

REVISED PUD WRITTEN DESCRIPTION

DAVIS CREEK PUD

February 11, 2022

I. PROJECT DESCRIPTION

A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses:

Applicant proposes to rezone approximately 53.58 acres of property from RR-Acre, RLD-60, and CO to PUD generally located at Philips Highway and Pinnacle Point Drive near Big Davis Creek (RE#s 167907 0010; 168152 0110; 168152 0310; and a portion of 168152 0220) as more particularly described in Exhibit 1 (the “Property”). The Property currently has land use designations of LDR, BP, and CGC. A large-scale land use amendment requesting a change in the Property’s land use to MDR, CSV, and CGC has been filed, approved by City Council in Ordinance 2021-0336, and transmitted to the State of Florida for review.

This PUD is filed to unify the Property under a common plan to promote complimentary uses throughout, including the provision of multifamily residences, commercial uses, and to preserve land for conservation and wetland protection. Applicant seeks to develop multifamily residences on the areas designated for the MDR land use category as conceptually depicted on the Site Plan filed herewith (the “Multifamily Parcels”). The areas included in the CGC land use designation shall be utilized according to their land use category and the uses delineated herein and are generally located as depicted on the Site Plan (the “Commercial Parcels”). A conservation easement will be recorded over the conservation areas (the “Conservation Parcels”) to secure environmental protection of the wetlands.

The Property is located in a unique area with a mix of different land use and zoning categories and various residential, commercial, office, industrial, and public facility uses. Specifically, the surrounding area includes the following:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Uses</i>
North	CGC, LDR, PBF, BP	CO, RR-Acre, PUD	Vacant, natural gas power generating facility and potable water treatment facility
East	MU, PBF	PUD	Natural gas power generating facility and potable water treatment facility, agricultural
South	LDR, MU	PUD	Single-family, Office
West	LI, CGC	IBP, PUD	Vacant, commercial

B. Project name: Davis Creek PUD.

C. Project engineer: England, Thims & Miller, Inc.

- D. Project developer: WP Davis Creek MF-FL Owner, LLC.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: LDR, BP, and CGC.
- G. Current zoning district: RR-Acre, AGR, RLD-60, and CO.
- H. Requested land use designation: MDR, CSV, LI, and CGC.
- I. Requested zoning district: PUD.
- J. Real estate numbers: 167907 0010; 168152 0110; 168152 0310; and 168152 0220.

II. QUANTITATIVE DATA

- A. Total acreage: 54.48 acres.
- B. Conservation acreage: 26.44 acres.
- C. Commercial acreage: 3.76 acres.
- D. Total number of dwelling units: 288 units.

III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code?
 - 1. This PUD provides for uses consistent with the RMD-D, CCG-1, and CSV zoning districts. Consistent with restrictive covenants encumbering the Property, this PUD prohibits the following uses:
 - a. Landfill or dumping facility.
 - b. Salvage yard.
 - c. Manufacturing facility.
 - d. Cemetery or mausoleum.
 - e. Funeral home or mortuary.
 - f. Animal shelter or commercial kennel.
 - g. Auto/engine repair facility for large farm equipment, commercial or industrial vehicles.
 - h. Welding shop.
 - i. Facility for storage or overnight parking of commercial or industrial vehicles.
 - j. Facility for storage of building materials.
 - k. Adult entertainment and/or service facility.

