

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2014-0772 TO PLANNED UNIT DEVELOPMENT

JANUARY 22, 2015

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 2014-0772 to Planned Unit Development.

Location: 12167 Old St. Augustine Road; on the north side of Old St. Augustine Road between Collins Creek Drive and Silverthorn Drive

Real Estate Number: 157213 0000

Current Zoning District: Residential Rural-Acre (RR-ACRE)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

City Council Representative: The Honorable Matt Schellenberg, District 6

Planning Commissioner: Dow Peters, III

Applicant/Agent: Thomas O. Ingram, Esq.
Akerman, LLP
50 North Laura Street, Suite 3100
Jacksonville, Florida 32202

Owners: Martha Imler Baker, Trustee
Martha Imler Baker Revocable Living Trust
12167 Old St. Augustine Road
Jacksonville, Florida 32258

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2014-0772 seeks to rezone approximately 6.81± acres of land from RR-Acre to PUD. The rezoning to PUD is being sought for the purpose of developing a 26 unit single-family subdivision with 60 feet wide lots. The applicant proposes to bring JEA sewer to the site. Lots will have a maximum coverage of 45% and a minimum lot size of 6,000 square feet. Building setbacks will be consistent with the RLD-60 Zoning District.

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 Low Density Residential (LDR) 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. The LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 2.6 dwelling units to the acre and will have full urban services available to the site. 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.

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

Yes. 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?

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

Furthermore, 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 as follows:

(1) Consistency with the 2030 Comprehensive Plan

Yes. 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): Low Density Residential (LDR).

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

FLUE 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 proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

This project provides infill residential development that results in a compact pattern of land use, resulting in economical and efficient provision of public services.

FLUE Policy 1.1.5 The Land Development Regulations shall contain several zoning districts in each residential category, which will allow a range of residential densities in order to ensure that the total population capacity in any land use category does not exceed the holding capacity determined in the Appendix in the FLUE for each planning district.

FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, 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.

FLUE Policy 1.1.20 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl.

FLUE Policy 3.1.10 The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods.

The proposed PUD allows for a residential subdivision project that is compatible in scale and size with existing residential development in the area. The property is currently a residence, in accordance with the RR zoning district. Conversion of the site to a residential subdivision will eliminate an incompatible land use on a site surrounded by single-family development. The proposed rezoning will result in expansion of the City's housing base in a manner consistent with market driven housing needs of the public. Lastly, the site has direct access onto Old St. Augustine Road, a five-lane collector roadway.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility 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 Office (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 use of existing and proposed landscaping:

The project will provide landscaping that meet the standards set forth in Section 656, Part 12 of the Zoning Code.

Traffic and pedestrian circulation patterns:

The property will be accessed through one point of access onto Old St. Augustine Road. The applicant proposes to provide a pedestrian sidewalk system consistent with the 2030 Comprehensive Plan.

The use and variety of building setback lines, separations, and buffering:

Applicant proposes a building setback lines consistent with the RLD-60 Zoning District. The proposed PUD consists of single family residential uses and ancillary uses, recreation and open space areas. The proposed residential PUD is consistent with the predominantly residential uses in the area.

Signage:

The applicant is proposing one externally illuminated double faced sign not exceeding a maximum of twenty-four (24) square feet in area, excluding border and columns to be constructed for the development along Old St. Augustine Road. Sign materials shall include brick, stone or stucco borders and/or columns. Front entrance signage shall be landscaped and irrigated and may have indirect lighting where the light is not mounted on the sign or backlit but is on the ground toward the sign.

Real estate signs and construction signs will also be permitted. Temporary sign(s) of a maximum of twelve (12) feet in area and twelve (12) feet in height for model homes shall be permitted. Maintenance of signs shall be the responsibility of the developer and/or owners association.

(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:

Up to 26 single family lots would be developed around a central entrance road, together with an approximately 0.26 acre recreation open space area. All proposed residential lots shall be subject to reciprocal neighborhood covenants and restrictions governing the design and maintenance of homes, landscaping and fencing, including regulation by an homeowners association's architectural control committee.

The type, number and location of surrounding external uses:

The application proposes yard requirements of 20 feet for front yards, 5 feet for side yards and 10 feet for rear yards on 60-foot lots of a minimum 6,000 square feet. These lot and yard standards are consistent with the neighborhoods surrounding the subject property. Numerous other large lot properties have been redeveloped in a similar manner along this corridor of Old St. Augustine Road, and the proposed PUD is compatible in both intensity and density with the surrounding uses and zoning districts.

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

Single-family development at this location complements the existing single-family subdivisions in the area, most of which were constructed within the past twenty years.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	PUD (93-1502)	Single-family
South	LDR	PUD (93-1495; 06-728)	Single-family
East	LDR	RR-Acre	Single-family
West	LDR	RR-Acre	Single-family

The proposed PUD allows for a residential subdivision project that is compatible in scale and size with existing residential development in the area. The site is bordered by five acre RR-Acre properties on the east and west sides, and by PUD's on the north and south that contain similar development standards. Redevelopment of the site to a residential subdivision will eliminate an incompatible land use on a site surrounded by single-family development. The proposed rezoning will result in expansion of the City's housing base in a manner consistent with market driven housing needs of the public. Lastly, the site has direct access onto Old St. Augustine Road, a five-lane collector roadway.

