

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2016-0577 TO**

**PLANNED UNIT DEVELOPMENT**

**NOVEMBER 17, 2016**

***Location:*** 9670 Kevin Road,  
between Sunbeam Road & Kevin Road

***Real Estate Number:*** 149030-0050

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

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Southeast, District 3

***Planning Commissioner:*** Daniel Blanchard

***City Council District:*** The Honorable Matt Schellenberg, District 6

***Applicant/Agent:*** Nate Day / H. Smith, Inc.  
1 San Jose Place, Suite 7  
Jacksonville, FL 32257

***Owner:*** Nicholas Conte  
22 Dogwood Dr.  
Middlesex, NJ 08846

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2016-0577 seeks to rezone 71.48 Acres from Rural Residential-Acre (RR-Acre) to Planned Unit Development (PUD). The property is a large tract of undeveloped land, with a large concentration of wetlands along the north and west portions of the property. The site is located in the Low Density Residential land use category of the 2030 Comprehensive Plan. The site is within the Suburban Development Area and is surrounded on two sides by single family residential development. The property has multiple

potential access points, and would be served by central water and sewer, should the site develop. It is anticipated that the site, with the approval of this application, will be developed with single family homes.

**PUD DEVELOPMENT CRITERIA - PROPOSED BY APPLICANT**

<b>Existing development:</b>	Undeveloped
<b>Total acres:</b>	71.48 Acres
<b>Proposed development:</b>	Single Family Development
<b>Minimum lot size:</b>	5,000 Square Feet
<b>Yard setbacks:</b>	Front: 1. <input type="checkbox"/> From Building Face: ten (10) feet 2. <input type="checkbox"/> From Garage Face: twenty (20) feet Side: five (5) feet Rear: ten (10) feet
<b>Maximum lot coverage:</b>	50%
<b>Maximum building height:</b>	35 Feet
<b>Landscaping:</b>	The Applicant shall ensure the proper maintenance of all common areas, lawns, and landscaping to be funded by mandatory homeowners association dues.
<b>Signs:</b>	The PUD shall be permitted one double-faced or two single-faced externally-illuminated monument sign(s), not to exceed twenty-four (24) square feet in area per sign face and twelve (12) feet in height, at the entrance.

**CRITERIA FOR REVIEW**

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 thereof shall evaluate and consider the following criteria in evaluation and consideration of an application for rezoning to Planned Unit Development district:

*(1) Consistency with the Comprehensive Plan*

In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) land use category according to the Future Land Use Map series (FLUMs) adopted as part of the

2030 Comprehensive Plan. A description of the category follows:

**LDR Category:** This category includes residential developments in a density range of up to seven dwelling units per acre when full urban services are available. Generally, single family dwellings will be the predominant land use in this category. The proposed PUD would be substantially similar to the RLD-50 District, which is a primary Zoning District in the LDR land use.

The proposed rezoning is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

**Objective 2.5:** Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

**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.

**Policies 3.1.1:** The City shall develop through the Planning and Development Department an incentive program to promote infilling of residential development on vacant land designated for residential use on the Future Land Use Map series. These incentives will be reflected in the Zoning Code of the City's Land Development Regulations.

**Policy 3.1.6:** The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

**Objective 6.3:** The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The property is located in the Mandarin area south of Sunbeam Road, and north and west of Hood Rd. The site is abutting the old Sunbeam landfill, which is a Brownfield site. The

property is surrounded by residential subdivisions on the south and east side of the property. The property is in the Airport Height Restrictions Zone and contains wetlands. The site is appropriate for infill residential development and therefore consistent with Policies 3.1.1 and 3.1.6 and Objective 6.3. The subject site is in an area identified with septic failure. However, the project will use central water and sewer. The rezoning application includes a JEA service availability letter for the subject site regarding electric, potable water, and sanitary sewer services meeting the need of Policy 1.2.9 of the Future Land Use Element. The site is located within the 300 and 500 foot Height and Hazard Zone for the NAS Airport. The Zoning Code limits development to a maximum height of less than 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration; however, the PUD would limit all structures to 35 feet in height, well below the 300 maximum. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.10051(d).

#### Wetlands

The subject property has Category III medium functional value wetlands. A review of the SJRWMD permit site did not show any permits were issued for this property.