- l. Wholesale or retail adult novelty facility.
 - m. Liquor store.
 - n. Bar/tavern, lounge, or nightclub.
 - o. Facilities for the keeping of horses, cows, swine, sheep, goats, or poultry.
 - p. Mobile home park.
 - q. Card room, gaming, or video poker establishment.
 - r. Electric distribution or transmission substation.
 - s. Massage establishment.
 - t. Recycling/collection center.
 - u. Legal marijuana distribution facility.
 - v. Police, fire, or ambulance station.
 - w. Cell phone tower.
2. With regard to the commercial portion of the Property, the CCG-1 zoning district regulations have been modified as follows:
 - a. A minimum rear setback of twenty-five (25) feet is required for the parcel north of Pinnacle Point Drive and a minimum rear setback of twenty (20) feet is required for the parcel south of Pinnacle Point Drive.
 - b. Enhanced uncomplementary use buffers are required between the single-family subdivision and commercial parcels.
 3. With regard to the multifamily portion of the Property, the RMD-D zoning district regulations have been modified as follows:
 - a. A minimum setback of ninety-two (92) feet is required between a multifamily structure and the property line for an abutting single-family residence.
 - b. Parking spaces are provided at a minimum ratio of 1.75 spaces per unit with no maximum cap.
 - c. Loading is permitted within drive aisles without a requirement for separate loading spaces.
 - d. Bicycle parking will be provided at no less than two percent (2%) of parking spaces required.
 - e. Enhanced uncomplementary use buffers are required between the single-family subdivision and multifamily parcel.
 - f. Architectural commitment outlined.

- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the city.

The continued operation and maintenance of the areas and functions described herein and facilities which are not to be provided, operated or maintained by the City will be the sole responsibility of the owners of the Property.

IV. USES AND RESTRICTIONS

A. Commercial Parcels:

1. Permitted uses, accessory uses, and uses allowable by exception shall conform with the CCG-1 uses provided for in the Zoning Code, subject to the prohibited uses listed herein.

B. Multifamily Parcels:

1. Permitted Uses:

- a. Multifamily 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.
- e. Foster care homes.
- f. Community residential homes of six or fewer residents meeting the performance standards and development criteria set forth in Part 4.
- g. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- h. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
- i. Golf courses meeting the performance standards and development criteria set forth in Part 4.
- j. Parks, playgrounds and playfields or recreational or community structures meeting the performance standards and development criteria set forth in Part 4.
- k. Country clubs meeting the performance standards and development criteria set forth in Part 4.
- l. Home occupations meeting the performance standards and development criteria set forth in Part 4.

2. Permitted accessory uses and structures:
 - a. As permitted pursuant to Section 656.403.
3. Permissible uses by exception:
 - a. Schools meeting the performance standards and development criteria set forth in Part 4.
 - b. Borrow pits subject to the regulations contained in Part 9.
 - c. Bed and breakfast establishments meeting the performance standards and development criteria set forth in Part 4.
 - d. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
 - e. Day care centers meeting the performance standards and development criteria set forth in Part 4.
 - f. Nursing homes.
 - g. Residential treatment facilities.
 - h. Private clubs.
 - i. Commercial Neighborhood Retail Sales or Professional Office structurally integrated with a multifamily use, not exceeding twenty-five percent (25%) of the structure which it is a part.
 - j. Emergency shelter homes.
 - k. Community residential homes of seven (7) to fourteen (14) residents meeting the performance standards and development criteria set forth in Part 4.
 - l. Golf driving ranges.
 - m. Boarding houses.
 - n. Group care homes.
- C. Conservation Parcels:
 1. Permitted uses and accessory uses shall conform with the CSV uses provided for in the Zoning Code.
- D. Prohibited uses applicable to all parcels:
 1. Landfill or dumping facility.
 2. Salvage yard.
 3. Manufacturing facility.

4. Cemetery or mausoleum.
5. Funeral home or mortuary.
6. Animal shelter or commercial kennel.
7. Auto/engine repair facility for large farm equipment, commercial or industrial vehicles.
8. Welding shop.
9. Facility for storage or overnight parking of commercial or industrial vehicles.
10. Facility for storage of building materials.
11. Adult entertainment and/or service facility.
12. Wholesale or retail adult novelty facility.
13. Liquor store.
14. Bar/tavern, lounge, or nightclub.
15. Facilities for the keeping of horses, cows, swine, sheep, goats, or poultry.
16. Mobile home park.
17. Card room, gaming, or video poker establishment.
18. Electric distribution or transmission substation.
19. Massage establishment.
20. Recycling/collection center.
21. Legal marijuana distribution facility.
22. Police, fire, or ambulance station.
23. Cell phone tower.