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category and is a single-use, single-family development, which is not to exceed 26 dwelling units. The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands:

The use is consistent with the residential density and intensity of surrounding lands. The two lots on either side are five acres in size, are as deep, and separated by wetland and unused

woodland; providing buffering and privacy between existing residents and the development. Many of the other surrounding properties are .30 to ½ an acre in size in subdivisions with similar 60 foot lots to the north, south and east and west of the property.

The availability and location of utility services and public facilities and services:

The site will be served by city sewer and water.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

The site has one main internal roadway which will connect to Old St. Augustine Road. Old St. Augustine Road is a 5-lane undivided collector in this vicinity and is currently operating at an acceptable LOS B.

(7) Usable open spaces plazas, recreation areas.

There are only 26 single-family lots proposed to be developed. Recreation open space will be provided at a ratio of at least one acre of recreation open space would be provided for each 100 dwelling units developed within the project. The submitted site plan shows a 0.26 acre park site will be provided between lots 14 and 15 in the northeast portion of the site.

(8) Impact on wetlands

Surveying of a 2004 Geographical Information Systems shape file did identify wetlands on-site. 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.

Parking for single family home sites are required to be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain an internal and external pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 14, 2015 the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-0772 be **APPROVED** with the following conditions:

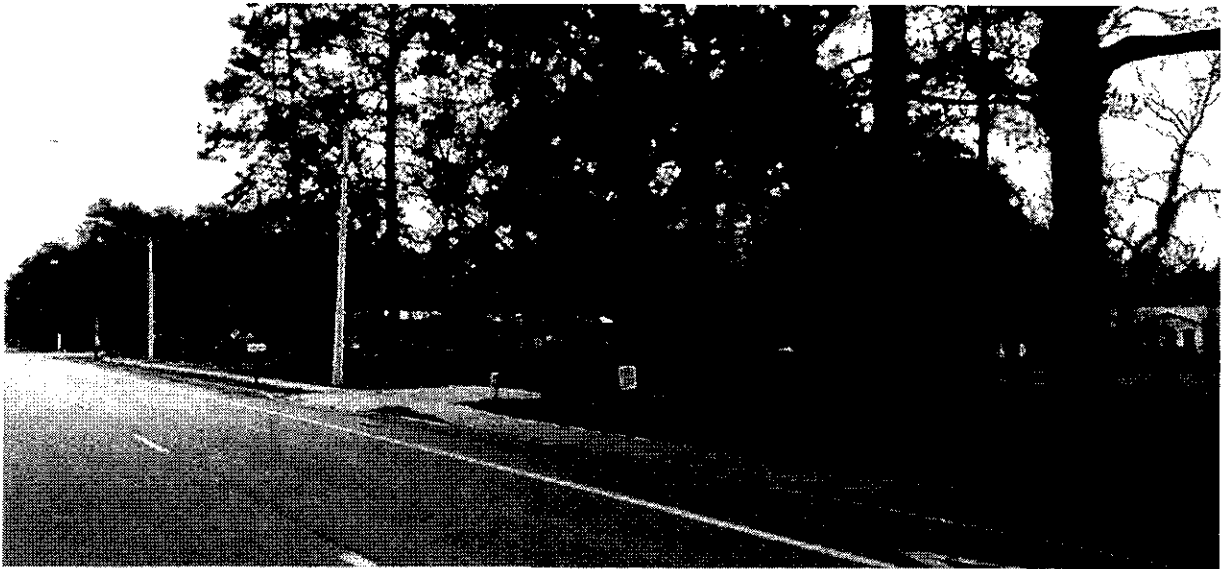
- 1) **The subject property is legally described in the original legal description dated October 16, 2014.**
- 2) **The subject property shall be developed in accordance with the original written description dated October 16, 2014.**
- 3) **The subject property shall be developed in accordance with the original site plan dated October 20, 2014.**
- 4) **The subject property shall be developed in accordance with the Development Services Division Memorandum dated December 12, 2014 or as otherwise approved by the Planning and Development Department.**



