

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2014-269 TO
PLANNED UNIT DEVELOPMENT

MAY 8, 2014

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2014-269 to Planned Unit Development.

Location: Southside of Sunbeam Road at the terminus of Craven Road

Real Estate Number(s): 149039-0000

Current Zoning District: Planned Unit Development (PUD 2006-1115-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Public Building Facility (PBF)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Southeast - 3

City Council District: The Honorable Lori Boyer, District 5

Applicant/Agent: Paul Harden, Esq. / D.R. Repass, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Dane Cates
Jaxson Brown, Inc.
42 Timoga Trail
St. Augustine, Florida 32084

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-269** seeks to rezone approximately 34.7 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 135 single family detached homes. The minimum lot area is 5,000 square feet and minimum lot width is 50 feet.

The original PUD 2002-452-E approved a maximum of 148 units of housing for the elderly and an 18 hole public golf course and clubhouse. The residential units were constructed as the Edgewater at Sunbeam Condominiums. The golf course was never constructed. A second PUD Ordinance 2006-1115-E was approved in which the developer would construct a public 9 hole golf course in lieu of an 18 hole golf course and an additional 210 residential condominium units, substantially similar to the Edgewater at Sunbeam.

PUD 2006-1115-E contains a condition which states "This PUD is expressly conditioned upon the agreement dated July 11, 2006 between Edgewater at Sunbeam Condominium Association, Inc., and Jaxson Brown, Inc.", a copy of which is included in this staff report.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Public Building Facility (PBF) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Large-Scale Land Use Amendment to the Future Land Use Map Series 2013G-001 (Ordinance 2014-268) that seeks to amend the portion of the site that is within the PBF land use category to Low Density Residential (LDR). Staff is recommending that Application for Large-Scale Land Use Amendment to the Future Land use Map Series 2013G-001 be approved. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a

broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles Traveled and cul-de-sacs should be avoided. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

Principal Uses: Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area and other uses associated with and developed as an integral component of TND.

The maximum gross density in the Suburban Area shall be 7 units/acre when full urban services are available to the site and there shall be no minimum density; except as provided herein. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Public Building Facility (PBF). There is a companion Application for Large-Scale Land Use Amendment to the Future Land use Map Series 2013G-001 (Ordinance 2014-268) that seeks to amend the portion of land that is within the PBF land use category to LDR. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

F.L.U.E. Goal 1 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 to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

F.L.U.E. Objective 1.1 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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

F.L.U.E. Policy 1.1.10 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.

F.L.U.E. Policy 1.1.12 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.

F.L.U.E. Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a single family development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: the site plan indicates that three pocket parks will be provided for the residents.

Focal points and vistas: The residential lots will be oriented toward the existing lakes.

The use of topography, physical environment and other natural features: The site plan uses the existing lakes as focal points and an amenity.

The use and variety of building setback lines, separations, and buffering: The written description uses the development standards found in the Zoning Code for residential developments.

The particular land uses proposed and the conditions and limitations thereon: The proposed single family development is compatible with the existing age restricted residential community.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: There is a private agreement between the Edgewater at Sunbeam Condominium Association, Inc. and Jaxson Brown, Inc. to construct a 9 hole public golf course before additional residential units were constructed. The golf course may be considered a recreational amenity; however it was not to be part of the common element of the existing or proposed condominiums. The golf course is not integral to the proposed development; it can be considered an amenity or part of the scenic view shed for the residential developments.

The type, number and location of surrounding external uses: The proposed development is located in an area with single-family, multi-family residential uses, offices and commercial uses are combined along Sunbeam Road. Single family development at this location complements the existing office and commercial uses in the immediate area.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	PBF	PUD (06-1115)	Closed land fill, proposed golf course
South	LDR	RR-Acre	Undeveloped
	LDR	PUD (82-258)	Single family dwellings / Huntington Forest
East	LDR	RR-Acre	Undeveloped
West	LDR	PUD (80-258)	Single family dwellings/ Huntington Forest

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The site plan shows a 50 foot wide buffer between the proposed rear lot lines of the residential dwellings and the Huntington Forest subdivision to the south and west.

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category as a single-family development, which is not to exceed 135 lots. The PUD is appropriate at this location because it will support the existing offices, commercial and service establishments in the area.

The existence and treatment of any environmental hazards to the proposed PUD property or surrounding lands: The proposed PUD covers a portion of the property that was formerly used as a landfill off of Sunbeam Road. The Solid Waste Division of Public Works confirmed that the subject property is at the base of the former landfill site and was not part of the landfilled area. However, Section 380.113, Ordinance Code, explains that “completed sanitary landfill and dump sites may be used only for recreational or agricultural purposes unless other usage is approved by the Director.” The applicant has received approval for the proposed residential development from the Chief of the Solid Waste Division, Department of Public Works.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The Planning and Development Department completed a transportation analysis and determined that the proposed PUD does not result in the creation of any new daily external tips. Potential traffic impacts will be addressed through the Concurrency and Mobility Management System Office.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St.

Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

No wildlife survey was required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

The site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

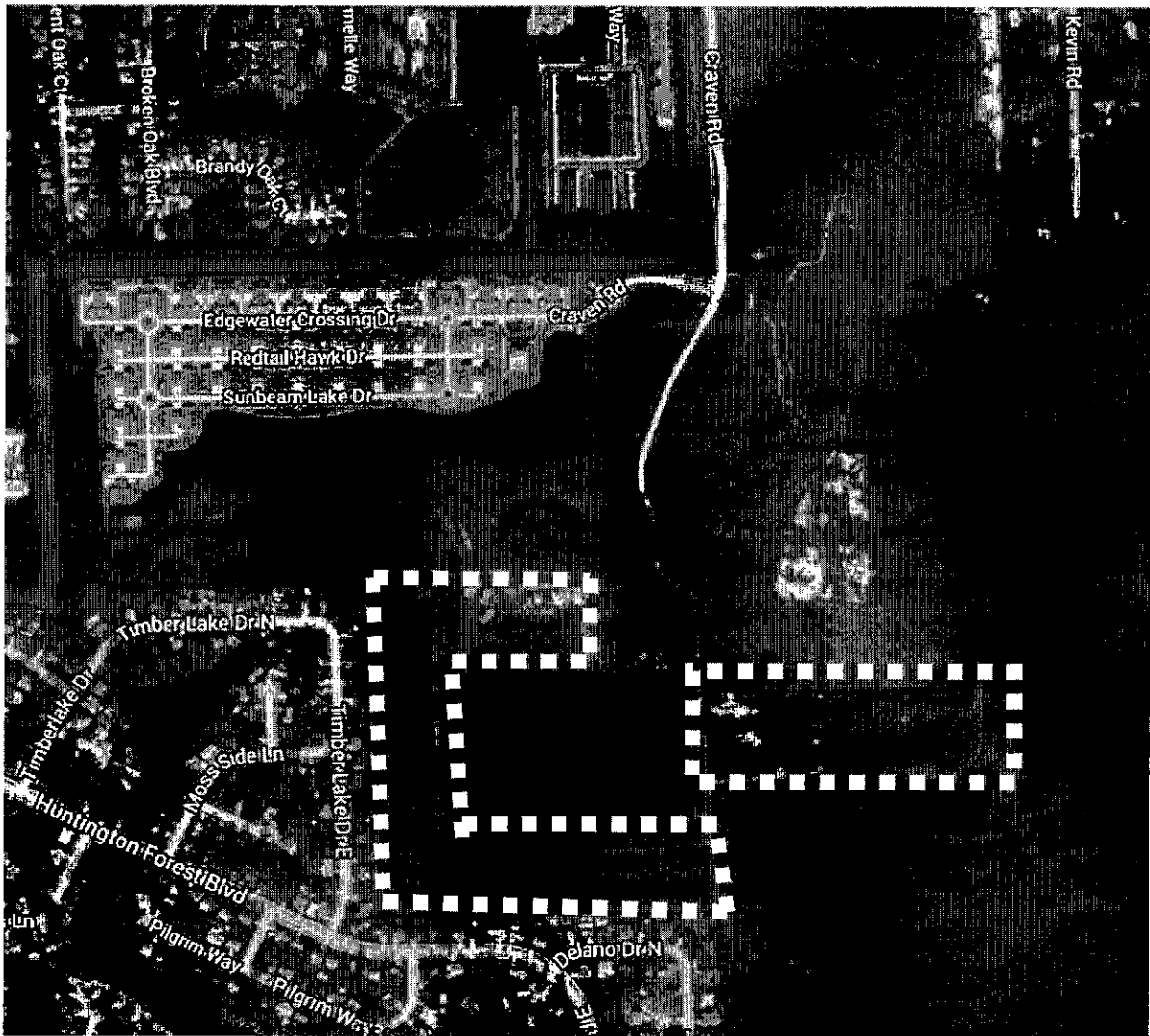
SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on May 12, 2014, the required Notice of Public Hearing sign was not posted. An additional sign was provided to the agent on May 13, 2014.

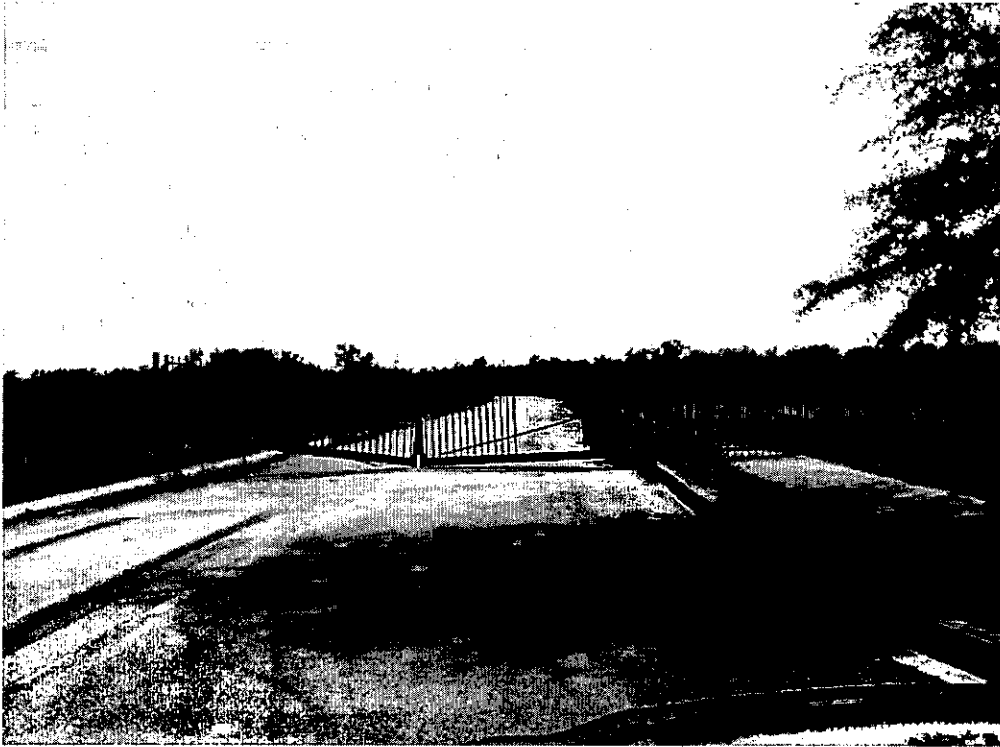
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-269 be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated March 11, 2013.
2. The subject property shall be developed in accordance with the original written description dated May 3, 2013.
3. The subject property shall be developed in accordance with the original site plan dated April 18, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated April 22, 2014 or as otherwise approved by the Planning and Development Department.
5. The subject property shall be developed in accordance with the Solid Waste Division memorandum dated March 31, 2014.