V. DESIGN GUIDELINES

A. Commercial Parcels:

1. As provided for the CCG-1 zoning district, except that:
 - a. For the parcel north of Pinnacle Point Drive, there shall be a minimum twenty-five (25) foot rear setback adjacent to the single-family subdivision.
 - b. For the parcel south of Pinnacle Point Drive, there shall be a minimum twenty (20) foot rear setback adjacent to the single-family subdivision.

B. Multifamily Parcels:

1. Lot requirements:
 - a. Minimum lot width and area: None.

- b. Maximum lot coverage by all buildings and structures: Fifty percent (50%) with impervious surface ratios as required by Section 654.129.
- c. Minimum building setback:
 - i. Front – twenty (20) feet.
 - ii. Side – twenty (20) feet.
 - iii. Rear – twenty (20) feet.
 - iv. A multifamily dwelling with four units or more shall provide a separation of at least forty (40) feet from another multifamily dwelling with at least four units.
 - v. Encroachments by accessory uses including but not limited to signage, dumpsters, parking spaces and parking garages, utility structures, fences, street/park furniture, sidewalks and other similar improvements shall be permitted within the minimum building setbacks.
 - vi. Notwithstanding the foregoing, a minimum separation of at least ninety-two (92) feet shall be provided between any multi-family structure and the property line of an abutting single-family residence.
- 2. Maximum height of structures: Forty-five (45) feet; however, that height may be unlimited where all required yards are increased by one foot for each one feet of building height or fraction thereof in excess of forty-five (45) feet.
- 3. Architectural standards: The multifamily developer commits to employing modern design standards for the project consistent with current market trends for Class A apartment communities. In particular, the programming for building facades includes multiple different finishes, use of varied color, and architectural features that provide articulation and relief.

C. Ingress, egress and circulation:

1. Parking requirements:

- a. Commercial: Nonresidential uses shall provide parking and loading pursuant to Part 6 of the Zoning Code.
- b. Multifamily: Parking for multifamily residential use shall be provided at a minimum rate of 1.75 spaces per unit with no cap on the maximum permissible parking spaces as allowed under Part 6 of the Zoning Code. Separate loading spaces shall not be required. Bicycle parking at a rate no less than two percent (2%) of the minimum required parking spaces.

- 2. Vehicular access: Vehicular access to the Property shall be by way of Philips Highway and Pinnacle Point Drive substantially as shown in the Site Plan. Traffic calming shall be utilized on the access road between the multifamily development and Pinnacle Point Drive. The final location of all access points, internal driveways,

and the type of traffic calming device and final location thereof are subject to review and approval of the Development Services Division and Traffic Services Division. The primary entrance used during construction of the multifamily residential portion of the project will be from Philips Highway.

3. Pedestrian access: Sidewalks shall be provided throughout the Project to provide for internal pedestrian circulation and externally as required by the 2030 Comprehensive Plan.
- D. Signs: Signage on the Property shall be consistent with the provisions of Part 13 as applicable to the RMD-D zoning district for multifamily use and for CCG-1 for nonresidential use.
- E. Landscaping: Landscaping on the Property shall be provided as required by Part 12 of the Zoning Code except as modified below:
1. A minimum twenty-five (25) foot uncomplementary use buffer shall be provided between the single-family subdivision and the commercial parcel north of Pinnacle Point Drive. Stormwater retention is permitted within such buffer area.
 2. A minimum twenty (20) foot uncomplementary use buffer shall be provided between the single-family subdivision and the commercial parcel south of Pinnacle Point Drive. Stormwater retention is permitted within such buffer area
 3. A minimum fifteen (15) foot on average uncomplementary use buffer shall be provided between the multifamily development and single-family subdivision.
 4. It is the intent of the commercial property owner and proposed multifamily developer to participate in cost sharing for maintenance of the landscaped median on Pinnacle Point Drive. To that end, the owner of the commercial parcels and proposed multifamily developer have provided a draft maintenance and shared cost agreement to the Copperleaf at Duval Property Owners Association, Inc. The parties shall negotiate in good faith to memorialize cost sharing arrangements prior to commencing development of the Property.
- F. Lighting: Project lighting on the Property shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on any residential zoning districts outside of the project. Directional lighting fixtures designed to cast illumination downward and within the site shall be used rather than broad area illumination.
- G. Recreation and open space: Recreation and open space shall be provided on the Property as required by the 2030 Comprehensive Plan.
- H. Utilities: Essential services including gas, telephone, water, sewer, cable, and electric as required to serve the project shall be permitted on the Property. Water, sanitary sewer, and electric will be provided by JEA.

