

Livingston Road PUD

Written Description

May 5, 2023

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 155760-0000, 155768-0000, 155768-0010, 156307-0000, & 156305-0010
- B. Current Land Use Designation: LDR
- C. Proposed Land Use Designation: LDR (no change)
- D. Current Zoning Districts: RLD-60
- E. Proposed Zoning District: PUD

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

Seminole Educational Facilities LLC (the “Applicant”) proposes to rezone approximately 11.49 acres of property located on Livingston Road, which is more particularly described by the legal description attached to this ordinance as **Exhibit “1”** (the “Property”). As described below, the Planned Unit Development (“PUD”) zoning district is being sought to provide for the development of the Property with a townhome community with a common scheme of development, as shown on the PUD Conceptual Site Plan attached to this ordinance as **Exhibit “4”** (the “Site Plan”). The townhomes shall be “rear-load” townhomes, as depicted on the Site Plan.

The PUD shall be developed in accordance with this PUD Written Description and the Site Plan. Until the commencement of such development on the Property, the Property may continue to be used for recreational uses, including as it substantially exists today for the same uses that exist on the Property today.

The development of the Property with a townhome community provides an ideal transition of uses from institutional uses (educational) within the Residential-Professional-Institutional (RPI) land use category to the east adjacent to Old St. Augustine Road and single family residential uses to the west. The Property is currently utilized by Christ Church of Mandarin for recreational purposes, including sporting events and practices, and may continue to be utilized for such uses until commencement of development.

The Property lies within the Low Density Residential (LDR) 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	MDR, RPI, CGC	RMD-B, PUD, CRO, CCG-1	Multi-Family Residential, Duplexes, Vacant
East	RPI, CGC, NC	CRO, CCG-1, PUD	Schools, Churches, Commercial, Retail, Vacant
North	LDR, RPI	RLD-90, RLD-60, CRO	Multi-Family Residential, Single-Family Residential, School
West	LDR	RLD-90, RLD-60, PUD	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 2045 Comprehensive Plan governing the LDR Urban Area land use designation, maximum density on the Property shall be seven (7) units per acre.

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 subject to Section 656.414 of the Zoning Code as modified by Section III.C.6 of this Written Description.
 - b. Home occupations meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
 - c. Housing for the elderly.
 - d. Family day care homes meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

- e. Community residential homes of six or fewer residents meeting the performance standards and development criteria set forth in Part 4 of the Zoning code.
 - f. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
 - g. Playfields and other recreation structures serving private institutions, such as churches and charter schools.
 - h. Neighborhood parks, pocket parks, playgrounds, playfields or other recreational structures and uses meeting the performance standards and development criteria set forth in Part 4 of the Zoning code.
2. *Permissible uses by exception:*
- a. Day care centers meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
 - b. Nursing Homes.
 - c. Community residential homes of seven to 14 residents meeting the performance standards and development criteria set forth in Part 4.
3. *Maximum gross density:* The maximum gross density shall be seven (7) units per acre.
4. *Lot and yard requirements:* Those lot and yard requirements set forth by the RMD-A zoning district, except that townhomes shall be subject to Section 656.414 of the Zoning Code as modified by Section III.C.6 of this Written Description.
5. *Maximum height of structure:* Thirty-five (35) feet
6. *Townhomes and rowhouses:*
- a. *Lot requirements:*
 - i. Width—Twenty-four (24) feet; Thirty-four (34) feet for end units
 - ii. Area—2,400 square feet
 - iii. Maximum Lot Coverage – Seventy percent (70%)

b. *Yard Requirements:*

- i. Front (as noted on Site Plan)—Eighteen (18) feet, except that the front yard shall be reduced to fifteen (15) feet for units fronting the stormwater pond.
- ii. Rear (garage side of building)—Twenty (20) feet, unless a two-car garage is provided, in which case, ten (10) feet.
- iii. Side—Zero (0) feet; Ten (10) feet for end units; except that for townhomes with only two (2) units within the building (if any) the minimum side yard setback shall be five (5) feet. Additionally, if a sidewalk is provided between townhome buildings or between a townhome building and the right-of-way, the side yard setback shall be reduced to five (5) feet, so long as the distance between buildings is not less than twenty (20) feet.

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 2.2.3 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code.

2. **Access**

Access will be provided as shown on the Site Plan via a single access point on Livingston Road. The location and design of the access point on Livingston 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, potential connection, and internal roads shall be subject to the review and approval of Development Services and the Planning and Development Department.

