

**Livingston Road PUD**

**Written Description**

**November 21, 2022**

**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: MDR
- 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 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

As a companion application to this PUD, the Applicant is seeking a land use amendment to designate the Property from LDR to Medium Density Residential (MDR).

### 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 nine (9) units per acre, which is less than the twenty (20) units per acre permitted in the MDR Urban 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 subject to Section 656.414 of the Zoning Code as modified by Section III.C.6 of this Written Description.
  - c. Home occupations meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

- d. Housing for the elderly.
  - e. Family day care homes meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
  - f. Community residential homes of six or fewer residents meeting the performance standards and development criteria set forth in Part 4 of the Zoning code.
  - g. 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.
  - h. Playfields and other recreation structures serving private institutions, such as churches and charter schools.
  - i. 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 nine (9) units per acre, which is less than the twenty (20) units per acre permitted in the MDR Urban Area land use category.
  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:* The maximum heights set forth by the RMD-A zoning district.
  6. *Townhomes and rowhouses:* The requirements of section 656.414 of the Zoning Code shall apply to townhomes developed on the Property, except that for townhomes with only two (2) units within the building the minimum side yard setback shall be five (5) 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 Livingston Road. The location and design of the access points 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(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 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), which will include a 20' subdivision buffer along Livingston Road, as shown on the Site Plan.

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) (2022), except that no guest parking spaces shall be required for townhomes with 2-car garages, as applicable.

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. **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 consistent with the marketplace. 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 reduced maximum front yard setbacks for townhomes; it allows for reduced minimum lot sizes; it allows for reduced guest parking for townhomes with two-car garages, 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.

<b>Element</b>	<b>Zoning Code</b>	<b>Proposed PUD</b>	<b>Reasoning</b>
<b>Side yard for Townhomes with only two (2) units within the building</b>	Section 656.414 of the Zoning Code requires a minimum side yard setback of ten (10) feet for end units on townhomes.	For townhomes with only two (2) units within the building, the minimum side yard setback shall be five (5) feet.	Section 656.414 of the Zoning Code is intended to address townhomes with three (3) or more units in each building (e.g., it contains lot requirements for interior units). In a townhome with only two (2) units within the building, both units are end units. Given the fewer units in the building and the smaller overall size of each building, it is logical to reduce the side yard setback. The proposed setback of five (5) feet for townhomes with only two (2) units within the building is greater than the required setback for single-family homes in the RMD-A zoning district.
<b>Guest Parking</b>	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.	If townhomes are constructed which contain 2 car garages, ample parking will be provided in garages and driveways, without the need for additional guest parking, as is necessary with 1 car garages.
<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 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

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 MDR 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 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 2030 Comprehensive Plan with regards to sidewalks.



**EXHIBIT F**

PUD name

**Livingston Road PUD**

Total Gross Acreage	<input type="text" value="11.49"/> acres	<b>100.00 %</b>
Amount of each different land use by acreage		
Single family	<input type="text" value="0.00"/> Acres	<input type="text" value="0.00"/> %
Total number of units	<input type="text" value="0"/> D.U.	
Multiple family	<input type="text" value="5.48"/> Acres	<input type="text" value="47.69"/> %
Total number of units	<input type="text" value="100"/> D.U.	
Commercial	<input type="text" value="0.00"/> Acres	<input type="text" value="0.00"/> %
Industrial	<input type="text" value="0.00"/> Acres	<input type="text" value="0.00"/> %
Other land use	<input type="text" value="0.00"/> Acres	<input type="text" value="0.00"/> %
Active recreation and/or open space	<input type="text" value="1.01"/> Acres	<input type="text" value="8.79"/> %
Passive open space, wetlands or ponds	<input type="text" value="2.98"/> Acres	<input type="text" value="25.94"/> %
Public and/or private right-of-way	<input type="text" value="2.01"/> Acres	<input type="text" value="17.49"/> %
Maximum coverage of non-residential buildings or structures	<input type="text" value="0.00"/> Sq. ft.	<input type="text" value="0"/> %