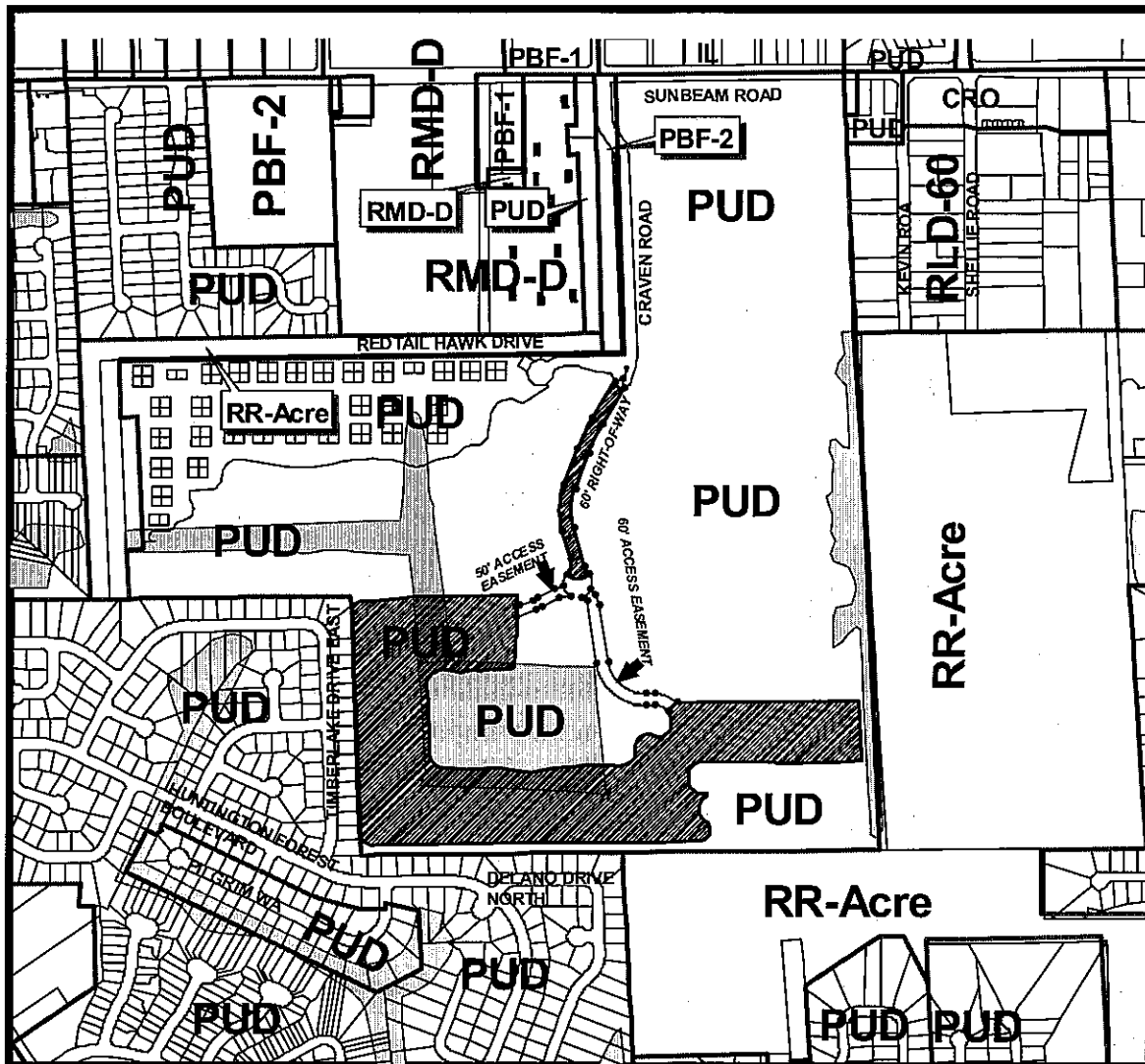
Aerial view of proposed development



Entrance road to proposed development.



View of Edgewater condominiums entrance



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		
		<p>0100 Feet</p>
		<p>COUNCIL DISTRICT: 5</p>
	<p>ORDINANCE_2014_0269</p>	<p>FILE COPY</p>

DEVELOPMENT SERVICES



April 22, 2014

MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Sunbeam Single Family PUD
R-2014-269**

Upon review of the referenced application, and based on the information provided to date, the Development Services Division has the following comments:

1. Extension of Craven Road shall meet the City's design standards as outlined in Section 3 of the Land Development Procedures and include City standard sidewalks & roadway lighting.
2. Craven Road shall terminate in a roundabout where it connects with the two proposed roads to the subdivision. Roundabout shall be constructed in accordance with FDOT design guidelines.
3. All proposed roads shall meet the City's design standards as outlined in Section 3 of the Land Development Procedures and include City standard sidewalks & roadway lighting. Cul-de-sac (Lots 106-135) exceeds 1,000 feet in length and therefore shall be a minimum of 24' in width.
4. Site plans references "access easement" for a portion of roadways to subdivision. If subdivision is to be dedicated to the City as Public, then the access easements will have to be dedicated right-of-ways and be built to City standards.

Please understand that this does not constitute approval of the design elements. Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

R-2014-269 Sunbeam Single Family PUD Ica R-2006-1115

PLANNING AND DEVELOPMENT


214 N. Hogan Street Suite 2100 Jacksonville, FL 32202 Phone: 904 255 8310 Fax: 904 255 8311 www.coj.net

SOLID WASTE DIVISION



MEMORANDUM

TO: Bruce Lewis, Planning Department

FROM: Jeffrey S. Foster, P.E., P.G., Chief, Solid Waste Division 

DATE: March 31, 2014

RE: Edgewater at Sunbeam Proposed Residential Development Sunbeam Road

I have reviewed the proposed residential development plans and discussed the development of the parcel with the Florida Department of Environmental Protection, Northeast District. Since the site is part of the footprint for the closed landfill, the applicant may need to modify the existing permit for the landfill. In the event the FDEP determines that a permit modification will not be required, the applicant shall submit written notification and documentation to the Solid Waste Division that a permit modification will not be required within 30 days of such determination.

Therefore, pursuant to Ordinance 380.113 (Part 1) I have no objections for the use of the property other than agricultural or recreational uses, providing the following conditions are addressed by the applicant in their submittal to the FDEP, or SJRWMD as applicable:

The proposed stormwater pond for the development will be separate from the existing stormwater facility that serves the landfill, and, if the proposed development uses any portion of the existing stormwater facility that serves the landfill, the applicant will provide engineering calculations that show the stormwater system for the landfill will not be adversely affected by the new development and is approved by the FDEP, or SJRWMD, as applicable.

The City will not be taking over the ownership, upkeep, maintenance, operation or any past or future liability of the existing stormwater pond for the landfill,

If necessary, contingency plans are in place to address the potential for methane migration and/or excavation and disposal of buried refuse along the proposed right-of-way corridor in the event buried refuse is encountered during construction,

Notification to the Property Appraiser's Office (PAO) of any changes in the landfill footprint RE#'s that is/are currently on file with the PAO, and

Approval of any necessary permit modification of the Sunbeam Road Landfill by the FDEP or SJRWMD, as applicable.

If there are any questions concerning this approval letter, please do not hesitate to contact me at this office (904) 255-7512.

1 Introduced and amended by the Land Use and Zoning Committee:

2
3
4 ORDINANCE 2006-1115-E

5 AN ORDINANCE REZONING APPROXIMATELY 198.7±
6 ACRES LOCATED IN COUNCIL DISTRICT 5 ON SUNBEAM
7 ROAD BETWEEN KEVIN ROAD AND ARMELLE WAY (R.E.
8 NO. 149039-0000), AS DESCRIBED HEREIN, OWNED
9 BY JAXSON BROWN, INC., FROM PUD (PLANNED UNIT
10 DEVELOPMENT) DISTRICT TO PUD (PLANNED UNIT
11 DEVELOPMENT) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 RESIDENTIAL USES, A NINE HOLE GOLF COURSE, AND
14 A CLOSED LANDFILL, AS DESCRIBED IN THE
15 APPROVED WRITTEN DESCRIPTION AND SITE PLAN FOR
16 THE SUMBEAN HILL 2 PUD; PROVIDING AN EFFECTIVE
17 DATE.

18
19 WHEREAS, Jaxson Brown, Inc., the owner of approximately 198.7±
20 acres located in Council District 5 on Sunbeam Road between Kevin
21 Road and Armelle Way (R.E. No. 149039-0000), as more particularly
22 described in Exhibit 1, attached hereto (Subject Property), has
23 applied for a rezoning and reclassification of that property from
24 PUD (Planned Unit Development) District to PUD (Planned Unit
25 Development) District, as described in Section 1 below; and

26 WHEREAS, the Planning Commission has considered the
27 application and has rendered an advisory opinion; and

28 WHEREAS, the Land Use and Zoning Committee, after due notice
29 and public hearing, has made its recommendation to the Council; and

30 WHEREAS, the Council finds that such rezoning is: (1)
31 consistent with the 2010 Comprehensive Plan; (2) furthers the

1 goals, objectives and policies of the 2010 Comprehensive Plan; and
2 (3) is not in conflict with any portion of the City's land use
3 regulations; and

4 WHEREAS, the Council finds the proposed rezoning does not
5 adversely affect the orderly development of the City as embodied in
6 the Zoning Code; will not adversely affect the health and safety of
7 residents in the area; will not be detrimental to the natural
8 environment or to the use or development of the adjacent properties
9 in the general neighborhood; and will accomplish the objectives and
10 meet the standards of Section 656.340 (Planned Unit Development) of
11 the Zoning Code; now therefore

12 **BE IT ORDAINED** by the Council of the City of Jacksonville:

13 **Section 1. Property Rezoned.** The Subject Property is
14 hereby rezoned and reclassified from PUD (Planned Unit Development)
15 District to PUD (Planned Unit Development) District, as shown and
16 described in the approved site plan dated January 5, 2006 and
17 written description dated August 31, 2006 for the Sunbeam Hill 2
18 PUD. The PUD district for the Subject Property shall generally
19 permit residential uses, a nine hole golf course and a closed
20 landfill, all as more specifically shown and described in the
21 approved site plan and written description, both attached hereto as
22 **Exhibit 2.**

23 **Section 2. Rezoning Approved Subject to Conditions.** This
24 rezoning is approved subject to the following conditions:

25 (a) The required parking shall meet the minimum standards in
26 Part 6 of the Zoning Code.

27 (b) This PUD is expressly conditioned upon the agreement
28 dated July 11, 2006 between the Edgewater at Sunbeam Condominium
29 Association, Inc., and Jaxson Brown, Inc., and attached hereto as
30 **Exhibit 3.**

31 **Section 3. Owner and Description.** The Subject Property

1 is owned by Jaxson Brown, Inc. and is legally described in Exhibit
2 1. The agent is Lynda R. Aycock, Esquire and Paige Hobbs Johnston.
3 Esquire, 1301 Riverplace Boulevard, Suite 1500, Jacksonville,
4 Florida 32207; (904) 346-5553.

5 Section 4. Effective Date. The adoption of this
6 ordinance shall be deemed to constitute a quasi-judicial action of
7 the City Council and shall become effective upon signature by the
8 Council President and the Council Secretary.

9
10 Form Approved:

11 
12 _____

13 Office of General Counsel

14 Legislation Prepared By Shannon K. Eller

15 G:\SHARED\LEGIS.CC\2006\ord\PUD\2006-1115-E.doc

AGREEMENT

THIS AGREEMENT is made and entered into this day of July 11, 2006 by and between Edgewater at Sunbeam Condominium Association, Inc. ("Association") and Jaxson Brown, Inc., Developer.

BACKGROUND

Developer is the owner of real property which is legally described in Exhibit 1 hereto ("Subject Property"). The Subject Property is zoned Planned Unit Development ("PUD") pursuant to Ordinance 2002-452-E.

The approved PUD zoning ordinance allows the construction of a 148 residential condominium units and a 18 hole golf course, driving range, and clubhouse for use by the public.

While all environmental permits were secured by Developer for construction of the golf course, financial projections by the developer for construction and operation of the 18 hole golf course indicated that an 18 hole golf course was not feasible. In order to pay all costs associated with the construction and operation of the facility, including the costs of financing, the cost of a round of golf would significantly exceed the cost that consumers would be willing to pay. In addition, because the financial projections show that the golf course is not financially feasible, Developer has been unable to obtain suitable financing.

As an alternative proposal to abandoning its proposal to develop a golf course on the Subject Property, Developer proposes to develop a nine (9) hole golf course for use by the public which would be located as set forth on the attached site plan, to relocate the clubhouse to the northeasterly corner of the Subject Property, and to develop up to 214 additional residential condominium units for the elderly of the same "ranch style" design developed as "Edgewater at Sunbeam". The additional residential condominium units are intended to provide additional

revenue to Developer to enhance the financial feasibility of constructing the golf course. This proposal is a substantial change to the approved PUD and requires a major amendment of the PUD and the PUD site plan.

Association is the condominium association for Edgewater at Sunbeam, a Condominium, which is the condominium project authorized pursuant to the current PUD. Association, on behalf of the Unit Owners, is willing to support the Developer's proposal subject to the condition that golf course will be constructed prior to issuance of a building permit for the additional residential condominium units. The proposed golf course is not, and was never intended to be, part of the common elements of Edgewater at Sunbeam, a Condominium.