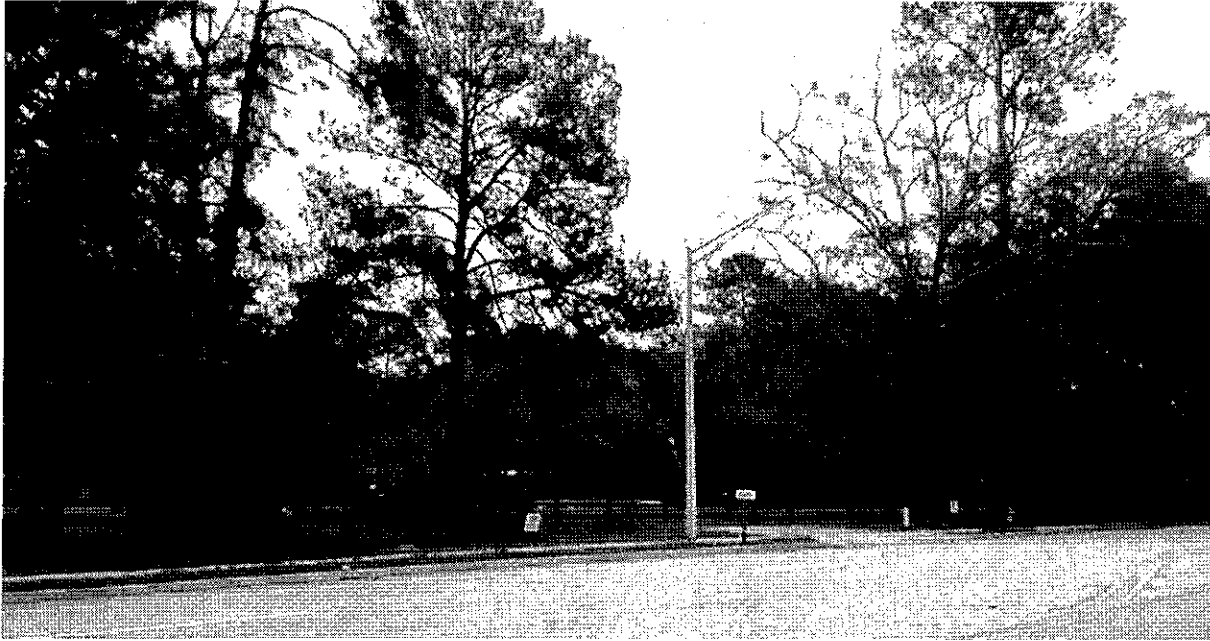
Aerial view of the subject site facing north



The subject site on the right facing west along Old St. Augustine Rd.



The subject site on the right facing northwest from Old St. Augustine Rd.



The subject site on the left facing northeast from Old St. Augustine Rd.



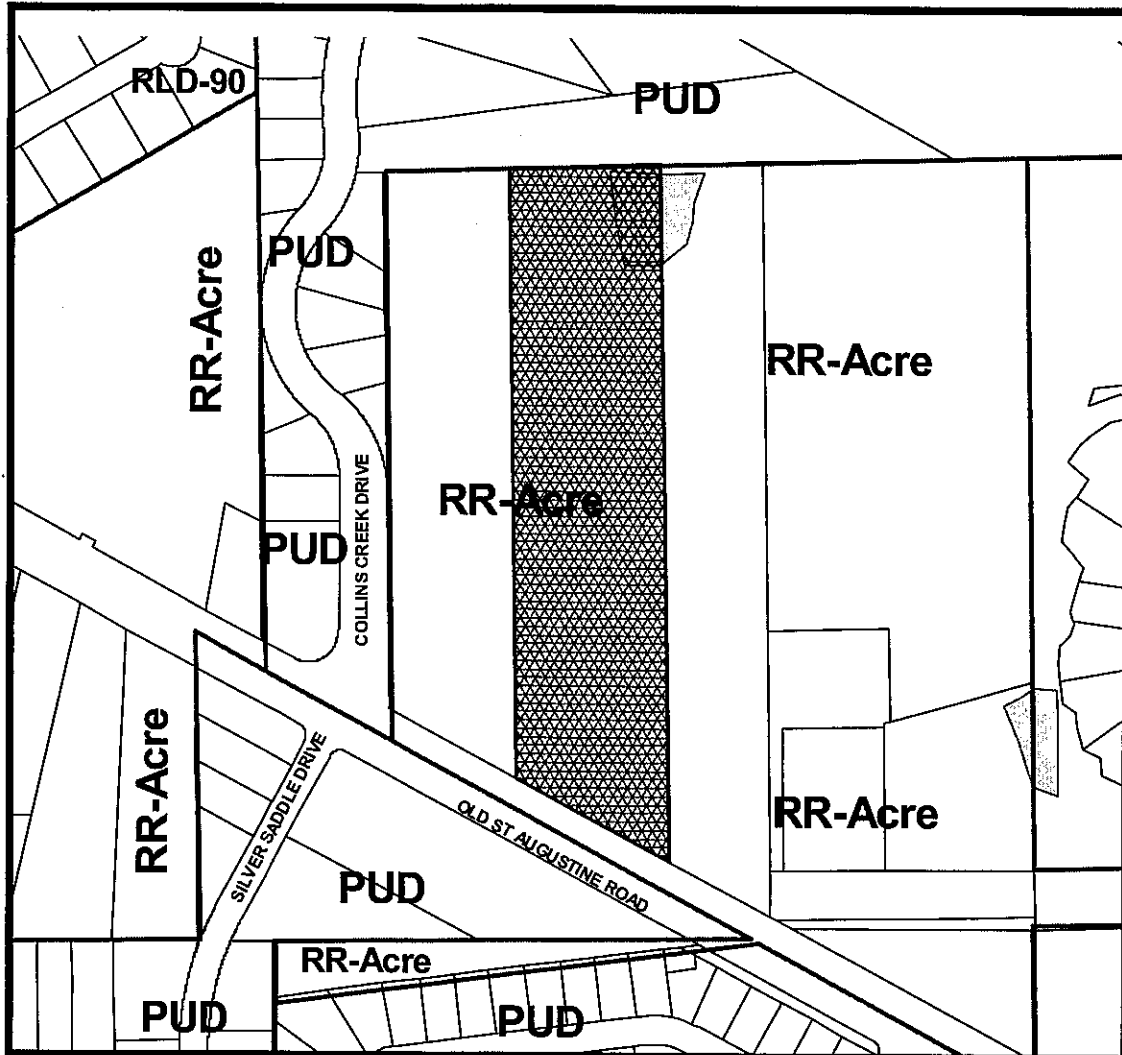
The subject site facing north from Old St. Augustine Rd.



