

## **EXHIBIT 3**

### **Belfort Creek PUD Written Description August 7, 2023**

#### **I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A.** Current Land Use Category: LI-Urban Area
- B.** Proposed Land Use Category: MDR-Urban Area and CSV-Urban Area
- C.** Current Zoning District: IL
- D.** Requested Zoning District: PUD
- E.** Real Estate Number: 152578-0000; 152578-0010

#### **II. SUMMARY DESCRIPTION OF THE PLAN**

The Applicant proposes to rezone approximately 39.21± acres of property (the “Property”) from Industrial Light to Planned Unit Development (PUD). The subject property is located at 7447 and 0 Salisbury Road, as shown on Exhibit “K”. Approximately ten acres of the Property is developed with an electrical trade contractor business; the balance is vacant and undeveloped. The Property is more particularly described in the legal description attached as Exhibit “1” to this application. A conceptual site plan of the proposed development 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 thirty (30) dwelling units per acre and up to eighty (80) feet in height. Recreational facilities for the exclusive use of the residents and their guests will be provided. In addition, 8.1 acres of the Property, comprising environmentally sensitive wetlands, will be placed in the Conservation land use category. Companion Small Scale Land Use Amendment Application #5844 has been filed, seeking the Medium Density Residential – Urban Area and Conservation – Urban Area future land use categories for the Property.

#### **III. PUD DEVELOPMENT CRITERIA**

##### **A. Description of Uses and Apartment Development Criteria**

1. *Permitted uses.* Multi-family residential dwelling units including apartments and townhomes 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

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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).* 31.11 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 (Salisbury Road) – 20 feet; Side (north and south) – 10 feet; Rear (wetlands) – 20 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.”
7. *Maximum height of structure.* Eighty (80) 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 development as a whole from the overall Property boundaries for all uses and structures as follows:

- a. Front – Twenty (20) feet from face of garage to back of sidewalk or back of curb and fifteen (15) feet from front facade 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 sidewalks, 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.* Forty-five feet (45) 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.* Seventy-five (75) percent.
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 available Salisbury Road. Vehicular and pedestrian interconnectivity to the multifamily residential Dogwood Park PUD (Ord. 2007-512-E) to the north is permitted.

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. 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 residential unit.
4. *Parking and Loading Requirements.* Parking will be provided at a minimum rate of 1.35 spaces per dwelling unit. Up to thirty percent (30%) of the parking spaces may be compact spaces. No loading spaces will be provided. Single-story garages are permitted. Parking may be modified by an administrative modification.
5. *Signage.* There will be two (2) single- or double-faced illuminated monument parcel 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 Property. Temporary leasing signs up to one thousand (1,000) square feet in area are also permitted.

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.

The existing billboard located on the Salisbury Road frontage, at the southwest corner of the Property, is permitted to remain in place and in operation.

6. *Landscaping/fencing.* Landscaping will be provided in accordance with the requirements of Part 12 of the Zoning Code; provided, however, that any required uncomplementary buffer 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.

7. *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 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.

8. *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.
9. *Stormwater Retention.* Stormwater facilities will be provided in accordance with all applicable regulations.
10. *Utilities.* Electric utility, water and sewer services will be provided by the JEA.
11. *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.
12. *Conceptual Site Plan.* 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.
13. *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.
14. *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.

15. *FLUE Policy 2.5.1.* Although the Applicant is placing 8.1 acres of the Property in the CSV-Urban Area future land use category, the Applicant is not seeking to transfer the development rights of 243 dwelling units (8.1 acres x 30 units per acre) of this acreage to the balance of the Property at this time. Applicant reserves the right to seek such a transfer in the future pursuant to the provisions of FLUE Policy 2.5.1, as amended, through a PUD amendment.
16. *Existing Electrical Contractor.* The existing electrical contracting business located at 7447 Salisbury Road (RE #152578-0010) may remain in operation as a vested nonconforming use for up to one (1) year after the legislative enactment of this PUD and the expiration of all appeal periods and/or resolution of any appeals. Upon the expiration of this vested nonconforming use period, the business will cease operations.

#### IV. PUD REVIEW CRITERIA

- A. **Consistency with Comprehensive Plan:** The Property is located within the LI – Urban Area land use category according to the Future Land Use Map of the 2045 Comprehensive Plan. The PUD permits a maximum density of thirty (30) dwelling units per acre on approximately 31.11 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 Dogwood Park PUD (Ord. 2007-512-E) to the north 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:** Companion Small Scale Land Use Amendment Application Tracking #5844 has been filed, seeking the Medium Density Residential – Urban Area and Conservation – Urban Area future land use categories for the Property. 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 Dogwood Park PUD (Ord. 2007-512-E) is located to the north, and the Southpoint Community Church PUD (Ord 2003-116-E) is located to the south. Salisbury Road dead-ends to the south, but to the north 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 residential unit.
- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.
- H. Listed Species Regulations:** Not applicable.
- I. Off-Street Parking & Loading Requirements:** Parking will be provided at a minimum rate of 1.35 spaces per dwelling unit. Up to thirty percent (30%) of the parking spaces may be compact spaces. No loading spaces will be provided. Single-story garages are permitted. Parking 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. 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.
- 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 percent (50%) of the Property.
- 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.