The proposed project of the site must meet the requirements of Goal 4 of the Conservation Coastal Management Element (CCME) of the Comprehensive Plan to achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term, improve the water quality, and improve fish and wildlife values of wetlands. Other requirements for development in wetlands should include the performance standards of Policy 4.1.3 to encroach in the least damaging manner and to protect floodplains. Policy 4.1.6 permits residential development subject to consistency with performance standards stated in Policy 4.1.3 and compliance with those standards will be reviewed during the permitting process. The applicant is required to submit either a high density wetlands survey, or a site plan due to the high potential for wetland impact

**Goal 4:** To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

**Objective 4.1:** The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes.

**Policy 4.1.3:** The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) Encroachment: Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and
- (b) No net loss Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
  - i the habitat of fish, wildlife and threatened or endangered species,
  - ii the abundance and diversity of fish, wildlife and threatened or endangered species,
  - iii the food sources of fish and wildlife including those which are threatened or endangered,
  - iv the water quality of the wetland, and
  - v the flood storage and flood conveyance capabilities of the wetland; and
- (c) Floodplain protection Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and
- (d) Stormwater quality in the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:
  - i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
  - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) Septic tanks Septic tanks, drainfields and/or greywater systems are located outside the Category I, II , or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these

- facilities; and
- (f) Hydrology The design of the fill shall include measures to maintain the wetlands hydrology of the site.

**Policy 4.1.6:** The permitted uses within Category III wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs)

- (1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:
- (a) Silvicultural uses, provided the following standards are met: Best Management Practices: Silviculture Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.
- (b) Agricultural uses, provided the following standards are met: Best Management Practices: Agriculture Such activities are to be in compliance with Chapter 40C-44, F.A.C.
- (2) Any use that can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

**Policy 4.1.7:** High intensity wetlands surveys shall be submitted for all land use amendments where City data indicates potential existence of wetlands on the subject site. Rezoning and site plan applications shall include high intensity wetlands surveys where City data indicates potential existence of wetlands on the subject site and where there is a high potential for wetland impact. For the purposes of this policy, a high intensity wetlands survey shall include the location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Land Use amendments to the Conservation Future Land Use Category are exempt from this requirement.

**Policy 4.1.10:** In determining whether an encroachment in the wetland is the least damaging to the wetland and that no practicable on-site alternative exists, the City shall evaluate the following prior to the issuance of a final development order:

- (a) the land use category according to the Future Land Use Map series (FLUMs) and existing zoning of the site and surrounding

parcels; and

- (b) alternative designs which could accomplish the purposes of the development including the encroachment on the wetland of such alternative designs; and
- (c) the wetland functions being served by the area proposed to be encroached upon.

**Policy 4.1.11:** Mitigation shall be considered only as a last resort, and only if it is determined that encroachment in the wetland is the least damaging alternative and no practicable onsite alternative exists. Such mitigation activities should replace similar habitat and function, and shall result in no net loss of wetland functions and shall be subject to all applicable local, State and Federal permitting and regulations.

Based on the PUD site plan, which meets the requirements of Policy 4.1.6, it is possible to determine that the development will result in minimal impact on the Class III wetlands. The majority of the development will be limited to areas outside the larger wetland area. The proposed site plan demonstrates compatibility with Goal 4, and Policies 4.1, 4.1.3 and 4.1.6.

Based on the proposed site plan's clustering of lots outside the wetland area, staff finds that the proposed rezoning is consistent with the Conservation Coastal Management Element of the 2030 Comprehensive Plan. Based on the information provided, staff also finds that the proposed subdivision is compatible with Policies 4.1.10 and 4.1.11. The proposed lot size and setback reductions requested in the PUD would be justified, in that the net gain in protection of the noted wetland area would be a larger benefit to the community and serve the public interest. The clustering of the proposed lots outside the wetland area creates constraints on development that would be alleviated by this smaller lot size and reduced front setbacks.

Final compliance with these Goals and Policies will be required at the 10-Set review stage of development, by the Development Services Division of the Planning and Development Department.

*(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 prior to development approvals.

*(3) Allocation of residential land use*

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. The proposed lot size would aid the applicant in clustering the development outside the wetland areas, which would be consistent with the above mentioned policies of the comprehensive plan.