NOW THEREFORE, in consideration of the mutuality of the covenants and agreements hereinafter contained, the parties hereto do mutually covenant and agree with each other as follows:

1. PUD APPLICATION. Developer will file an application to rezone the Subject Property from PUD to PUD to (1) change the site plan from the site plan approved by the current PUD to the attached site plan (2) relocate the clubhouse and driving range as shown on the site plan; (3) change the proposed golf course from 18 holes to 9 holes, and (4) allow development of up to 210 residential condominium units on the subject property. The proposed PUD written description and adopting ordinance will contain a provision which incorporates the following restrictions on development:

No building permit shall be issued to Developer for construction of the residential units within the Subject Property until a nine hole golf course is completed, the irrigation system is installed, and all nine holes are grassed and sprigged, the clubhouse is completed, and the driving range and putting green are completed and grassed and sprigged.

If constructed, the 9 hole golf course will be located substantially as set forth on the Site plan.

The proposed 9 hole golf course will be located between the existing lake and the new residential Units.

New residential units would comprise a new condominium and will be located in the area shown on the Site plan.

New residential condominium units will be "ranch style" condominiums and the exterior appearance of the new condominium would be substantially the same as Edgewater at Sunbeam, a Condominium.

The Developer agrees that it will not seek to modify these PUD conditions and that the City can condition approval of the PUD on the conditions set forth in this Agreement. A copy of the proposed rezoning application will be provided to the Association for its review before the application is submitted to the City. These restrictions will be enforceable by the City and the Association.

2. ASSOCIATION SUPPORT. The Association will review the proposed rezoning application prior to submittal and, if consistent with this Agreement, the Association will support the Developer's proposed request to change the zoning of the Subject Property from PUD to PUD subject to the provisions of section 1 above.

3. NO ASSURANCES. Neither Developer nor Association makes any assurance that the PUD will be approved, it being recognized that the decision to modify a PUD is vested in the City Council for the City of Jacksonville. Association makes no assurance that all unit owners will support the proposed PUD. Developer makes no assurance that the golf course will be constructed as construction of the golf course is subject to obtaining financing on commercial reasonable terms acceptable to the Developer.

The sole intent of this agreement is to condition the construction of any additional residential units on construction of the golf course and to ensure that the golf course will be


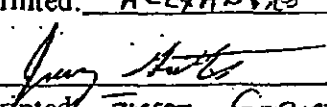
completed to the extent set forth in Section 1 of this Agreement prior to commencement of construction of any additional residential units permitted by the PUD.

4. Counterparts. This Agreement shall be executed in three counterparts, each of which is deemed to be an original. This Agreement includes pages and attachments, which constitute the entire understanding and agreement of the parties.

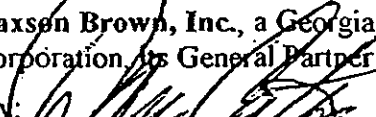
5. Complete Agreement. This Agreement integrates all the terms and conditions mentioned above or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement the day and year above first written.

Signed, sealed and delivered
in the presence of:


Printed: ALEXANDER G. LEVY

Printed: Jerry Gershtrom

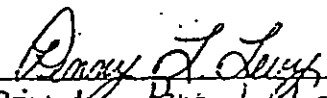
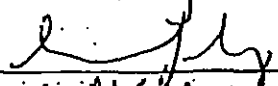
**EDGEWATER AT SUNBEAM, LTD., a
Florida limited partnership**

By: Jaxson Brown, Inc., a Georgia
corporation, its General Partner
By: 
Printed: Jaxson Brown
Its: President


Address:

3560 Cardinal Point Dr., Suite 202
Jacksonville, Florida 32257

Signed, sealed and delivered
in the presence of:


Printed: Penny L. Levy

Printed: ALEXANDER G. LEVY

**EDGEWATER AT SUNBEAM
CONDOMINIUM ASSOCIATION, INC.**

By: 
Printed: MARVIN HILL
Its: Board Member

Address:

4370 Edgewater Crossing Drive
Jacksonville, Florida 32257

Exhibit "D"

SUNBEAM HILL II PUD

Written Description

Date: August 31, 2006

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Designation: PBF
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. RE#: 149039-0000
- E. City Development Number: 5746

II. SUMMARY DESCRIPTION OF THE PLAN

Jaxson Brown, Inc. proposes to rezone approximately 198.7± acres of property from Planned Unit Development (PUD) to PUD. The Property is described as depicted on the legal description on Exhibit "1" (the "Property"). A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan"). Surrounding uses are single family residential, multifamily residential, Public Buildings & Facilities, and commercial offices.

The original PUD encompassed 224.79+/- acres. Twenty-seven (27) acres within the original PUD were conveyed to Edgewater at Sunbeam, Ltd. and are under development as a residential condominium community with 134 residential units known as "Edgewater at Sunbeam, a Condominium." Homes constructed within the community are a franchised home product designed and marketed by Retirement Corporation of America. These homes contain special features which are designed for accommodation of the elderly and disabled. The lands owned by Edgewater at Sunbeam, Ltd. (being the lands in, or to be included in, Edgewater at Sunbeam, a Condominium) are NOT part of this rezoning.

While all environmental permits were secured by the Owner for construction of an 18 hole golf course, financial projections by the Owner for construction and operation of the 18 hole golf course indicated that construction was not feasible. In order to pay all costs associated with the construction and operation of the facility, including the costs of financing, the cost of a round of golf would significantly exceed the cost that consumers would be willing to pay. In addition, because the financial projections show that the golf course is not financially feasible, the Owner was unable to obtain suitable financing.

As an alternative to abandoning its proposal to develop a golf course on the Property, the Owner proposes to develop a nine (9) hole golf course that would be open for use by the public,

for Edgewater at Sunbeam, a Condominium ("Association"). Association and Owner, joined by a substantial number of the owners, participated in numerous meetings to discuss construction of the golf course and entered into an agreement whereby the Association agreed to support the proposed rezoning subject to the following express conditions:

1. No building permit shall be issued to Developer for construction of the residential units within the Property until a nine hole golf course is completed, the irrigation system is installed, and all nine holes are grassed and sprigged, the clubhouse is completed, and the driving range and putting green are completed and grassed and sprigged.
2. If constructed, the 9 hole golf course will be located substantially as set forth on the Site Plan.
3. The proposed 9 hole golf course will be located between the existing lake and the new residential Units.
4. If the golf course is constructed, Owner will install two fountains in the existing lake between the lake and the golf course.
5. New residential units would comprise a new condominium and will be located in the area shown on the Site Plan.
6. New residential condominium units will be "ranch style" condominiums and the exterior appearance of the new condominium would be substantially the same as Edgewater at Sunbeam, a Condominium.

The Owner agreed with the Association that it would not seek to modify the above PUD conditions and that the City could condition approval of the PUD on these conditions. A copy of the Agreement is attached to this application as Exhibit "J". The PUD zoning district is requested to permit the construction of a nine hole golf course which will be open to the public

on part of the former site of the Sunbeam Road solid waste facility and housing for the elderly on the southerly vacant portion of the Property which was not used for solid waste facility purposes. The proposed marketing company, Retirement Corporation of America, has over 20 years of experience in the development and sale of retirement communities.

Condominium units will be designed to address the specific physical needs and safety concerns of elderly residents. Standard features of all units include single story architecture, attached garage, open floor plan, oversized (2' 10") interior doors, and easy access without steps. Special optional adaptations will be available for physically challenged elderly residents using walkers or wheelchairs, such as ranges with front controls, grab bars, raised toilets, hand held shower glide bars, removable shower rims, vanity cabinets with knee space, lever door handles, lower thermostats and peep holes, strobe smoke detectors, lower shelves in closets, and ramps from garage to interior. All exterior maintenance activities, including lawn maintenance will be the responsibility of the condominium association, and the proposed budget will include a line item for professional management. The condominium will include an activity center reserved for the use of the community's residents and guests, featuring services, recreational amenities, and recreational activities which are designed to appeal to interests of elderly residents. The facility will also be designed to accommodate elderly persons who are physically challenged. Some units may include small, open guest lofts but the exterior appearance of buildings with such units will be the same as buildings without units with guest lofts.

Pursuant to Section 656.341(g), verification of compliance with this PUD will include, in addition to the detailed development plans for the residential development, interior plans and specifications for the units and amenities, including a list of the features of the community which are designed for the accommodation of disabled elderly residents, and the marketing materials for the community demonstrating, to the Department's reasonable satisfaction, that the condominium units are designed to accommodate the physical needs of the elderly and the development is being marketed to elderly persons in the community. Units in the development are also suitable to meet the needs of wheelchair bound persons of any age.

III. PUD DEVELOPMENT CRITERIA

A. Description of Uses:

1. Permitted uses and structures.

a. Non-Residential Portion of the PUD - A nine (9) hole golf course, with driving range, club house, restrooms, cart facility, and maintenance building containing in the aggregate up to 10,000 square feet, and related accessories, will be allowed in the area shown on the Site Plan for golf course development. The sale and service of alcoholic beverages in connection with operation of the golf course and club house shall be permitted. The golf course will be open to the public.

b. Closed landfill. All required landfill closure activities in compliance with applicable statutes and rules.

c. Residential Portion of the PUD - The Property may be developed with up to 210 residential dwelling units suitable for housing for the elderly and disabled (fee simple condominium units) in the general area shown on the Site Plan for residential development.

2. **Permitted Accessory Uses and Structures.** Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code, provided, however, that the yard, setback and height restrictions of Section 656.403 do not apply to such uses and structures.

B. Minimum 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.
- b. Side – Twenty (20) feet.
- c. Rear – Twenty (20) feet.
- d. Between buildings - Twenty (20) feet

Note: Encroachments by sidewalks, parking, signage, utility structures, fences, streetpark furniture, and other similar improvements shall be permitted within the minimum building setbacks. Minimum side and rear yard requirements may overlap with the uncomplimentary land use buffer.

2. **Minimum Lot Requirements.** None.

3. **Maximum lot coverage by all buildings.** Thirty five percent (35%).

4. **Maximum Height of All Structures.** Thirty-five (35) feet, as measured from the established grade for each building to the top of the highest eave and/or ridge. 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.

C. Common Landscape Maintenance. The Owner shall ensure the proper maintenance of all common areas, lawns, and landscaping. Areas within the condominium will be maintained by the condominium association and funded by mandatory condominium association dues. The golf course, lakes (excluding lake bank within the condominium development), club house, irrigation, and stormwater management system will be maintained by

the owner of the golf course lands. A master irrigation system will be provided for the golf course which will comply with all applicable requirements of the Department of Environmental Protection and St. Johns River Water Management District. Reuse water will be used for irrigation of the golf course when available.

D. Access. Access to the site will be from Sunbeam Road and Craven Road Extension (plat pending). As indicated on the Site Plan, the Residential portion of the Property will have one primary private drive from Craven Road Extension and multiple smaller private drives off the primary drive. Access to the Golf facilities will be from Sunbeam Road. The design of the access point and internal drives as shown on the Site Plan may vary prior to development; provided, however, that the final design of both shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer. Upon completion, the internal drive will be private and maintained by the homeowners' association.

E. Pedestrian Circulation. The site will be developed with an internal sidewalk system as shown on the Site Plan.

F. Signage. Real estate signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. In addition,

Golf Course - One (1) double faced illuminated ground mounted or monument signs not to exceed three hundred (300) square feet in size and twenty (20) feet in height to designate the entry to the golf course is permitted on Sunbeam Road for the use of the golf course owner.

Residential Subdivision - One (1) illuminated residential subdivision signage, identifying the residential development, is permitted at the entrance of the condominium development, not to exceed 24 square feet and eight (8) in height.

Directional Signs: Directional Signs that indicate ways to and from the PUD entrance and key components of the Project for drivers of vehicles and for pedestrians 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 logo and name of the Project. Vehicle-oriented Directional Signs shall be a maximum of eight (8) square feet in area per sign face.

Temporary Signs: Temporary signs, including but not limited to real estate for lease/sale, contractor, modular units or financing signs or banners, shall not exceed a maximum of twenty-four (24) square feet each and shall be strictly limited to two (2) such signs on site at any one time.

Construction fence screening shall be allowed under the following conditions; (a) it shall not exceed eight (8) feet in height, (b) graphics shall not exceed fifty percent (50%) of the entire exterior surface area, (c) shall be maintained in good

order, condition and repair, and (d) shall be removed upon Certificate of Occupancy.

G. Parking and Loading Requirements. The proposed PUD will provide attached double car garages with parking aprons to each unit. A minimum of two (2) parking spaces per dwelling unit will be provided within the PUD. Modifications to parking requirements within the PUD may be permitted by an administrative modification.