The subject site on the left facing east along Old St. Augustine Rd.



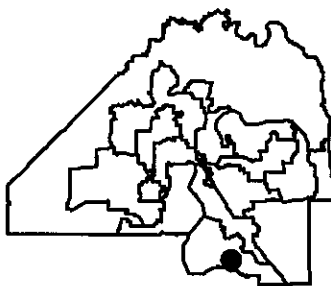
The subject site on the right facing west along Old St. Augustine Rd.



REQUEST SOUGHT:

FROM: RR-Acre

TO: PUD



0 100 Feet

COUNCIL DISTRICT:

6

ORDINANCE -2014-0772

FILE COPY

DEVELOPMENT SERVICES



December 12, 2014

MEMORANDUM

TO: Andy Hetzel, City Planner II
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Baker Trust PUD
R-2014-772**

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

1. Roadway shall meet design standards of Section 3 of the Land Development Procedures Manual.
2. Provide sidewalks per Section 2 of the Land Development Procedures Manual and the 2030 Comprehensive Plan.
3. Entrance signage, fence, wall and landscaping shall be located so that they do not obstruct horizontal line of sight as outlined in FDOT Index 546.

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.

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2014-0772 **Staff Sign-Off/Date** AH / 11/05/2014
Filing Date 10/27/2014 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 01/27/2015 **Planning Comission** 01/22/2015
Land Use & Zoning 02/03/2015 **2nd City Council** N/A

Neighborhood Association SADDLEBROOK HOA
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 722 **Application Status** PENDING
Date Started 10/24/2014 **Date Submitted** 10/24/2014

General Information On Applicant

Last Name	First Name	Middle Name
INGRAM	THOMAS	O

Company Name

AKERMAN LLP

Mailing Address

50 NORTH LAURA ST, STE 3100

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9047983700	9047983730	THOMAS.INGRAM@AKERMAN.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
BAKER	MARTHA	IMLER

Company/Trust Name

MARTHA IMLER BAKER REVOCABLE LIVING TRUST

Mailing Address

12167 ST. AUGUSTINE ROAD

City	State	Zip Code
JACKSONVILLE	FL	32258

Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 157213 0000	6	3	RR-ACRE	PUD

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application # _____

Total Land Area (Nearest 1/100th of an Acre) 6.81

Development Number _____

Proposed PUD Name BAKER TRUST

Justification For Rezoning Application

Location Of Property

General Location

ST. AUGUSTINE ROAD

House #	Street Name, Type and Direction	Zip Code
12167	ST AUGUSTINE RD	32258

Between Streets

COLLINS CREEK DRIVE and SILVERTHORN DRIVE

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
6.81 Acres @ \$10.00 /acre: \$70.00
3) Plus Notification Costs Per Addressee
35 Notifications @ \$7.00 /each: \$245.00
4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,315.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

October 16, 2014

Legal Description

Martha Imler Baker Revocable Living Trust Property

A parcel of land lying in Government Lot 5, Section 15, Township 4 South, Range 27 East, Duval County, Florida, said parcel being more particularly described as follows: For point of reference commence at the intersection of the West line of said Government Lot 5 (West line of Section 15) with the Northeasterly right-of-way line of Old St. Augustine Road, and run South 61°34'00" East, along said Northeasterly right-of-way line of Old St. Augustine Road, a distance of 500.00 feet to an iron pipe for the Point of Beginning.

From the Point of Beginning thus described continue South 61°34'00" East, along said Northeasterly right-of-way line, a distance of 300.0 feet to an iron pipe; run thence North 0°44'50" West, parallel with said West line of Government Lot 5, a distance of 1208.73 feet to an iron pipe in the North line of said Government Lot 5; run thence South 88°08'20" West along said North line, a distance of 262.0 feet to an iron pipe; run thence South 0°44'50" East, parallel to said West line of Government Lot 5, a distance of 1057.37 feet to the point of beginning, containing 6.81 acres, more or less.

Property Ownership Affidavit
12167 Old St. Augustine Road

Date: 10/20/14

Jacksonville City Council
117 West Duval Street, 4th Floor
Jacksonville, Florida 32202

Jacksonville Planning & Development
Department
214 North Hogan Street, Suite 300
Jacksonville, Florida 32202

To Whom It May Concern:

I hereby certify that I am the Owner of the property described in the attached legal description (Exhibit 1), in connection with filing applications for amendment to the comprehensive plan and rezoning, submitted to the Jacksonville Planning & Development Department.

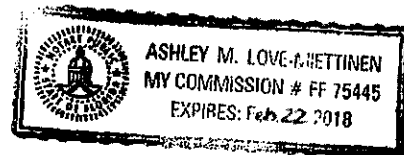
Martha Imler Baker
Martha Imler Baker, as Trustee

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20th day of October, 2014, by
Martha Imler Baker, as Trustee of the Martha Imler Baker Revocable Living Trust.

