
Multi-Family	Up to 400 d.u.	31%
Townhomes	Up to 248 d.u.	33%
Total amount of active recreation ³	3.88 Acres	6%
Total amount of passive open space <i>(Conservation Easement)</i>	21.00 Acres	30%
Maximum coverage of non-residential buildings and structures	0 Sq. Ft.	
Public and Private Right-of-Way	0 Acres	0%
Impervious surface ratios as required by Section 654.129		75%

1 The acreages and development amounts of the various land uses listed above are conceptual in nature and subject to further refinement during survey, design, permitting and submission of a Verification of Substantial Compliance with the PUD.

2. Multi-family density 40 dwelling units per acre.

3. Multi-Family based on a minimum of 150 square feet per residential unit & townhome required recreation 1 acre/ 100 DU.