H. Landscaping I Fencing / Screening. Landscaping will be constructed and maintained in accordance with the Landscape and Tree Protection Regulations set forth in Part 12 of the City of Jacksonville Zoning Code, except as specifically noted immediately below. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs.

I. Architectural Design.

1. Residential units will be "ranch style" condominium units. The exterior appearance of the new condominium units will be substantially the same as units in Edgewater at Sunbeam, a Condominium. The Units are not required to be identical in appearance.

2. Cellular towers, communication antennas and communication towers as described in Part 15 of the Zoning Code are prohibited within the PUD.

J. Lighting. Exterior lighting shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on any adjacent property outside of the PUD.

K. Storm water Retention. Storm water retention / detention systems shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District. The established grade of all buildings shall be designed with best efforts to minimize storm water runoff onto adjacent properties.

L. Utilities. Electric power will be provided to the site by JEA. Water and sewer services will be provided by JEA.

M. Temporary Uses. Temporary sales, leasing and construction offices and trailers shall (a) be placed within the PUD, (b) shall be maintained in good order, condition and repair, and (c) shall be removed upon the issuance of the last Certificate of Occupancy. Parking for such temporary uses may be provided off-site in the event of insufficient on-site parking. Construction shall proceed in a manner which reasonably attempts to mitigate any adverse impacts on neighboring properties.

N. Modifications. Amendments to this approved PUD district may be accomplished by administrative modification, by minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically

listed, but similar to or associated with a listed use may be permitted by an administrative modification or minor modification. The Owner agreed with the Association that it would not seek to modify the PUD conditions itemized in Part II of this PUD.

O. Conceptual Site Plan. The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including access points and 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.

P. Successors in Title. All successors in title to the Property, or any portion of the Property, shall be bound by the conditions of this PUD, unless modified as provided above or otherwise by law.

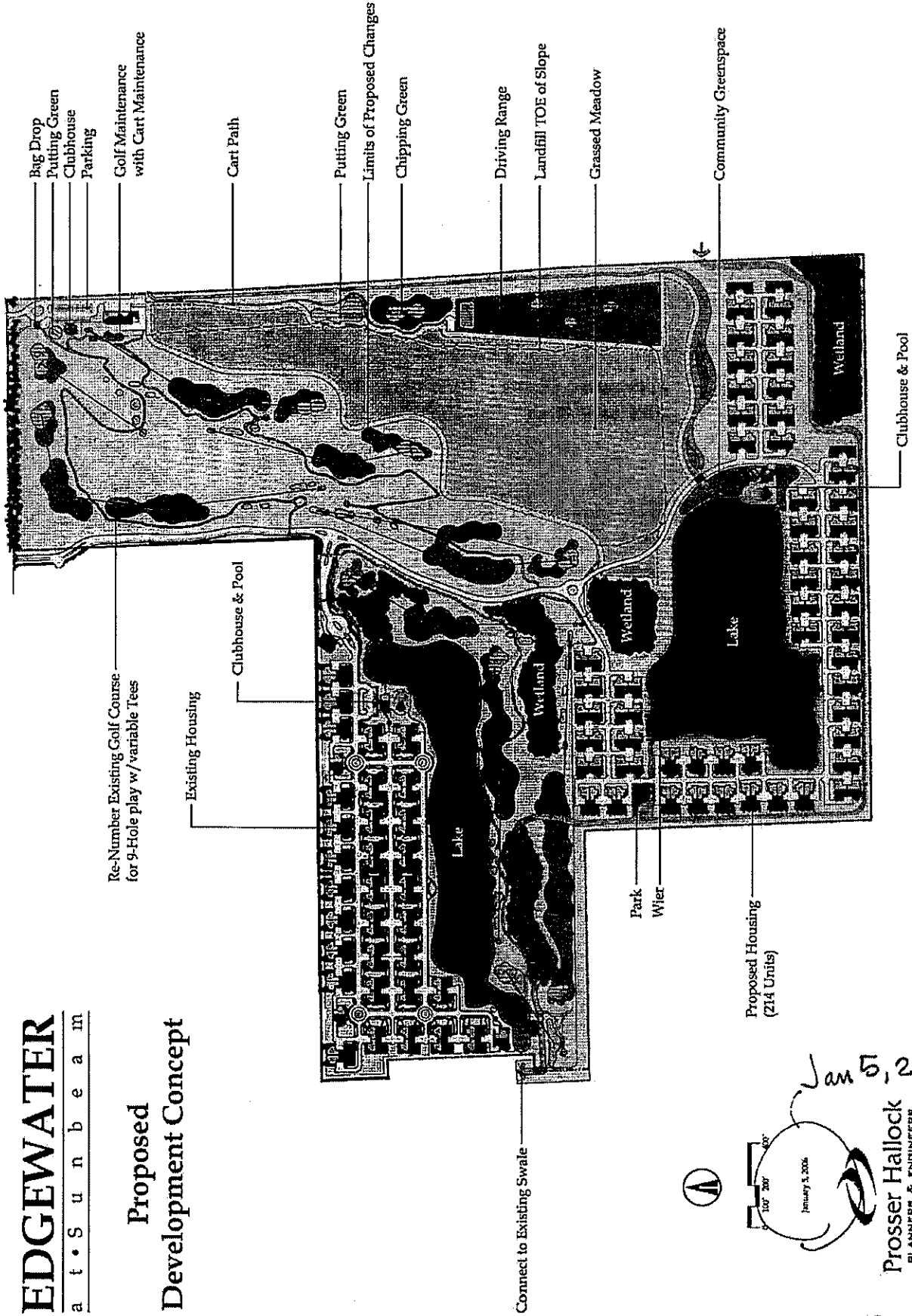
IV. PUD REVIEW CRITERIA

- A. Consistency with Comprehensive Plan.** The Property is currently within the PBF land use category, which permits the proposed uses. The proposed development is consistent with the following policies of the 2010 Comprehensive Plan: 1.1.1, 1.1.6, 1.1.10, and 3.1.5.
- B. Roadways / Consistency with the Concurrency Management System.** The development of the Property will comply with the requirements of the Concurrency Management System.
- 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 2010 Comprehensive Plan.
- D. Internal Compatibility I Vehicular Access.** The Site Plan attached as Exhibit "E" addresses access and circulation within the site. The Residential portion of the Property will have one primary access point from the Craven Road Extension. Internal roads within the condominium development will be private drives which are part of the common elements of the condominium. These drives will comply with applicable governmental requirements for driveways within condominium developments. The completed internal roads will be maintained by the condominium association. The golf course portion of the Property will have one primary access off of Sunbeam Road (at the existing easterly curb cut). The location and final design of the access point are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

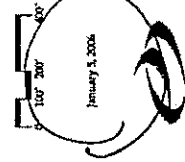
EDGEWATER

a t • S u n b e a m

Proposed Development Concept



Proposed Housing
(214 Units)



Jan 5, 2004

Prosser Hallock
PLANNERS & ENGINEERS

Application For Rezoning To PUD



Planning and Development Department Info

Ordinance # 2014-0269 **Staff Sign-Off/Date** BEL / 08/16/2013
Filing Date N/A **Number of Signs to Post** 3

Hearing Dates:

1st City Council 05/13/2014 **Planning Commission** 05/08/2014

Land Use & Zoning 05/20/2014 **2nd City Council** 05/27/2014

Neighborhood Association GREATER HOOD ROAD, EDGEWATER AT SUNBEAM, SUTTON OAKS

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 337 **Application Status** FILED COMPLETE
Date Started 03/11/2013 **Date Submitted** 03/11/2013

General Information On Applicant

Last Name	First Name	Middle Name
HARDEN	PAUL	M.

Company Name

LAW OFFICE OF PAUL M. HARDEN

Mailing Address

501 RIVERSIDE AVENUE, SUITE 901

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
904	904	PAUL_HARDEN@BELLSOUTH.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
CATES	DANE	

Company/Trust Name

JAXSON BROWN, INC.

Mailing Address

42 TIMOGA TRAIL

City	State	Zip Code
ST. AUGUSTINE	FL	32084

Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2006-1115-E

Map RE#	Council District	Planning From Zoning District	To Zoning District(s)

Map	149039 0000	5	3	PUD	PUD
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Ensure that RE# is a 10 digit number with a space (##### #####)

Land Use Category Proposed?

If Yes, State Land Use Application #	Land Use Category
	PBF

Total Land Area (Nearest 1/100th of an Acre)

Development Number

Proposed PUD Name

Justification For Rezoning Application

SEE EXHIBIT D - WRITTEN DESCRIPTION

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
<input type="text"/>	<input type="text" value="SUNBEAM RD"/>	<input type="text" value="32257"/>

Between Streets

and

Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table

Exhibit G Copy of the deed to indicate proof of property ownership.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

Exhibit H Aerial Photograph.

Exhibit I Listed Species Survey (If the proposed site is greater than fifty acres).

Exhibit J Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).

Exhibit K Site Location Map.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent MUST BE PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
37.40 Acres @ \$10.00 /acre: \$380.00
- 3) Plus Notification Costs Per Addressee
412 Notifications @ \$7.00 /each: \$2,884.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$5,264.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Exhibit "A"

PARCEL 1 (Fee Simple Estate)

That certain piece, parcel or tract of land lying in and being a part of Section 33, Township 3 South, Range 27 East, Duval County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Lot 1, Huntington Forest Unit Three, according to the plat thereof, recorded in Plat Book 36, page 95 of the public records of said county; thence North 89°13'08" East along the North line of said Huntington Forest Unit Three, a distance of 1186.58 feet to the Northeast corner of Lot 13 of said Huntington Forest Unit Three; thence South 79°52'55" East, a distance of 113.79 feet to the Point of Beginning; thence North 84°52'48" East, a distance of 143.73 feet to the point of curvature of a curve to the left, said curve being concave Northerly and having a radius of 110.00 feet; thence along and around the arc of said curve, through a central angle of 17°58'26", an arc distance of 34.51 feet, said arc being subtended by a chord bearing and distance of North 75°53'35" East, 34.37 feet to a non-tangent point; thence North 89°07'54" East, a distance of 549.17 feet; thence South 00°00'44" East, a distance of 190.34 feet to the point of curvature of a curve to the right, said curve being concave Northwesterly and having a radius of 32.00 feet; thence along and around the arc of said curve, through a central angle of 51°19'04", an arc distance of 28.66 feet, said arc being subtended by a chord bearing and distance of South 25°38'48" West, 27.71 feet to a non-tangent point; thence South 00°00'44" East, a distance of 157.00 feet; thence South 73°52'01" West, a distance of 13.91 feet to the point of curvature of a curve to the right, said curve being concave Northerly and having a radius of 280.00 feet; thence along and around the arc of said curve, through a central angle of 23°14'36", an arc distance of 113.59 feet, said arc being subtended by a chord bearing and distance of South 85°29'19" West, 112.81 feet to the point of reverse curvature of a curve to the left, said curve being concave Southerly and having a radius of 80.00 feet; thence along and around the arc of said curve, through a central angle of 18°19'58", an arc distance of 25.60 feet, said arc being subtended by a chord bearing and distance of South 87°56'38" West, 25.49 feet to the point of tangency; thence South 78°46'39" West, a distance of 20.13 feet to the point of curvature of a curve to the right, said curve being concave Northerly and having a radius of 200.00 feet; thence along and around the arc of said curve, through a central angle of 19°20'19", an arc distance of 67.50 feet, said arc being subtended by a chord bearing and distance of South 88°26'48" West, 67.18 feet to the point of tangency; thence North 81°53'02" West, a distance of 50.86 feet to the point of curvature of a curve to the left, said curve being concave Southeasterly and having a radius of 80.00 feet; thence along and around the arc of said curve, through a central angle of 103°48'19", an arc distance of 144.94, said arc being subtended by a chord bearing and distance of South 46°12'48" West, 125.91 feet to the point of reverse curvature of a curve to the right, said curve being concave Westerly and having a radius of 1720.00 feet; thence along and around the arc of said curve, through a central angle of 03°40'07", an arc distance of 110.13 feet, said arc being subtended by a chord bearing and distance of South 03°51'18" East, 110.11 feet to the point of tangency; thence South 02°01'14" East, a distance of 107.15 feet to the point of curvature of a curve to the right, said curve being concave westerly and having a radius of 1720.00 feet; thence along and around the arc of said curve, through a central angle of 03°51'19", an arc distance of 115.73 feet, said arc being subtended by a chord bearing and distance of South 00°05'35" East, 115.71 feet to the point of reverse curvature of a curve to the left, said curve being concave Northeasterly and having a radius of 80.00 feet; thence along and around the arc of said curve, through a central angle of 97°30'55", an arc distance of 136.16 feet, said arc being subtended by a chord bearing and distance of South 46°55'23" East, 120.31 feet to the point of reverse curvature of a curve to the right, said curve being concave Southerly and having a radius of 1190.00 feet; thence along and around the arc of said curve, through a central angle of 12°36'40", an arc distance of 261.93 feet, said arc being subtended by a chord bearing and distance of South 89°22'30" East, 261.40 feet to the point of tangency; thence South 83°04'10" East, a distance of 160.69 feet to the point of curvature of a curve to the left, said curve being concave Northerly and having a radius of 60.00 feet; thence along and around the arc of said curve, through a central angle of 15°29'46", an arc distance of 16.23 feet, said arc being subtended by a chord bearing and distance of North 89°10'57" East, 16.18 feet to the point of tangency; thence