Ashley M. Love-Miettinen
Notary Signature

Personally Known _____ OR Produced Identification
Type of Identification Produced FL DL



Agent Authorization

Date: 10/20/14

City of Jacksonville
Planning & Development Department
Ed Ball Building
214 North Hogan Street
Suite 300
Jacksonville, FL 32202

Re: Agent Authorization for **12167 Old St. Augustine Road**

To Whom It May Concern:

You are hereby notified that the undersigned is the owner of property more specifically described in the attached Exhibit 1. I hereby authorize Thomas O. Ingram, Esq. of Akerman LLP to act as agent regarding applications for zoning and other development-related applications for the above-referenced property. I authorize him to file these applications and such other documents as may be necessary or appropriate for such applications.

Martha Imler Baker
Martha Imler Baker, as Trustee

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20th day of October, 2014, by **Martha Imler Baker, as Trustee of the Martha Imler Baker Revocable Living Trust.**

Ashley M. Love-Nettinen
Notary Signature

Personally Known _____ OR Produced Identification
Type of Identification Produced FID

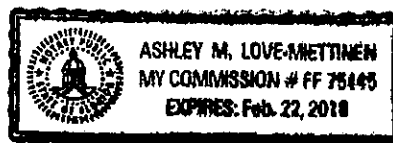


EXHIBIT C

Binding Letter

Date: 10-20-14

City of Jacksonville
Planning & Development Department
214 North Hogan Street, Suite 300
Jacksonville, Florida 32202

Re: **12167 Old St. Augustine Road**

To Whom It May Concern:

You are hereby advised that the undersigned, owner of the above-referenced property, being more particularly described in the attached PUD application, agrees to bind its successors in title to development in accordance with (a) the site plan and the written description of the proposed development 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 that are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

Martha Imler Baker

Martha Imler Baker, as Trustee
Martha Imler Baker Revocable Living Trust

Baker Trust PUD (12167 Old St. Augustine Road)

Written Description

October 16, 2014

This application is to rezone a 6.81 acre parcel on Old St. Augustine Road from RR-Acre to PUD to allow for single family residential development. The property is located between Collins Creek Drive and Silverthorn Drive.

The proposed zoning consists of single family residential uses and ancillary uses, recreation and open space areas. The proposed use is consistent with the predominant use in the area.

1. Site Plan Summary

The proposed Site Plan is attached. Up to 26 single family lots would be developed around a central entrance road, together with an approximately 0.26 acre recreation open space area.

The Site Plan contains a development table as follows:

Use	Acreage	% of Total Lands	Max. Density
Single Family Residential	5.53	81.2%	26 units, = 3.8 units/ac
Active Open Space	1 acre per 100 dwelling units (= 0.26 ac)	3.8%	n/a
Passive Open Space	0 (included in residential acreage)	0	n/a
Public and private rights-of-way	1.02 +/-	15%	n/a
Maximum coverage of buildings and structures at ground level	n/a	45% of developed lots	n/a
Total	6.81	100%	n/a

2. Uses and Performance Standards

a. The following uses are allowed within the development areas of the project:

1. Single family dwellings.

2. Accessory uses subject to the performance standards and development criteria under Part 4, including accessory use criteria for height and setbacks of accessory structures under section 656.403. Notwithstanding anything in Part 4 to the contrary, heat pumps and similar HVAC equipment may be located in a required side or rear yard provided that such equipment is not less than three (3) feet from the property line. Screened enclosures shall not constitute "buildings" or "structures" for purposes of calculating maximum lot coverage.
 3. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code (Oct. 2014).
 4. Neighborhood parks, pocket parks, playgrounds or recreational structures, meeting the performance standards and development criteria set forth in Part 4.
 5. Home occupations meeting the performance standards and development criteria set forth in Part 4.
- b. Permissible uses by exception: none
- c. **Covenants and Restrictions.** All single family residential lots shall be subject to reciprocal neighborhood covenants and restrictions governing the design and maintenance of homes, landscaping and fencing, including regulation by an homeowners association's architectural control committee.
- d. **Minimum lot requirements.** For residential dwellings, the minimum lot requirements are as follows:
- a. Minimum Width¹: 60 feet
 - b. Minimum Area: 6,000 square feet
 - c. Minimum Depth: 100 feet
 - d. Minimum Frontage: 20 feet
 - e. Maximum lot coverage by all buildings and structures: 45 percent.
 - f. Minimum yard requirements: The minimum yard requirements for residential dwellings are as follows:

¹ Lot width or "width" used with reference to lots in this PUD is the horizontal distance between side lot lines measured at the building restriction line and parallel with the street right-of-way.

Front: 20 feet, except 15 feet for unenclosed front porches
and side opening garages
Second Front Yard (if any): 10 feet
Side: 5 feet
Rear: 10 feet

g. Maximum height of structures: 35 feet

- e. **Existing Uses.** The property contains an existing single family home, sheds and other uses. Until such time as the property is developed as a single family subdivision, these uses may continue and shall not be considered as nonconforming uses.
- f. **Signage.** An entry feature may be placed at the project entrance on Old St. Augustine Road, and which may contain a monument sign of up to six (6) feet in height and twelve (12) feet in width, with an advertising display area of up to twenty-four (24) square feet in area per side. Such sign may be two-sided, and it may be externally illuminated.