3. **Signage**

Signage will be provided in accordance with Part 13 of the Zoning Code for property within the RMD-A 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 and may be permitted and obtain certificates of occupancy prior to final plat approval or acceptance of the improvements in the applicable "unit" or "phase". 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. **Recreational Uses May Continue.**

Recreational uses 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), except as otherwise set forth below:

1. The 20' subdivision buffer along Livingston Road, as shown on the Site Plan, may contain a sidewalk or walking trail for purpose of providing access to the fronts of the townhome units fronting Livingston Road.
2. A 20' landscape buffer, consistent with the requirements of Section 656.1216(b) of the Zoning Code, shall be provided along the portions of the western boundary of the Property designated on the Site Plan.
3. No buffer shall be required along the eastern boundary of the Property.
4. Fencing in front yards (as shown on the Site Plan) is permitted (not required) but shall not exceed four (4) feet in height. Furthermore, no fence or screen is required as a part of the required subdivision buffer along Livingston Road, although a fence or screen not to exceed four (4) feet in height may be provided and such fence or screen may be integrated into an entrance feature that exceeds four (4) feet in height.

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) (2023) except that no guest parking spaces shall be required for townhomes with both 2-car garages and at least a 20-foot yard on the garage side of the building, as applicable.

9. **Sidewalks, Trails and Bikeways**

Sidewalks shall be provided as required in the 2045 Comprehensive Plan and the Subdivision Regulations, Chapter 654, Ordinance Code.

10. **Utilities**

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

11. **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 September 15, 2022.

VI. JUSTIFICATION FOR THE PUD REZONING.

As described above, this PUD is being requested to permit the development of a townhome community with a common scheme of development. The PUD allows for certain deviations from the Zoning Code to allow for the proposed rear-loaded townhome development. 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 modified front and rear yard setbacks to allow for

the proposed rear loaded townhome development; it increases minimum lot sizes; and it limits permitted uses on the property, as compared to those uses permitted in the RMD-A zoning district. Differentiations from the Zoning Code that are capable of being specifically set forth are outlined in the table below.

Element	Zoning Code	Proposed PUD	Reasoning
Lot Requirements	Section 656.414 of the Zoning Code allows for smaller lots with a minimum width of 15 feet for interior units and 25 feet for end units.	This PUD requires a minimum of 24' wide lots for interior units and 34' wide lots for end units.	This requires larger townhome units and a variety of housing product for the area.
Yard Requirements	As set forth in Section 656.414 of the Zoning Code.	<p>Front (as noted on Site Plan)—Eighteen (18) feet, except that the front yard shall be reduced to fifteen (15) feet for units fronting the stormwater pond.</p> <p>Rear (garage side of building)—Twenty (20) feet, unless a two-car garage is provided, in which case, ten (10) feet.</p> <p>Side—Zero (0) feet; Ten (10) feet for end units; except that for townhomes with only two (2) units within the building (if any) the minimum side yard setback shall be five (5) feet. Additionally, if a sidewalk is provided between townhome buildings or between a townhome building and the right-of-way, the side yard setback shall be reduced to five (5) feet, so long as the distance between buildings is not less than twenty (20) feet.</p>	To allow for rear-load townhome product.
Landscaping/Buffer/Fencing	As set forth in Part 12 of the Zoning Code.	<p>Landscape and tree protection will be provided in accordance with Part 12 of the City's Zoning Code (Landscape and Tree Protection regulations), except as otherwise set forth below:</p> <ol style="list-style-type: none"> 1. The 20' subdivision buffer along Livingston Road, as shown on the Site Plan, may contain a sidewalk or walking trail for purpose of providing access to the fronts of the townhome units fronting Livingston Road. 2. A 20' landscape buffer, consistent with the requirements of Section 656.1216(b) of the Zoning Code, shall be provided along the portions of the western boundary of the Property designated on the Site Plan. 3. No buffer shall be required along the eastern boundary of the Property. 4. Fencing in front yards (as shown on the Site Plan) is permitted (not required) but shall not exceed four (4) feet in height. Furthermore, no fence or screen is required as a part 	To allow for rear-load townhome product.

		of the required subdivision buffer along Livingston Road, although a fence or screen not to exceed four (4) feet in height may be provided and such fence or screen may be integrated into an entrance feature that exceeds four (4) feet in height.	
Guest Parking	Part 6 of the Zoning Code requires one guest parking space for every 3 townhome units.	This PUD requires no guest parking for townhome units with 2 car garages and also room in the driveway for an additional vehicle.	If townhomes are constructed which contain 2 car garages and room in the driveway for a vehicle, ample parking will be provided in garages and driveways, without the need for additional guest parking, as is necessary with 1 car garages or 2 car garages with smaller rear yards to allow for rear-entry.
Temporary Structures	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 leasing offices.	This clarifies the Zoning Code and assists the Applicant in developing and marketing the Property.

VIII. Names of Development Team

Developer: Seminole Educational Facilities LLC

Planner/Engineer: Matthews Design Group and Dominion Engineering Group, Inc.

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 2045 Comprehensive Plan. The proposed development is consistent with the following objectives and policies of the 2045 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 2045 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 will be maintained by the owner, maintenance company and/or one or more owners' association(s). JEA will maintain the utilities.

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 2045 Comprehensive Plan with regards to sidewalks.