March 11, 2013

Exhibit "A" continued

North 81°26'04" East, a distance of 119.89 feet to the point of curvature of a curve to the right, said curve being concave Southerly and having a radius of 320.00 feet; thence along and around the arc of said curve, through a central angle of 02°56'37", an arc distance of 16.44 feet, said arc being subtended by a chord bearing and distance of North 82°54'22" East, 16.44 feet to the point of tangency; thence North 84°22'41" East, a distance of 90.03 feet to the point of curvature of a curve to the right, said curve being concave Southerly and having a radius of 1135.00 feet; thence along and around the arc of said curve, through a central angle of 10°34'30", an arc distance of 209.48 feet, said arc being subtended by a chord bearing and distance of North 89°39'56" East, 209.19 feet to the point of reverse curvature of a curve to the left, said curve being concave Northwesterly and having a radius of 80.00 feet; thence along and around the arc of said curve, through a central angle of 95°36'48", an arc distance of 133.50 feet, said arc being subtended by a chord bearing and distance of North 47°08'47" East, 118.54 feet to the point of tangency; thence North 00°39'37" West, a distance of 23.45 feet to the point of curvature of a curve to the right, said curve being concave Southeasterly and having a radius of 62.00 feet; thence along and around the arc of said curve, through a central angle of 117°26'23", an arc distance of 127.08 feet, said arc being subtended by a chord bearing and distance of North 58°03'35" East, 105.98 feet to the point of reverse curvature of a curve to the left, said curve being concave Northwesterly and having a radius of 65.00 feet; thence along and around the arc of said curve, through a central angle of 117°25'14", an arc distance of 133.21 feet, said arc being subtended by a chord bearing and distance of North 58°04'09" East, 111.09 feet to the point of tangency; thence North 00°38'28" West, a distance of 5.52 feet to the point of curvature of a curve to the left, said curve being concave Southwesterly and having a radius of 80.00 feet; thence along and around the arc of said curve, through a central angle of 42°22'01", an arc distance of 59.16 feet, said arc being subtended by a chord bearing and distance of North 21°49'28" West, 57.82 feet to a non-tangent point; thence North 46°59'31" East, a distance of 70.00 feet; thence North 89°21'32" East, 924.31 feet; thence South 02°48'16" East, a distance of 309.26 feet; thence South 85°57'33" West, a distance of 103.60 feet; thence South 89°21'32" West, a distance of 329.76 feet to the point of curvature of a curve to the right, said curve being concave Northerly and having a radius of 100.00 feet; thence along and around the arc of said curve, through a central angle of 08°21'04", an arc distance of 14.58 feet, said arc being subtended by a chord bearing and distance of North 86°27'56" West, 14.56 feet to the point of tangency thence North 82°17'24" West, a distance of 24.70 feet to the point of curvature of a curve to the left, said curve being concave Southerly and having a radius of 300.00 feet; thence along and around the arc of said curve, through a central angle of 08°21'04", an arc distance of 43.73 feet, said arc being subtended by a chord bearing and distance of North 86°27'56" West, 43.69 feet to the point of tangency; thence South 89°21'32" West, a distance of 44.63 feet to the point of curvature of a curve to the left, said curve being concave Southerly and having a radius of 600.00 feet; thence along and around the arc of said curve, through a central angle of 03°01'04", an arc distance of 31.60 feet, said arc being subtended by a chord bearing and distance of South 87°51'00" West, 31.60 feet to the point of tangency; thence South 86°20'28" West, a distance of 30.03 feet to the point of curvature of a curve to the right, said curve being concave Northerly and having a radius of 300.00 feet; thence along and around the arc of said curve, through a central angle of 03°01'04", an arc distance of 15.80 feet, said arc being subtended by a chord bearing and distance of South 87°51'00" West, 15.80 feet to the point of tangency; thence South 89°21'32" West, a distance of 184.10 feet to the point of curvature of a curve to the left, said curve being concave Southeasterly and having a radius of 60.00 feet; thence along and around the arc of said curve, through a central angle of 90°00'00", an arc distance of 94.25 feet, said arc being subtended by a chord bearing and distance of South 44°21'32" West, 84.85 feet to the point of tangency; thence South 00°38'28" East, a distance of 27.97 feet to the point of curvature of a curve to the left, said curve being concave Northeasterly and having a radius of 70.00 feet; thence along and around the arc of said curve, through a central angle of 96°14'52", an arc distance of 117.59 feet, said arc being subtended by a chord bearing and distance of South 48°45'54" East, 104.24 feet to the point of tangency; thence North 83°06'40" East, a distance of 13.99 feet; thence South 06°53'20" East, a distance of 18.44 feet to a non-tangent point on a curve to the left, said curve being concave Easterly and having a radius of 72.00 feet; thence along and around the

March 11, 2013

Exhibit "A" continued

arc of said curve, through a central angle of $113^{\circ}29'30''$, an arc distance of 142.62 feet, said arc being subtended by a chord bearing and distance of South $08^{\circ}35'34''$ West, 120.42 feet to the point of tangency; thence South $48^{\circ}09'11''$ East, a distance of 26.87 feet; thence South $24^{\circ}47'16''$ East, a distance of 19.43 feet to the point of curvature of a curve to the right, said curve being concave Northwesterly and having a radius of 55.00 feet; thence along and around the arc of said curve, through a central angle of $114^{\circ}22'22''$, an arc distance of 109.79 feet, said arc being subtended by a chord bearing and distance of South $32^{\circ}23'55''$ West, 92.45 feet to the point of tangency; thence South $89^{\circ}35'06''$ West, a distance of 772.11 feet; thence South $89^{\circ}21'32''$ West, a distance of 893.70 feet to the point of curvature of a curve to the right, said curve being concave Northeasterly and having a radius of 60.00 feet; thence along and around the arc of said curve, through a central angle of $88^{\circ}17'11''$, an arc distance of 92.45 feet, said arc being subtended by a chord bearing and distance of North $46^{\circ}29'52''$ West, 83.57 feet to the point of tangency; thence North $02^{\circ}21'17''$ West, a distance of 1135.56 feet to the point of curvature of a curve to the right, said curve being concave Southeasterly and having a radius of 60.00 feet; thence along and around the arc of said curve, through a central angle of $87^{\circ}14'05''$, an arc distance of 91.35 feet, said arc being subtended by a chord bearing and distance of North $41^{\circ}15'45''$ East, 82.78 feet to the point of tangency of said curve, said point also being the Point of Beginning.

PARCEL 2 (Fee Simple Estate)
60' Right of Way

That certain piece, parcel or tract of land, lying in and being a part of Section 33, Township 3 South, Range 27 East, Duval County, Florida, also being a portion of the lands described in Official Records Volume 10646, page 1775 of the public records of said county, said parcel being more particularly described as follows:

Commence at the centerline intersection of Edgewater Crossing Drive (variable width right of way) and Craven Road (variable width right of way) as shown on the plat thereof, recorded in Plat Book 62, pages 83, 84 and 85 of said public records, said point being on a curve concave Northwesterly and having a radius of 250.00 feet; thence along and around said curve, through a central angle of $14^{\circ}33'36''$, an arc distance of 63.53 feet, said arc being subtended by a chord bearing and distance of South $23^{\circ}05'23''$ West, 63.36 feet to a radius point as shown on said plat; thence South $72^{\circ}13'48''$ West along a radial line from said radius point, a distance of 45.00 feet to the Westerly right of way line of said Craven Road and the Point of Beginning; thence South $30^{\circ}22'12''$ West, a distance of 216.41 feet to the point of curvature of a curve to the left, said curve being concave Southeasterly and having a radius of 1030.00 feet; thence along and around the arc of said curve, through a central angle of $10^{\circ}00'00''$, an arc distance of 179.77 feet, said arc being subtended by a chord bearing and distance of South $25^{\circ}22'12''$ West, 179.54 feet to the point of tangency; thence South $20^{\circ}22'12''$ West, a distance of 193.02 feet to the point of curvature of a curve to the left, said curve being concave Easterly and having a radius of 380.00 feet; thence along and around the arc of said curve, through a central angle of $36^{\circ}32'24''$, an arc distance of 242.34 feet, said arc being subtended by a chord bearing and distance of South $02^{\circ}05'59''$ West, 238.26 feet to the point of tangency; thence South $16^{\circ}10'13''$ East, a distance of 149.44 feet to the point of curvature of a curve to the right, said curve being concave Westerly and having a radius of 85.00 feet; thence along and around the arc of said curve, through a central angle of $56^{\circ}13'58''$, an arc distance of 83.42 feet, said arc being subtended by a chord bearing and distance of South $11^{\circ}56'46''$ West, 80.11 feet to the point of reverse curvature of a curve to the left, said curve being concave Northerly and having a radius of 74.00 feet; thence along and around the arc of said curve, through a central angle of $262^{\circ}03'22''$, an arc distance of 338.46 feet, said arc being subtended by a chord bearing and distance of North $89^{\circ}02'04''$ East, 111.65 feet to the point of reverse curvature of a curve to the right, said curve being concave Northeasterly and having a radius of 100.00 feet; thence along and around the arc of said curve, through a central angle of $25^{\circ}49'25''$, an arc distance of 45.07 feet, said arc being subtended by a chord bearing and distance of North $29^{\circ}04'55''$ West, 44.69 feet to the point of tangency; thence North $16^{\circ}10'13''$ West,

March 11, 2013

Exhibit "A" continued

a distance of 205.82 feet to the point of curvature of a curve to the right, said curve being concave Easterly and having a radius of 320.00 feet; thence along and around the arc of said curve, through a central angle of 36°32'24", an arc distance of 204.08 feet, said arc being subtended by a chord bearing and distance of North 02°05'59" East, 200.64 feet to the point of tangency; thence North 20°22'12" East, a distance of 193.02 feet to the point of curvature of a curve to the right, said curve being concave Southeasterly and having a radius of 970.00 feet; thence along and around the arc of said curve, through a central angle of 10°00'00", an arc distance of 169.30 feet, said arc being subtended by a chord bearing and distance of North 25°22'12" East, 169.08 feet to the point of tangency; thence North 30°22'12" East, a distance of 216.36 feet to a point of cusp on a curve to the right, said curve being concave Northeasterly and having a radius of 45.00 feet; thence along and around the arc of said curve, through a central angle of 83°37'14", an arc distance of 65.68 feet, said arc being subtended by a chord bearing and distance of North 59°34'49" West, 60.00 feet to a non-tangent point, said point also being the Point of Beginning.