3. Other Required Information in PUD Written Description, § 656.341(c)(2)ii

A. Description of where PUD differs from usual application of Zoning Code. This PUD provides for a minimum yard requirements which differ from the standard application of any other conventional zoning districts. A requirement for reciprocal covenants and restrictions is also not available under conventional zoning districts.

B. Project Information.

Owner: Martha Imler Baker, Trustee
Martha Imler Baker Revocable Living Trust
12167 Old St. Augustine Road, 32258-2129

Agent: Thomas O. Ingram, Esq.
Akerman LLP
50 N. Laura Street, Suite 3100
Jacksonville, FL 32202
(904) 798-3700
thomas.ingram@akerman.com

Engineer: Chris Favre
North Florida Engineering Services
263 River Hills Drive
Jacksonville, FL 32216

C. Quantitative Data. See Site Plan Summary above.

- D. Approximate dates when construction of phases are to be initiated and completed. The timing of development is ultimately determined based on market demand; however, development of subdivision lots within the project is anticipated to occur in one phase, with engineering work to occur in 2015 and physical development in 2015 and 2016 (again, subject to market).
- E. Continued operation and maintenance of areas and functions not provided, operated or maintained by the City. Centralized electrical, water and wastewater utilities would be operated by JEA or its successor(s). Any roads, stormwater management areas, and/or recreation areas which are not dedicated or conveyed to the City would be operated and maintained by a property owners' association or community development district established for one or more areas of the PUD.

4. PUD Review Criteria, § 656.341(d)

- A. Consistency with Comprehensive Plan. The Future Land Use Map designation of the subject property is Low Density Residential.
- B. Consistency with the Concurrency Management System. All development within this project shall be subject to the concurrency and mobility management system.
- C. Allocation of Residential Land Use. The amount of residential uses is within the projected holding capacity in the background data and analysis contained in the Future Land Use Element.
- D. Internal Compatibility/Vehicular Access. The uses proposed within the Property are compatible with each other. Access to the Property is via Old St. Augustine Road.
- E. External Compatibility/Intensity of Development. The proposed project is consistent with the existing and planned uses of the surrounding properties, and will not have any avoidable or undue adverse impact on existing or planned surrounding uses. Each of the proposed uses are considered compatible under the Zoning Code. No other buffering from adjacent uses is required. Access is proposed to occur via Old St. Augustine Road.
- F. Recreation/Open Space. Recreation open space will be provided at a ratio of at least one acre of recreation open space would be provided for each 100 dwelling units developed within the project.
- G. Impact on Wetlands. Any wetlands impacts will be permitted and mitigated in accordance with the requirements of the St. Johns River Water Management District and/or the U.S. Army Corps of Engineers, as applicable.
- H. Listed Species Regulations. Development of the project will comply with the Endangered Species Act and other laws concerning the protection of listed species.

I. Off-Street Parking & Loading Requirements. Parking shall be provided in accordance with Part 6 of the Zoning Code.

J. Sidewalks, Trails and Bikeways. Sidewalks will be provided in accordance with the requirements of the Comprehensive Plan.

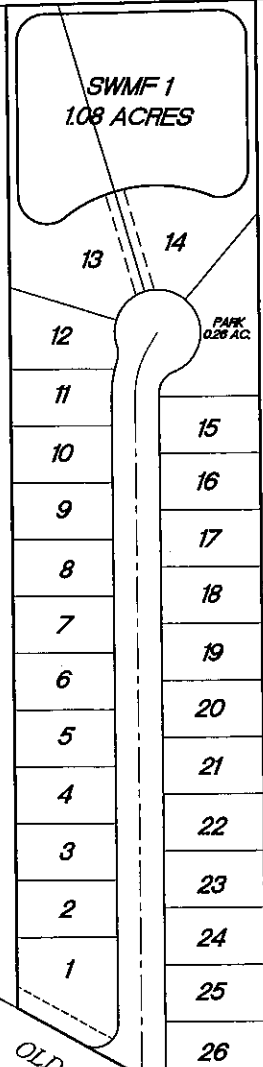
K. Stormwater Retention. Stormwater treatment facilities will be designed and installed in accordance with the rules of the St. Johns River Water Management District.

L. Utilities. Utilities will be provided by JEA.

Other Information Requested by the Planning and Development Department: N/A

Existing Site Characteristics. The Property is generally flat and is a residential homestead.