- I. Wetlands: The PUD designates certain identified wetlands located within the Conservation Parcels as conservation areas subject to the CSV zoning regulations. Any development on the Property which would impact wetlands within the Property will be permitted in accordance with local, state, and federal requirements.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The project will be beneficial to the surrounding neighborhood and community, meeting the following zoning and land use initiatives:

- A. Is more efficient than would be possible through strict application of the Zoning Code:

The project obtains more efficient land use than would be possible through the strict application of the Zoning Code. The PUD will activate the Property with new multifamily residences that are consistent and compatible with the Zoning Code and 2030 Comprehensive Plan. The Commercial Parcels will complement the multifamily residential use and serve to internally capture trips, while the Conservation Parcels will ensure that Big Davis Creek and the surrounding wetlands will flourish.

- B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area:

The PUD is compatible with the surrounding land uses and will improve the characteristics of the area. The majority of the surrounding area is either residential or undeveloped property, and the existing housing stock consists of single-family homes, such that the PUD will provide additional housing options. The Commercial Parcels are likewise conveniently located to those communities.

- C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan:

The proposed PUD is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations, and specifically contributes to:

- 1. Goal 1 of the Future Land Use Element of the 2030 Comprehensive Plan – To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat of health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
- 2. Objective 1.1 of the Future Land Use Element of the 2030 Comprehensive Plan – Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of

regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

3. Policy 1.1.8 of the Future Land Use Element of the 2030 Comprehensive Plan – Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.
4. Policy 1.1.10 of the Future Land Use Element of the 2030 Comprehensive Plan – Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.
5. Policy 1.1.12 of the Future Land Use Element of the 2030 Comprehensive Plan – Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.
6. Policy 1.1.13 of the Future Land Use Element of the 2030 Comprehensive Plan – Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:
 - a. The type of land uses(s), density, and intensity is consistent with the provisions of the land use category, particularly the category’s predominant land use;
 - b. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and
 - c. The proposed development is compatible with surrounding existing land uses and zoning.
7. Policy 1.1.16 of the Future Land Use Element of the 2030 Comprehensive Plan – Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:
 - a. Creation of like uses;
 - b. Creation of complementary uses
 - c. Enhancement of transportation connections;

- d. Use of noise, odor, vibration, and visual/aesthetic controls; and/or
 - e. Other appropriate mitigation measure such as requirement for buffer zones and landscaping between uses.
8. Policy 1.1.25 of the Future Land Use Element of the 2030 Comprehensive Plan – The City will encourage the use of such smart growth practices as:
- a. Interconnectivity of transportation modes and recreation and open space areas;
 - b. A range of densities and types of residential developments;
 - c. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
 - d. Use of the development areas;
 - e. Revitalization of older areas and the downtown, and
 - f. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.
9. Goal 3 of the Future Land Use Element of the 2030 Comprehensive Plan – To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
10. Policy 3.1.3 of the Future Land Use Element of the 2030 Comprehensive Plan – Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.
11. Policy 3.1.6 of the Future Land Use Element of the 2030 Comprehensive Plan – The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.
12. Policy 3.1.11 of the Future Land Use Element of the 2030 Comprehensive Plan – The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods. The Land Development Regulations shall detail the requirements for public access and interconnectivity within and between developments based on standards such as but not limited to a connectivity score, maximum separations between connections to adjacent developments, and rules relative to hours, operations, and public safety considerations for any restriction of access through the use of gates.