TOGETHER with easements rights over the following described property:

PARCEL 3 (Easement Estate)
50' Access Easement

That certain piece, parcel or tract of land, lying in and being a part of Section 33, Township 3 South, Range 27 East, Duval County, Florida, also being a portion of the lands described in Official Records Volume 10646, page 1775 of the public records of said county, said parcel being more particularly described as follows:

Commence at the centerline intersection of Edgewater Crossing Drive (variable width right of way) and Craven Road (variable width right of way) as shown on the plat thereof, recorded in Plat Book 62, pages 83, 84 and 85 of said public records, said point being on a curve concave Northwesterly and having a radius of 250.00 feet; thence along and around said curve, through a central angle of 14°33'36", an arc distance of 63.53 feet, said arc being subtended by a chord bearing and distance of South 23°05'23" West, 63.36 feet to a radius point as shown on said plat; thence South 72°13'48" West along a radial line from said radius point, a distance of 45.00 feet to the Westerly right of way line of said Craven Road; thence South 30°22'12" West, a distance of 216.41 feet to the point of curvature of a curve to the left, said curve being concave Southeasterly and having a radius of 1030.00 feet; thence along and around the arc of said curve, through a central angle of 10°00'00", an arc distance of 179.77 feet, said arc being subtended by a chord bearing and distance of South 25°22'12" West, 179.54 feet to the point of tangency; thence South 20°22'12" West, a distance of 193.02 feet to the point of curvature of a curve to the left, said curve being concave Easterly and having a radius of 380.00 feet; thence along and around the arc of said curve, through a central angle of 36°32'24", an arc distance of 242.34 feet, said arc being subtended by a chord bearing and distance of South 02°05'59" West, 238.26 feet to the point of tangency; thence South 16°10'13" East, a distance of 149.44 feet to the point of curvature of a curve to the right, said curve being concave Westerly and having a radius of 85.00 feet; thence along and around the arc of said curve, through a central angle of 56°13'58", an arc distance of 83.42 feet, said arc being subtended by a chord bearing and distance of South 11°56'46" West, 80.11 feet to the point of reverse curvature of a curve to the left, said curve being concave Northerly and having a radius of 74.00 feet; thence along and around the arc of said curve, through a central angle of 50°26'10", an arc distance of 65.14 feet, said arc being subtended by a chord bearing and distance of South 14°50'40" West, 63.06 feet to the Point of Beginning; thence continue along and around the arc of said curve, through a central angle of 57°49'19", an arc distance of 74.68 feet, said arc being subtended by a chord bearing and distance of South 39°17'05" East, 71.55 feet to a point of cusp on a curve to the left, said curve being concave Southerly and having a radius of 85.00 feet; thence along and around the arc of said curve, through a central angle of 51°01'43", an arc distance of 75.70 feet, said arc being subtended by a chord bearing and distance of South 86°17'24" West, 73.23 feet to the point of tangency; thence South 60°46'32" West, a

March 11, 2013

Exhibit "A" continued

distance of 93.90 feet to the point of curvature of a curve to the right, said curve being concave Northwesterly and having a radius of 225.00 feet; thence along and around the arc of said curve, through a central angle of $08^{\circ}32'26''$, an arc distance of 33.54 feet, said arc being subtended by a chord bearing and distance of South $65^{\circ}02'46''$ West, 33.51 feet to the point of tangency; thence South $69^{\circ}18'59''$ West, a distance of 109.24 feet; thence North $00^{\circ}00'44''$ West, a distance of 52.10 feet to a point on a curve to the right, said curve being concave Southeasterly and having a radius of 105.00 feet; thence along and around the arc of said curve, through a central angle of $08^{\circ}51'31''$, an arc distance of 16.23 feet, said arc being subtended by a chord bearing and distance of North $64^{\circ}53'13''$ East, 16.22 feet to the point of tangency; thence North $69^{\circ}18'59''$ East, a distance of 74.68 feet to the point of curvature of a curve to the left, said curve being concave Northwesterly and having a radius of 175.00 feet; thence along and around the arc of said curve, through a central angle of $08^{\circ}32'26''$, an arc distance of 26.09 feet, said arc being subtended by a chord bearing and distance of North $65^{\circ}02'46''$ East, 26.06 feet to the point of tangency; thence North $60^{\circ}46'32''$ East, a distance of 93.90 feet to the point of curvature of a curve to the right, said curve being concave Southeasterly and having a radius of 135.00 feet; thence along and around the arc of said curve, through a central angle of $23^{\circ}23'11''$, an arc distance of 55.10 feet, said arc being subtended by a chord bearing and distance of North $72^{\circ}28'08''$ East, 54.72 feet to the Point of Beginning.

**PARCEL 4 (Easement Estate)
60' Access Easement**

That certain piece, parcel or tract of land, lying in and being a part of Section 33, Township 3 South, Range 27 East, Duval County, Florida, also being a portion of the lands described in Official Records Volume 10646, page 1775 of the public records of said county, said parcel being more particularly described as follows:

Commence at the centerline intersection of Edgewater Crossing Drive (variable width right of way) and Craven Road (variable width right of way) as shown on the plat thereof, recorded in Plat Book 62, pages 83, 84 and 85 of said public records, said point being on a curve concave Northwesterly and having a radius of 250.00 feet; thence along and around said curve, through a central angle of $14^{\circ}33'35''$, an arc distance of 63.53 feet, said arc being subtended by a chord bearing and distance of South $23^{\circ}05'23''$ West, 63.36 feet to a radius point as shown on said plat; thence South $11^{\circ}23'26''$ East along a radial line from said radius point, a distance of 45.00 feet to the Southerly right of way line of said Craven Road; thence South $30^{\circ}22'12''$ West, a distance of 216.36 feet to the point of curvature of a curve to the left, said curve being concave Southeasterly and having a radius of 970.00 feet; thence along and around the arc of said curve, through a central angle of $10^{\circ}00'00''$, an arc distance of 169.30 feet, said arc being subtended by a chord bearing and distance of South $25^{\circ}22'12''$ West, 169.08 feet to the point of tangency; thence South $20^{\circ}22'12''$ West, a distance of 193.02 feet to the point of curvature of a curve to the left, said curve being concave Easterly and having a radius of 320.00 feet; thence along and around the arc of said curve, through a central angle of $36^{\circ}32'24''$, an arc distance of 204.08 feet, said arc being subtended by a chord bearing and distance of South $02^{\circ}05'59''$ West, 200.64 feet to the point of tangency; thence South $16^{\circ}10'13''$ East, a distance of 205.82 feet to the point of curvature of a curve to the left, said curve being concave Northeasterly and having a radius of 100.00 feet; thence along and around the arc of said curve, through a central angle of $25^{\circ}49'25''$, an arc distance of 45.07 feet, said arc being subtended by a chord bearing and distance of South $29^{\circ}04'55''$ East, 44.69 feet to the point of reverse curvature of a curve to the right, said curve being concave Westerly and having a radius of 74.00 feet; thence along and around the arc of said curve, through a central angle of $67^{\circ}54'28''$, an arc distance of 87.71 feet, said arc being subtended by a chord bearing and distance of South $08^{\circ}02'23''$ East, 82.66 feet to a non-tangent point, said point also being the Point of Beginning; thence South $40^{\circ}10'09''$ East, a distance of 30.99 feet to the point of curvature of a curve to the right, said curve being concave Southwesterly and having a radius of 110.00 feet; thence along and around the arc of said curve, through a central angle of $31^{\circ}33'33''$, an arc distance of 60.59 feet, said arc being subtended by a chord bearing

March 11, 2013

Exhibit "A" continued

and distance of South 24°23'23" East, 59.83 feet to the point of tangency; thence South 08°36'37" East, a distance of 290.69 feet to the point of curvature of a curve to the left, said curve being concave Northeasterly and having a radius of 190.00 feet; thence along and around the arc of said curve, through a central angle of 82°01'51", an arc distance of 272.02 feet, said arc being subtended by a chord bearing and distance of South 49°37'32" East, 249.38 feet to the point of tangency; thence North 89°21'32" East, a distance of 107.83 feet to the point of curvature of a curve to the right, said curve being concave Southwesterly and having a radius of 150.00 feet; thence along and around the arc of said curve, through a central angle of 47°37'59", an arc distance of 124.70 feet, said arc being subtended by a chord bearing and distance of South 66°49'28" East, 121.14 feet to a non-tangent point; thence South 46°59'31" West, a distance of 60.00 feet to a point on a curve to the left, said curve being concave Southwesterly and having a radius of 90.00 feet; thence along and around the arc of said curve, through a central angle of 47°37'59", an arc distance of 74.82 feet, said arc being subtended by a chord bearing and distance of North 66°49'28" West, 72.69 feet to the point of tangency; thence South 89°21'32" West, a distance of 107.83 feet to the point of curvature of a curve to the right, said curve being concave Northeasterly and having a radius of 250.00 feet; thence along and around the arc of said curve, through a central angle of 82°01'51", an arc distance of 357.93 feet, said arc being subtended by a chord bearing and distance of North 49°37'32" West, 328.13 feet to the point of tangency; thence North 08°36'37" West, a distance of 317.97 feet to the point of curvature of a curve to the left, said curve being concave Southwesterly and having a radius of 25.00 feet; thence along and around the arc of said curve, through a central angle of 94°53'59", an arc distance of 41.41 feet, said arc being subtended by a chord bearing and distance of North 56°03'35" West, 36.83 feet to a point of cusp on a curve to the left, said curve being concave Northwesterly and having a radius of 74.00 feet; thence along and around the arc of said curve, through a central angle of 50°34'34", an arc distance of 65.32 feet, said arc being subtended by a chord bearing and distance of North 51°12'08" East, 63.22 feet to the Point of Beginning.

March 11, 2013

EXHIBIT A Property Ownership Affidavit

Date: 3/5/13

City of Jacksonville

City Council / Planning and Development Department, 117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300, Jacksonville, Florida 32202

Re: Ownership Certification Gentleman:

I, Dane Cates, the President of Jaxson Brown, Inc. (the "Company") hereby certify that the Company is the Owner of the property described in the attached legal description, (**Exhibit 1**) in connection with filing application(s) for PUD Modification, submitted to the Jacksonville Planning and Development Department.

[Signature]
Name: Dane Cates

STATE OF Florida

COUNTY OF Duval

The foregoing affidavit was sworn and subscribed before me this 5th day of March (month), 2013 (year) by Dane Cates who is personally known to me or did produce GA ID as identification.

(Notary Signature)

[Signature]



JENNIFER L. GRANT
Notary Public, State of Florida
My Comm. Expires Aug. 29, 2014
Commission No. EE 14214

Page of

EXHIBIT B Agent Authorization

Date: 3/5/13

City of Jacksonville

City Council / Planning and Development Department, 117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300 Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: **See Exhibit 1**

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers Paul M. Harden and D. R. Repass to act as agent to file application(s) for a PUD Modification for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

JAXSON BROWN, INC.

By: [Signature]
Name: Dane Cates
Its: President

STATE OF Florida

COUNTY OF Duval

The foregoing affidavit was sworn and subscribed before me this 5th day of March (month), 2013 (year) by Dane Cates, as President of Jaxson Brown, Inc., a Florida corporation, on behalf of the corporation. He/she is personally known to me or did produce GA ID as identification.

(Notary Signature)

[Signature]
Page of


 **JENNIFER L. GRANT**
Notary Public, State of Florida
My Comm. Expires Aug. 29, 2014
Commission No. EE 14214

EXHIBIT C

Binding Letter

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: RE# 149039-0000 (portion)

Ladies and Gentleman;

You are hereby advised that the undersigned, owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

JAXSON BROWN, INC.

By:  _____

Its: President _____

Exhibit D

WRITTEN DESCRIPTION

Sunbeam Single Family

May 3, 2013

I. PROJECT DESCRIPTION

Applicant proposes to rezone approximately 37.4 acres of property from PUD to PUD. The parcel is located on the southside of Sunbeam Road at the terminus of Craven Road.

The subject property is currently owned by Jaxson Brown, Inc. and is more particularly described in the legal description attached as Exhibit 1 to this application. The property has a current land use designation of Public Buildings and Facilities (PBF) and is zoned PUD. The property is currently vacant. Surrounding uses include: developed LDR/PUD land to the west and southwest (single-family); vacant LDR/RR to the east and southeast and developed PBF/PUD to the north (condominiums).

Project Name: Sunbeam Single Family

Project Architect/Planner: N/A

Project Engineer: West & Company, LLC (Susan West)

Project Developer: Andrew Norgart / Jesse Killebrew

II. QUANTITATIVE DATA

Total Acreage: 37.4

Total number of dwelling units: 135

Total amount of non-residential floor area: 0

Total amount of recreation area: 1.47 ac.

Total amount of open space: 5.81 ac.

Total amount of public/private rights of way: 5.57 public row / 0 private row

Total amount of land coverage of all buildings and structures: 37.4 ac.

Phase schedule of construction (include initiation dates and completion dates)

Phasing plan is not complete, but estimate six (6) months after entitlement to begin and one (1) year after beginning to complete.

III. USES AND RESTRICTIONS

A. Permitted Uses:

1. Single family dwellings
2. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4
3. Home occupations meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

1. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4
2. Home occupations meeting the performance standards and development criteria set forth in Part 4.

C. Permitted Accessory Uses and Structures: Per §656.403, Zoning Code

IV. STATEMENTS

A. How does the proposed PUD differ from the usual application of the Zoning Code?

Allows for creative use of LDR zoning category with limitations on uses as accessory and uses by exception to provide compatible development.

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.

Roadways not dedicated to the City of Jacksonville, if any, will be maintained by a homeowners association.