SWEETWATER CREEK UNIT 1 PUD

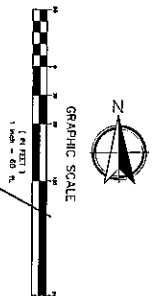


RR-ACRE

RR-ACRE

OLD ST. AUGUSTINE ROAD

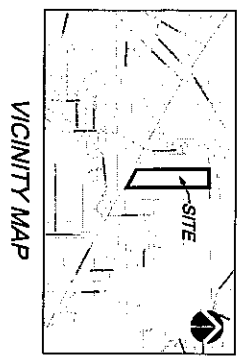
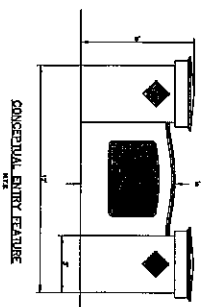
PUD



- DATA SUMMARY**
1. TOTAL OF ANTICIPATED PHASES/UNITS - 1
 2. TOTAL SITE AREA - 8.81 ACRES
 3. TOTAL ACRES PROVIDED FOR RECREATION AREA - 0.26 ACRES
 4. TOTAL ACRES FOR PARKING - 0.26 ACRES
 5. TOTAL RESIDENTIAL - 5.53 ACRES
 6. NUMBER OF LOTS AND DWELLING UNITS - 26 LOTS
 7. NUMBER OF BUILDINGS WITH SQUARE FOOTAGE - N/A
 8. NUMBER OF BUILDINGS WITH SQUARE FOOTAGE - N/A
 9. NUMBER OF PARKING SPACES PER SECTION 656.604 - N/A
 10. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 11. MINIMUM YARD REQUIREMENTS
 12. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 13. FRONT YARD - 5 FEET
 14. REAR - 10 FEET
 15. SIDE - 5 FEET
 16. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 17. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 18. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 19. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 20. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 21. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 22. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 23. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 24. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 25. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 26. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %

12. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 13. FRONT YARD - 5 FEET
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 25. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %
 26. PERCENT OF BUILDING COVERAGE TO LOT AREA - 45 %

TYPICAL LOT SIZE - 60'x100' (MIN.)
 TOTAL NUMBER OF LOTS - 26 LOTS



LEGAL DESCRIPTION
 PART OF GOVERNMENT LOT 5, SECTION 15, TOWNSHIP 4 SOUTH RANGE 27 EAST
 DUAL COUNTY, FLORIDA.

EMMA FLOOD ZONE INFO
 THE PROPERTY SHOWN HEREON LIES WITHIN ZONE "X" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBER 1231004AH, MAP REVISED DATE 08/12/2013.

NORTH FLORIDA ENGINEERING SERVICES, INC.
 CERTIFICATION # 20085
 263 River Hills Drive, Jacksonville, FL 32216 (904) 737-0971
 1164 (904) 390-6372 (email info@nfes.com) (web www.nfes.com)
 MICHAEL R. LOFT
 P.E.

BAKER TRUST P.U.D.

SITE PLAN

NO.	REVISIONS	DATE

DATE: 10/20/14

Land Use Table
Baker Trust PUD

Use	Acreage	% of Total Lands	Max. Density
Single Family Residential	5.53	81.2%	26 units, = 3.8 units/ac
Active Open Space	1 acre per 100 dwelling units (= 0.26 ac)	3.8%	n/a
Passive Open Space	0 (included in residential acreage)	0	n/a
Public and private rights-of-way	1.02 +/-	15%	n/a
Maximum coverage of buildings and structures at ground level	n/a	45% of developed lots	n/a
Total	6.81	100%	n/a

10/24/14

PREPARED BY & RETURN TO:
Jean C. Coker, P.A.
6622 Southpoint Drive South, Suite 160
Jacksonville, Florida 32216

Doc# 2000178661
Book: 9704
Pages: 1847 - 1849
Filed & Recorded
08/07/2000 04:40:12 PM
HENRY W COOK
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 2.00
RECORDING STAMP \$ 0.70
RECORDING \$ 13.00

Preparer has not examined the title to the property described herein, no warranty or other representation is made, and no opinion is expressed or implied as to the ownership of the property, the condition of its title, its quality, the location of its boundaries, or the existence of any liens, unpaid taxes or encumbrances affecting it.

WARRANTY DEED TO TRUSTEE OF LIVING TRUST

THIS DEED TO LIVING TRUST, signed on July 26, 2000, by and between MARTHA IMLER BAKER, formerly known as MARTHA N. IMLER, whose address is 12167 St. Augustine Road, Jacksonville, Florida 32258-2129, hereinafter referred to as "Grantor", and MARTHA IMLER BAKER as Trustee of the MARTHA IMLER BAKER REVOCABLE LIVING TRUST dated July 26, 2000, whose address is 12167 St. Augustine Road, Jacksonville, Florida 32258-2129, hereinafter referred to as "Trustee".

WITNESSETH: That the Grantors, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell and convey to Trustees, and Trustees' successors and assigns, all Grantors' interest in the property located in Duval County, Florida, described on Schedule A attached hereto and by this reference made a part hereof.

AND, the Grantor hereby covenants: (1) that the Grantor is lawfully seized of the property in fee simple; (2) that the Grantor has the right to convey the property to Trustee; (3) that the Trustee shall have quiet enjoyment of the property; (4) that the Grantor fully warrants and will defend the title to the property against the lawful claims of all persons whomsoever; and (5) that the property is free of all encumbrances, except covenants, restrictions and easements of record and taxes accruing subsequent to December 31, 1999.

WILLIAM J. IMLER and MARTHA IMLER BAKER were continuously married from prior to August 7, 1964, the date they acquired the property until May 23, 1987, the date of WILLIAM J. IMLER's death.