13. Objective 7.2 of the Future Land Use Element of the 2030 Comprehensive Plan – The City shall implement strategies so as to encourage the preservation of environmentally sensitive lands, including lands managed by the Preservation Project Jacksonville (PPJ).
14. Goal 3 of the Conservation/Coastal Management Element of the 2030 Comprehensive Plan – Manage, preserve and enhance viable native ecological communities in order to protect and improve the functions of natural systems and the distribution, productivity and diversity of native plants, animals and fisheries, particularly those species which are endangered, threatened, of special concern, or have high ecological, recreational, scientific, educational, aesthetic, or economic value.
15. Policy 3.3.3 of the Conservation/Coastal Management Element of the 2030 Comprehensive Plan – The City shall encourage landowners and developers to protect or preserve Environmentally Sensitive Lands within developments, where feasible. Developers will be informed, through development review processes, and provided options for preservation of these areas.
16. Policy 3.3.8 of the Conservation/Coastal Management Element of the 2030 Comprehensive Plan – The Planning and Development Department shall encourage innovative site planning techniques such as clustering of development to preserve unique natural site features.
17. MDR – Suburban Area (SA) Intent – MDR in the Suburban Area is intended to provide compact low to medium density mixed use development.
18. MDR – Suburban Area Development Characteristics – The development characteristics provided herein shall be applicable to all MDR sites within the Suburban Area.
 - a. Development massing should generally be evenly distributed throughout the site to the greatest extent possible.
 - b. To promote a more compact, pedestrian-friendly environment, off street parking shall be located behind or to the side of buildings to the greatest extent possible. Structured parking is encouraged, provided it is integrated into the design of the overall development and is compatible with surrounding neighborhoods.

VII. PUD REVIEW CRITERIA

- A. **Consistency with the Comprehensive Plan:** As described above, the uses proposed herein are consistent with the MDR, CGC, and CSV land use categories of the 2030 Comprehensive Plan.
- B. **Consistency with the Concurrency Management System:** The PUD will comply with the Concurrency and Mobility Management System applicable to the Property.

- C. **Allocation of Residential Land Use:** The multifamily portion of the Property is consistent with land use allocations under the MDR land use category of the 2030 Comprehensive Plan.
- D. **Internal Compatibility:** The Property provides an integrated design and compatible uses within the Property. Specifically, the PUD provides for multifamily residential use with nearby commercial areas so as to capture vehicular trips and to reduce overall miles travelled.
- E. **External Compatibility/Intensity of Development:** The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses. The multifamily residential use in the PUD is consistent and compatible with the surrounding single-family residences. The Commercial Parcels are conveniently located to the proposed multifamily residences as well as the existing single-family communities.
- F. **Maintenance of Common Areas and Infrastructure:** All areas will be maintained by its respective owner.
- G. **Usable Open Spaces, Plazas, Recreation Areas:** The project is consistent with the 2030 Comprehensive Plan for the respective land use categories.
- H. **Impact on Wetlands:** The PUD designates certain identified wetlands as conservation areas. Any development impacting other wetlands within the Property will be permitted pursuant to local, state, and federal permitting requirements.
- I. **Listed Species Regulations.** Protected species reports were conducted on the Property indicating that the PUD will not negatively impact any listed flora or fauna.
- J. **Parking Including Loading and Unloading Areas:** The PUD provides for parking as required under Part 6 of the Zoning Code, subject to the delineated exceptions provided herein for the multifamily residential portion of the project.
- K. **Storm Water Retention:** The PUD will have sufficient water retention areas.
- L. **Sidewalks, Trails, and Bikeways:** The PUD will provide sufficient pedestrian access as required by the 2030 Comprehensive Plan.