V. DESIGN GUIDELINES

A. Lot Requirements:

- (1) *Minimum lot area:* 5,000 square feet
- (2) *Minimum lot width:* 50 feet
- (3) *Maximum lot coverage:* 50 percent
- (4) *Minimum front yard:* 20 feet
- (5) *Minimum side yard:* 5 feet
- (6) *Minimum rear yard:* 10 feet
- (7) *Maximum height of structures:* 35 feet

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.
- (2) *Vehicular Access.*
 - a. Vehicular access to the Property shall be by way of Craven Road, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.
 - b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.
- (3) *Pedestrian Access.*
 - a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

C. Signs.

- (1) One (1) double faced or two (2) single faced signs not to exceed twenty-four (24) square feet in area and twelve (12) feet in height.

D. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

E. Recreation and Open Space:

A minimum of 1 acre of recreations area shall be provided per every 100 lots.

F. Utilities

Water will be provided by JEA.

Sanitary sewer will be provided by JEA.

Electric will be provided by JEA.

G. Wetlands

Wetlands will be permitted according to local, state and federal requirements.

VI. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

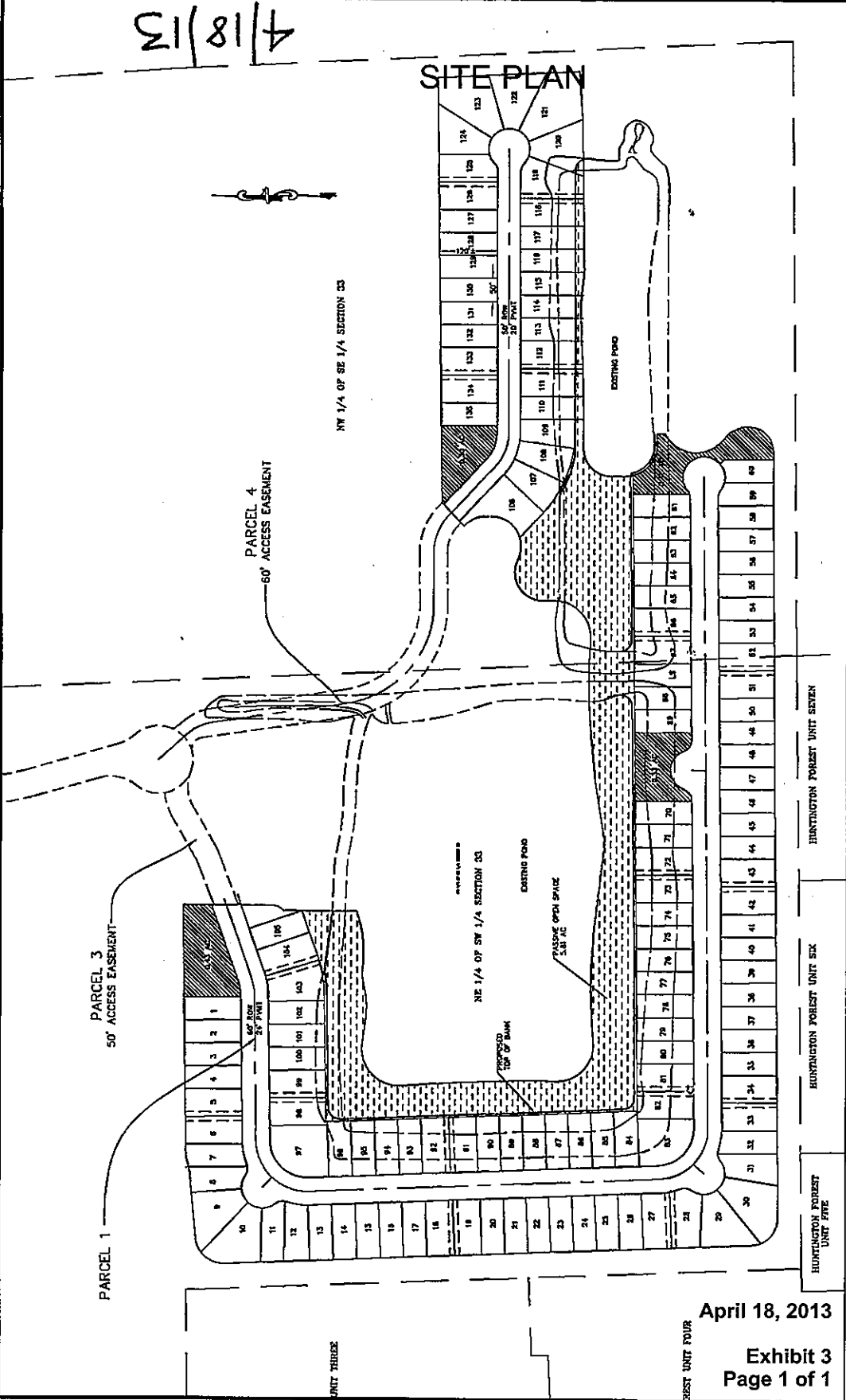
VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

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

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

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



4/18/13

April 18, 2013
 Exhibit 3
 Page 1 of 1

135 TOTAL LOTS
 50' WIDE; 120' DEPTH
 1.47 AC PARK
 5.57 AC ROW
 5.81 AC OPEN SPACE (POND AREA NOT ON LOT)

EXHIBIT F

PUD Name **Sunbeam Single family**

Date **Oct 3, 2013**

Land Use Table

Total gross acreage	37.4	Acres	100 %
Amount of each different land use by acreage			
Single family	24.81	Acres	66.34 %
Total number of dwelling units	135	D.U.	
Multiple family	0	Acres	0 %
Total number of dwelling units	0	D.U.	
Commercial	0	Acres	0 %
Industrial	0	Acres	0 %
Other land use	0	Acres	0 %
Active recreation and/or open space	1.47	Acres	3.93 %
Passive open space, wetlands, pond	5.55	Acres	14.84 %
Public and private right-of-way	5.57	Acres	14.89 %
Maximum coverage of non-residential buildings and structures	0	Sq. Ft.	0 %

PREPARED BY AND
RETURN TO:
Richard Pearlman
Iglar & Dougherty, P.A.
1501 Park Avenue East
Tallahassee, Florida 32301

Doc# 2002247929
Book: 10646
Pages: 1775 - 1777
Filed & Recorded
09/04/2002 04:38:16 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 2.00
DEED DOC STAMP \$ 0.70
RECORDING \$ 13.00

SPECIAL WARRANTY DEED

The name of each person who executed, witnessed, or notarized this document must legibly be printed, typewritten or stamped immediately beneath the signature of such person.

THIS INDENTURE, made this *31st* day of July, 2002, between REFUSE SERVICE, INC., a Florida corporation, whose mailing address is: 2410 Paces Ferry Road, Atlanta, Georgia 30339, hereinafter referred to as the **GRANTOR**, to JAXSON BROWN, INC., a Georgia corporation, whose mailing address is: 2575 Westside Parkway, Suite 100, Alpharetta, Georgia 30004, hereafter referred to as the **GRANTEE**

WITNESSETH, that the said GRANTOR, for and in consideration of the sum of ONE HUNDRED DOLLARS (\$100.00), to it in hand paid by GRANTEE, receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE forever, the following described land situate, lying and being in the County of Duval, State of Florida, to wit:

ALL of that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being more particularly described on **EXHIBIT A**.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

Parcel Identification Number: 149039 000 5

TOGETHER WITH all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the said GRANTOR has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered
in our Presence:

REFUSE SERVICE, INC.

Joyce E. Rigoni
WITNESS SIGNATURE

Joyce E. Rigoni
TYPE OR PRINT WITNESS NAME

By: Brendan Sheehan

Name: Brendan Sheehan

Title: Director of Real Estate

Peggy C. Wallace
WITNESS SIGNATURE

Peggy C. Wallace
TYPE OR PRINT WITNESS NAME

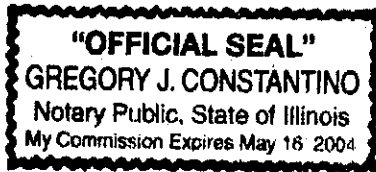
STATE OF Illinois
COUNTY OF DuPage

The foregoing instrument was executed and acknowledged before me this 31st day of July 2002
by Brendan Sheehan as Director of Real Estate for Refuse Service, Inc.
Estate

Gregory J. Constantino
Signature

Gregory J. Constantino

Print, type or stamp name of notary



Personally Known x

Produced Identification

Type of Identification
produced

LEGAL DESCRIPTION

A PORTION OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 33, THENCE SOUTH 02°40'40" EAST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 2.683.05 FEET TO THE WEST QUARTER CORNER THEREOF; THENCE NORTH 89°11'48" EAST, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 200.09 FEET TO THE POINT OF BEGINNING. THE AFOREMENTIONED POINT ALSO BEING THE SOUTHEASTERLY MOST POINT OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 6168, PAGE 396 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY BEING A 100 FOOT WIDE CITY RIGHT-OF-WAY, FROM THE ABOVE DESCRIBED POINT OF BEGINNING CONTINUE NORTH 02°40'40" WEST, ALONG THE EASTERLY LINE OF THE AFOREMENTIONED CITY RIGHT-OF-WAY, A DISTANCE OF 255.00 FEET; THENCE NORTH 87°21'20" EAST, ALONG THE SOUTHERLY LINE OF AN EXISTING 80 FOOT DRAINAGE RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS 7331 PAGE 613, A DISTANCE OF 80.00 FEET; THENCE NORTH 02°38'40" WEST; ALONG THE EASTERLY LINE OF SAID DRAINAGE RIGHT-OF-WAY, THENCE SOUTH 87°21'20" WEST ALONG THE NORTHERLY LINE OF THE AFOREMENTIONED RIGHT-OF-WAY, A DISTANCE OF 80.00 FEET TO A POINT LYING ON THE EASTERLY LINE OF THE AFOREMENTIONED 100 FOOT WIDE CITY RIGHT-OF-WAY; THENCE NORTH 02°40'40" WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 305.55 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF AN EXISTING 100 FOOT WIDE J.E.A. RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS VOLUME 3304 PAGE 1190 OF SAID PUBLIC RECORDS, THENCE NORTH 89°23'30" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 2554.56 FEET TO A POINT LYING ON THE MOST EASTERLY LINE OF SAID J.E.A. RIGHT-OF-WAY; THENCE NORTH 02°38'00" WEST, A DISTANCE OF 1389.10 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SUNBEAM ROAD (AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 89°35'42" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 380.87 FEET; THENCE NORTH 88°47'07" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 813.50 FEET TO THE WESTERLY LINE OF PEGGYVILLE AS RECORDED IN PLAT BOOK 16, PAGE 11 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 02°42'10" EAST, DEPARTING FROM SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE SAID WESTERLY LINE OF PEGGYVILLE, A DISTANCE OF 1325.14 FEET TO THE SOUTHWESTERLY CORNER THEREOF; THENCE SOUTH 04°14'00" EAST, A DISTANCE OF 1299.54 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; THENCE SOUTH 02°48'16" EAST, ALONG THE EAST LINE OF THE AFOREMENTIONED NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33; A DISTANCE OF 1339.08 FEET TO THE SOUTHEASTERLY CORNER THEREOF; THENCE SOUTH 89°32'18" WEST ALONG THE SOUTHERLY LINE OF THE AFOREMENTIONED NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 1337.47 FEET TO THE SOUTHEASTERLY CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 33, SAID POINT ALSO BEING THE NORTHEAST CORNER OF HUNTINGTON FOREST UNIT 7 AS RECORDED IN PLAT BOOK 41, PAGES 35, 35A AND 35B OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°21'32" WEST, ALONG THE SOUTHERLY LINE OF THE AFOREMENTIONED NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 33 AND ALONG THE NORTHERLY LINE OF THE AFOREMENTIONED HUNTINGTON FOREST UNIT 7, ALSO BEING THE NORTH LINE OF HUNTINGTON FOREST UNIT 6 AS RECORDED IN PLAT BOOK 39, PAGE 49 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, AND ALONG THE NORTH LINE OF HUNTINGTON FOREST UNIT 5 AS RECORDED IN PLAT BOOK 38, PAGE 38 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1332.70 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 33, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 30 OF HUNTINGTON FOREST UNIT 4 AS RECORDED IN PLAT BOOK 37, PAGE 43 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 02°21'17" WEST ALONG THE WEST LINE OF THE AFOREMENTIONED NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 33 AND ALONG THE EAST LINE OF THE AFOREMENTIONED HUNTINGTON FOREST UNIT 4, AND ALONG THE EAST LINE OF HUNTINGTON FOREST UNIT THREE AS RECORDED IN PLAT BOOK 36 PAGE 95 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 1325.40 FEET TO THE NORTHWESTERLY CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 33, ALSO BEING THE NORTHEASTERLY CORNER OF LOT 13 OF THE AFOREMENTIONED HUNTINGTON FOREST UNIT 3; THENCE SOUTH 89°11'48" WEST ALONG THE NORTH LINE OF THE AFOREMENTIONED HUNTINGTON FOREST UNIT 3, A DISTANCE OF 1126.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 224.974 ACRES, MORE OR LESS.