NOTE TO PROPERTY APPRAISER: The Grantor confirms that under the terms of the trust referred to above, the Grantor has not less than a beneficial interest for life and is entitled to the homestead tax exemption pursuant to the provisions of Florida Statute §196.041(2). FOR AD VALOREM TAX PURPOSES, THIS PROPERTY IS AND REMAINS THE HOMESTEAD OF THE GRANTOR, MARTHA IMLER BAKER.

TOGETHER WITH all appurtenances, privileges, rights, interest, dower, reversions, remainders and easements thereunto appertaining;

TO HAVE AND TO HOLD the property with the following powers and for the following uses and purposes:

1. The Trustee is vested with full rights of ownership over the above described property and Trustee is specifically granted and given the power and authority:
 - a. To protect and conserve the property and improvements located thereon and to pay the taxes assessed thereon;
 - b. To sell the property, for cash or on credit, at public or private sale, to exchange the property for other property and to grant options to sell the property, and to determine the price and terms of sales, exchanges and options;
 - c. To sign leases and subleases for terms as long as 20 years, to subdivide or improve the property and tear down or alter improvements, to grant easements, give consent and make contracts relating to the property or its use and to release or dedicate any interest in the property;
 - d. To borrow money and to mortgage, pledge or encumber any or all of the property to secure payment thereof;
 - e. To manage, control and operate the property, to collect the rents, issues and profits, to pay all expenses thereby incurred, and in addition, to manage and operate any business that may now or hereafter be operated and maintained on the property, and in general, to exercise any powers authorized by the provisions of Chapter 737, Florida Statutes, as amended from time to time;
 - f. The Trustee's liability hereunder, under the Trust Agreement or by operation of law to any person, firm or corporation is limited to the trust assets and the Trustee shall not become individually or personally obligated in any manner related thereto.

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2. The Trustee shall hold the property and make distributions of the property or of the proceeds derived therefrom in accordance with the terms and conditions of the Trust Agreement described above and any amendments thereto.

3. By its acceptance of this conveyance, the Trustee covenants and agrees to do and perform the duties, acts and requirements in the Trust Agreement.

4. No purchaser, grantee, mortgagee, lessee, assignee or any other person dealing with the Trustee needs see to the application of any proceeds of any sale, lease, mortgage or pledge, but the receipt of the Trustee shall be a complete discharge and acquittance therefor. Any and all persons, including but not limited to grantees, mortgagees, lessees, transferees and assigns dealing with the Trustee need not inquire into the identification or status of any beneficiary under this deed or any collateral instrument nor inquire into or ascertain the authority of such Trustee to act and exercise the powers granted by this deed or of the adequacy or disposition of any consideration paid to the Trustee nor inquire into the provisions of the unrecorded Trust Agreement and any amendments thereto.

5. Each and every power hereinabove set forth may be exercised by any Trustee acting alone. If at any time there is more than one Trustee, any document signed by one Trustee or any act taken by one Trustee shall be binding upon the trust and all of the Trustees as fully and completely as if all Trustees had signed the document or taken the action.

6. Any successor Trustee shall have all of the title, powers and discretion herein given to the original Trustee, without any act of conveyance or transfer. A certificate signed by any Trustee or any successor Trustee and acknowledged before a notary public shall be conclusive evidence upon all persons and for all purposes of the facts stated in the certificate representing the terms of the trust and the identity of the Trustees who from time to time are serving under it.

IN WITNESS WHEREOF, the Grantor has signed this Warranty Deed to Trustee on the day and year first above written.

Signed, sealed and delivered in the presence of:


Witness: DEAN C. COKER


Witness: DIANA M. LEN
As to Grantor


MARTHA IMLER BAKER
Grantor

STATE OF FLORIDA
COUNTY OF DUVAL

This deed was acknowledged before me on July 26, 2000, by MARTHA IMLER BAKER, formerly known as MARTHA N. IMLER () who is personally known to me or (x) who has produced a current Florida drivers license as identification.




 Phyllis M Alexander
My Commission CC846005
Expires June 13, 2003

EXHIBIT "A" TO DUVAL COUNTY DEED

My home located at 12167 St. Augustine Road, Jacksonville, Florida 32258-2129, more particularly described as follows:

A parcel of land lying in Government Lot 5, Section 15, Township 4 South, Range 27 East, Duval County, Florida, said parcel being more particularly described as follows: - For point of reference commence at the intersection of the West line of said Government Lot 5 (West line of Section 15) with the Northeasterly right-of-way line of Old St. Augustine Road, and run South $61^{\circ}34'00''$ East, along said Northeasterly right-of-way line of Old St. Augustine Road, a distance of 500.0 feet to an iron pipe for the Point of Beginning.

From the Point of Beginning thus described continue South $61^{\circ}34'00''$ East, along said Northeasterly right-of-way line, a distance of 300.0 feet to an iron pipe; run thence North $0^{\circ}44'50''$ West, parallel with said West line of Government Lot 5, a distance of 1208.73 feet to an iron pipe in the North line of said Government Lot 5; run thence South $88^{\circ}08'20''$ West along said North line, a distance of 262.0 feet to an iron pipe; run thence South $0^{\circ}44'50''$ East, parallel to said West line of Government Lot 5, a distance of 1057.37 feet to the point of beginning, containing 6.81 acres, more or less.

Duval County Real Estate Tax Assessment Number: 157213-0000-3

