

MIDDLEBURG TOWNHOME PUD

Written Description

May 31st, 2025

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A.** RE #: 0 1 3 1 3 9 - 0 0 2 0
- B.** Current Land Use Designation: LDR
- C.** Current Zoning District: RR-ACRE

II. SUMMARY AND PURPOSE OF THE PUD

Barati Enterprise (the “Applicant”) proposes to rezone 1.6 acres of property located at 4370 Old Middleburg Rd N, which is more particularly described by the legal description as the “Property”. As described below, the Planned Unit Development (“PUD”) zoning district is being sought to provide for the development of the Property with townhome units, as shown on the Conceptual Site Plan attached to this ordinance. The PUD shall be developed in accordance with this PUD Written Description and the Site Plan.

The Property currently lies within the Low Density Residential (LDR) land use category on the Future Land Use Map (FLUM) and within the Suburban 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>
North	LDR	PUD 2002-0008-E	Single-family dwellings
South	MDR	PUD 1998-0491-E	Single-family dwellings
East	MDR	PUD 1998-0491-E	Single-family dwellings
West	LDR	RR-Acre	Single-family dwellings

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 MDR Suburban Area land use designation, the proposed number of units — twelve (12), for a density of 7.5 units per acre — is less than the twenty (20) units per acre permitted in the MDR Suburban Area land use category.

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. Single-family dwellings.
 - b. Townhomes.
 - 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. Parks, playgrounds and playfields or recreational or community structures 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 fourteen (12) units per acre, which is less than the twenty (20) units per acre permitted in the MDR Suburban Area land use category.
4. *Lot and yard requirements:*
 - a. *Front -The primary front yard will be measured from internal/private right-of-way and shall be 20 feet.*
 - b. *The second front yard will be measure from the property line abutting Old Middleburg Road and shall be 10 feet.*
 - c. *Side - 0 feet; 10 feet for end units.*
5. *Maximum height of structure:* The maximum heights set forth by the RMD-A zoning district.

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.

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 Old Middleburg Rd. The location and design of the access point on Old Middleburg Rd 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.

3. Signage

Signage that may be required 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. 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) with the following exceptions:

1. A 10-foot natural buffer area will be installed along the perimeter adjacent to Old Middleburg Road, instead of the 20-foot buffer required per 656.1222. All other requirements of 656.1222 shall be met.

After discussion with the Council Member and neighbors, the following will be installed.

- a. An 8-foot privacy fence will be installed along the southern property line
- b. The existing natural tree buffer along the southern property line will be maintained to serve as a visual barrier. The width of the buffer shall conform to Part 12 requirements.

6. **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.

7. **Parking**

Off street parking will be provided in accordance with Part 6 of the City's Zoning Code (Off-street Parking and Loading Regulations) (2022), except that no guest parking spaces shall be required for townhomes with 2-car garages or 1-car garages for townhomes with two (2) units within the building with enough paved driveway space between the garage façade and edge of pavement to allow for another parking spot, as applicable.

8. **Sidewalks**

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

9. **Utilities**

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

10. **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. 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 is consistent with current Zoning Code. The PUD design ensures consistency with the surrounding zoning and existing uses.

VI. PUD/DIFFERENCE FROM USUAL APPLICATION OF THE ZONING CODE

1. 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 PUD Conceptual Site Plan; it allows for the reduction of the required average natural buffer area along the perimeter of the site adjacent to Old Middleburg Rd; it includes the installation of an 8-foot privacy fence along the south property line to preserve peace and property value; it proposes to maintain the existing natural tree buffer immediately adjacent to/on the south property line to serve as a visual and environmental barrier; it provides for the design of site grading and drainage that will not negatively impact adjacent properties meeting current St Johns River Water Management District and City of Jacksonville standards; and it limits permitted uses on the property compared to those uses permitted in the RMD-A zoning District.
2. The below table summarizes the aforementioned differentiation from the Zoning Code.

Element	Zoning Code	Proposed PUD	Rezoning
Buffer Required	Section 656.1222 of the Zoning Code requires an average 20-foot natural buffer area be provided along all perimeters of the site adjacent to any public or approved private right-of-way. The buffer area shall run the entire length of the right-of-way, shall not be less than 15 feet wide.	The PUD reduces the setback to 10 feet.	To allow for the proper development of townhomes in a manner consistent with the marketplace.

VII. Names of Development Team

Developer: Barati Enterprise

Planner/Engineer: AXOD Group Inc.

Architects: N/A

VIII. Land Use Table

A Land Use Table is attached hereto.

IX. PUD REVIEW CRITERIA

1. Consistency With the Comprehensive Plan:

The PUD will be developed consistent with the RMD-A 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.

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:

No wetland impacts are associated with this PUD.

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.