EXHIBIT

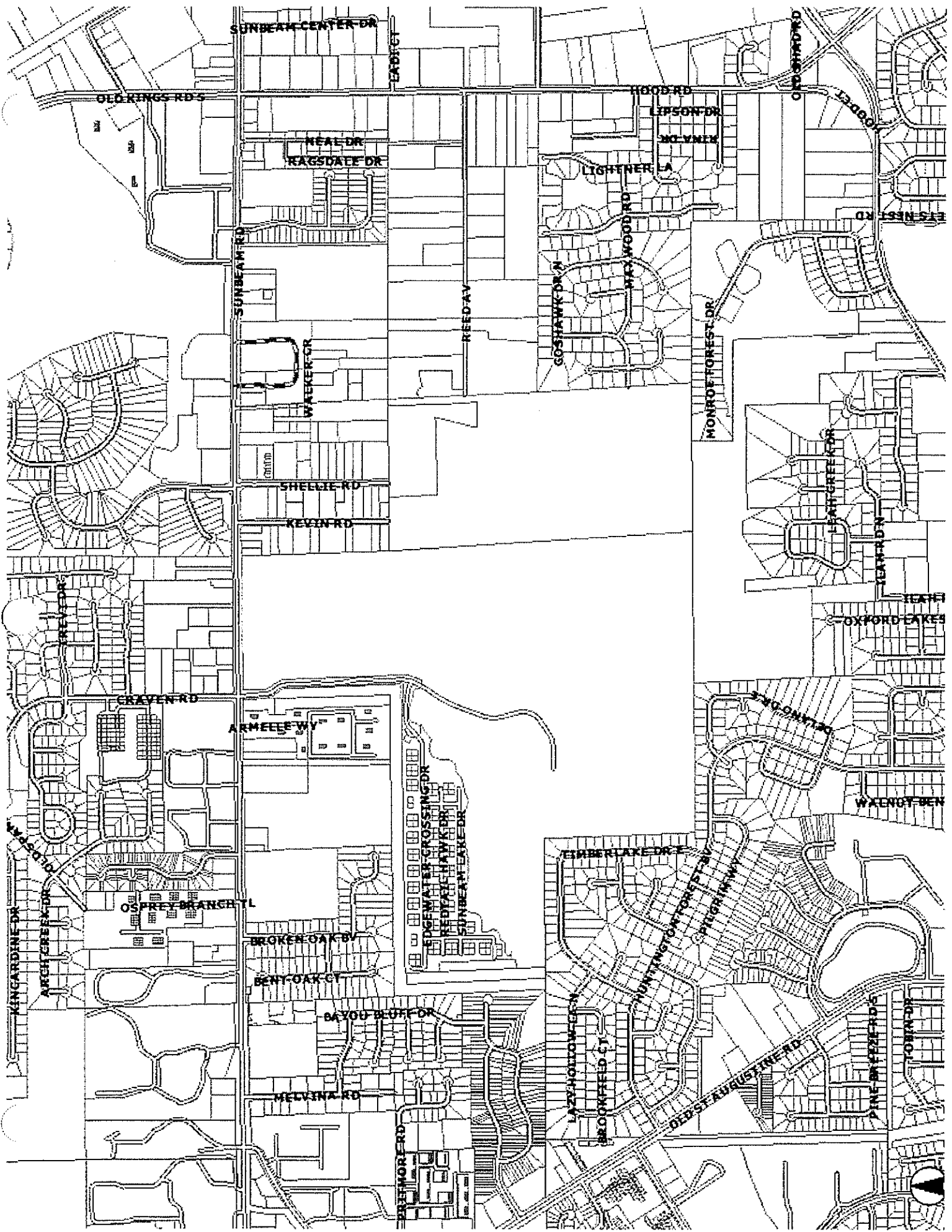
OF PARCELS OF LAND LYING IN SECTION 33, TOWNSHIP 3 SOUTH,
RANGE 27 EAST, DUCAL COUNTY, FLORIDA.



Proposed by		ALSOB PROPERTIES		OWNER		ALSOB PROPERTIES	
BY		[Signature]		[Signature]		[Signature]	
DATE		[Date]		[Date]		[Date]	
PROJECT NO.		[Project No.]		PROJECT NO.		[Project No.]	
DATE		[Date]		DATE		[Date]	
DRAWN BY		[Drawn By]		DRAWN BY		[Drawn By]	
CHECKED BY		[Checked By]		CHECKED BY		[Checked By]	
DATE		[Date]		DATE		[Date]	
PROJECT NO.		[Project No.]		PROJECT NO.		[Project No.]	
DATE		[Date]		DATE		[Date]	

BARTRAM TRAIL SURVEYING, INC.
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SUNBEAM CENTER DR

OLD KINGS RD S

NEAL DR
RAGSDALE DR

HOOB RD

LIPSON DR

NO VINY

LIGHTNER LA

WAT WOOD RD

GOSHAWK DR

MONROE FOREST DR

SUNBEAM RD

REED AV

WALKER DR

SHELLIE RD

KEVIN RD

LEATH GREEN DR

LEATH DR

LEATH

OXFORD LAKES

CRAVEN RD

ARMELEE WY

OSPREY BRANCH TRL

BROKEN OAK BV

BENT OAK CT

BAYOU BLUFF DR

MELVINA RD

EDGEMORE RD

EDGE WATER CROSSING DR

REED AV

SUNBEAM LAKE DR

KING GARDNER DR

WEST CREEK DR

FIBER LAKE DR E

LAZY HOLLOW DR

BROOKFIELD CT

SUNNINGTON PL

SPIGGIN WY

OLD ST AUGUSTINE RD

WALTON BEN

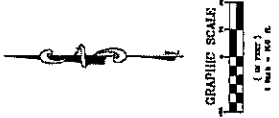
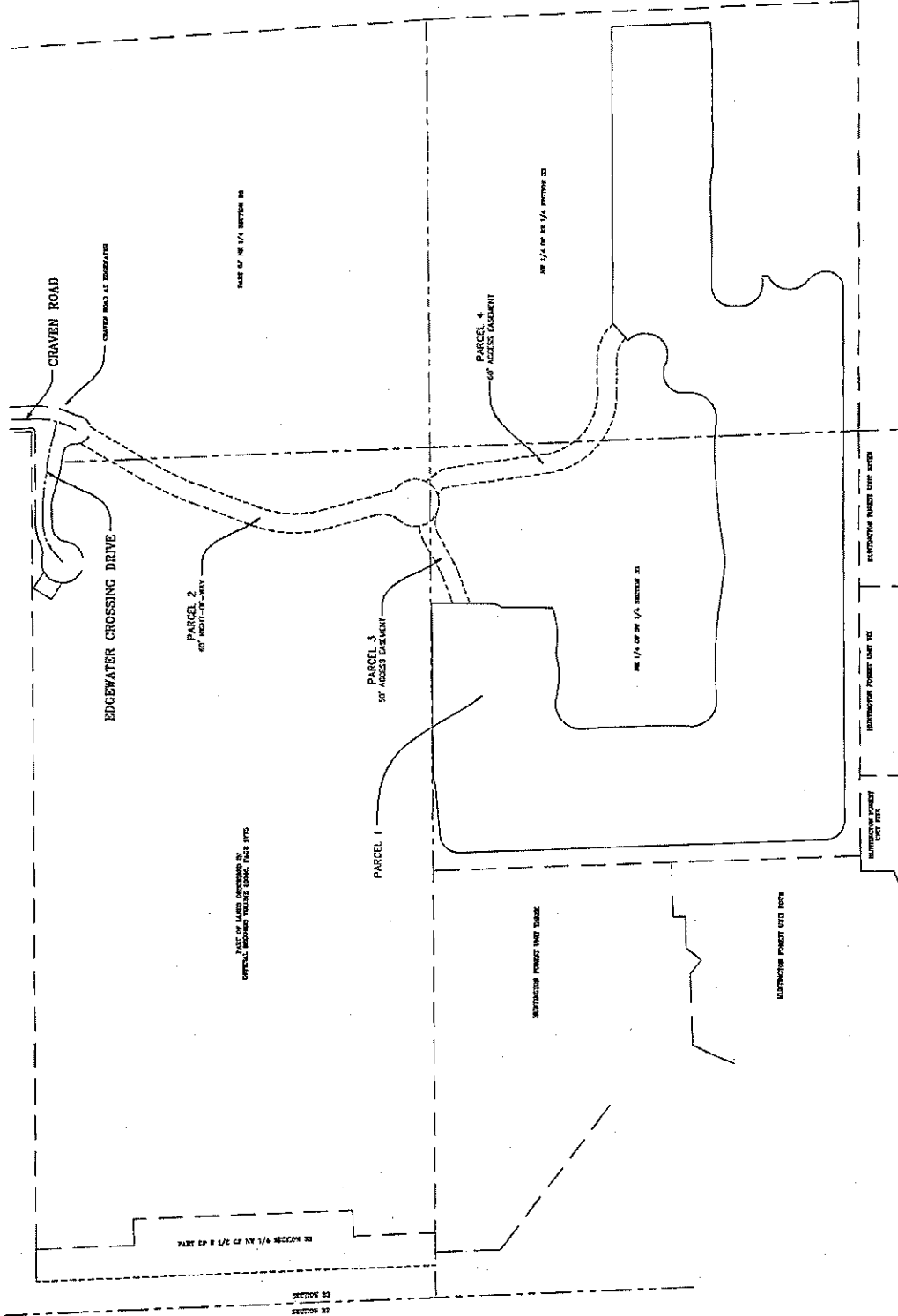
PINE BR FEZERTS

JOHN DR



EXHIBIT

OF PARCELS OF LAND LYING IN SECTION 33, TOWNSHIP 3 SOUTH,
RANGE 27 EAST, DUVAL COUNTY, FLORIDA.



PLAT NO.	ALSO P. PROPERTIES	SECTION	TOWNSHIP	RANGE	COUNTY	STATE
100	100	33	3	27	DUVAL	FLA.

DATE	1/15/18	SCALE	1"=100'
PREPARED BY	BARTRAM TRAIL SURVEYING, INC.	PROJECT NO.	18-001
CHECKED BY	BARTRAM TRAIL SURVEYING, INC.	DATE	1/15/18

<p>BARTRAM TRAIL SURVEYING, INC. LAND SURVEYING & PLANNING & LAND DEVELOPMENT CONSULTANTS 1000 WEST BAY STREET, SUITE 100 JACKSONVILLE, FLORIDA 32202 PHONE: 904.731.1111 FAX: 904.731.1112 WWW.BTRMTRAIL.COM</p>	<p>ALSO P. PROPERTIES SECTION 33 TOWNSHIP 3 SOUTH RANGE 27 EAST DUVAL COUNTY FLORIDA</p>
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CURRENT PLANNING DIVISION



Date: 14 August 2013

To: Folks Huxford, Chief

From: Bruce Lewis, City Planner Supervisor

RE: Sunbeam single family PUD

Verification of consistency with Section 656.341(c)(2)(i) PUD Site Plan Requirements

The Site Plan, dated April 18, 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description. The few items of required information that have not been depicted on the Site Plan may be excused for good cause because the Written Description details the development standards, setbacks, lot coverage, building height, and buffer standards which will prevent adverse impacts to surrounding properties and future residents of the development.

(A) *The existing site characteristics including any significant variations of elevations, water course(s), unique natural features, and natural vegetation.*

A review of the aerial photograph (Exhibit H) shows the variations in elevations, ponds and vegetation. The information is not required in the written description.

(B) *The location of all land uses by acreage, density including the number of dwelling units, intensity, and/or non-residential floor area of such uses. A legend including the following applicable information shall be provided as part of the site plan(s) in accordance with the format.*

The information above is not contained in a single table on the Site Plan, but is included in Exhibit F.

(C) *The existing and proposed vehicular circulation system, pedestrian circulation system and points of ingress and egress to the development, including rights-of-way and paving widths. In addition, all existing and proposed rights-of-way, driveways and median openings (if any) within 660 feet of the proposed development.*

The Site Plan does show points of ingress and egress. There are no median openings or driveways within 660 feet of the property. The main internal vehicular is shown. Paving widths are not required as those will be reviewed by the Development Services Division.

PLANNING AND DEVELOPMENT DEPARTMENT