(4) *Internal compatibility*

The written description and accompanying site plan of the intended development indicate that internal compatibility will be achieved in several ways:

Recreational/Open Space:

Unless otherwise approved by the Planning and Development Department, recreational open space (including active recreational facilities such as playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, walking/activity trails and similar uses) shall be provided at a ratio of a minimum of 150 square feet per lot.

Access:

Access to the site will be from Kevin Road only. As indicated on the Site Plan, the Property will have one access point. The design of the access point and internal roads 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 road will be dedicated to the City. No access shall be permitted from Reed Road or Dovetail Court/Drive.

The treatment of pedestrian ways

The written description denotes the following for pedestrian access and sidewalks:

*The site will be developed with an internal sidewalk system. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department. External sidewalks will be provided consistent with the Comprehensive Plan.*

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

As noted above, the setbacks for primary structures will be substantially similar to the RLD-50 requirement, with the exception of a reduced front setback of 10 feet for the face of the primary structure, but a required 20 foot front setback for the face of the garage.

There will be a ten (10) foot wide natural, undisturbed buffer along the east and south boundaries of the Property where it currently borders existing single family residential neighborhoods. There will also be a minimum six (6) foot high, 95% opaque fence installed along the east and south boundaries of the Property where proposed lots will back



up to existing single family homes. Buffering will be consistent with the requirements of Section 656.1222 of the Zoning Code.

The use of existing and proposed landscaping

The PUD will be landscaped in accordance with Part 12 of the City's Zoning Code.

(5) *External Compatibility*

The written description and accompanying site plan of the intended plan of development indicates that external compatibility will be achieved as noted.

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:

As noted in the previous section, there will be a required 10 foot wide, natural vegetative buffer provided along the eastern and southern boundaries of the project, adjacent to the existing, surrounding single family residences. Additionally, the western half of the project site is located in class III wetlands, and will remain undisturbed and left in their natural state. This will provide a large buffer to any adjacent uses to the west.

The adjacent uses and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RPI	RLD-60	Single Family
East	LDR	RR-Acre / RLD-90	Single Family
South	LDR	RR-Acre / PUD	Single-family/ Undeveloped
West	PBF	PUD	Former Landfill

(6) *Intensity of Development*

The proposed development is consistent with the LDR functional land use category meeting the criteria of a single family subdivision. The proposed project will be substantially similar to the RLD-50 zoning district, with lots having a minimum area of 5,000 square feet, a minimum lot width of 50 feet, and an overall density less than 3 units per acre. This is well within the maximum density of 7 units to the acre allowed in the LDR functional land use category.

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

Surrounding this property is a mix of single family lot sizes that range from over an acre in the RR-Acre zoned properties, to approximately 10,000 square feet, in the Natures Woods subdivision to the east, zoned RLD-90, to as small as 8,000 square feet for properties located in

the Blackwood Forest PUD to the south.

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

The site will be served by city sewer and water, as noted in the JEA service availability letter.

Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety:

The public health, welfare and safety would be best served by the density noted in the written description and siteplan, by increasing the efficiency and economy of land use, infrastructure expenses, land allocation, and the preservation of the substantial wetland area by clustering the proposed 145 lots and allowing for the reduced setbacks and lot size.

*(7) Usable open spaces plazas, recreation areas.*

As noted above, the written description states that:

*Unless otherwise approved by the Planning and Development Department, recreational open space (including active recreational facilities such as playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, walking/activity trails and similar uses) shall be provided at a ratio of a minimum of 150 square feet per lot.*

*8) Impact on wetlands*

There are substantial wetlands noted on the subject property. The development will be required to meet the requirements of the St. Johns River Water Management District (SJRWMD) and the U.S. Army Corps of Engineers. Additionally, based on the proposed site plan, the proposed project will cluster the residential lots outside the wetland areas, thus minimizing impacts on these sensitive areas.

*(9) Listed species regulations*

As noted in the provided report, there are no noted species of concern, and the report summery notes that no evidence of such s were noted either. It is also noted, that, if during construction such species are found then mitigation measures may be recommended by FFWCC or USFWS.

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

According to the written description of the intended plan of development off-street parking will be provided in accordance with part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

The Property shall be designed to function efficiently for both cars and pedestrians, including sufficient internal and external connectivity. Sidewalks shall provide safe linkages between the users and amenities within the Property and will be constructed as required under the City of Jacksonville 2030 Comprehensive Plan and Jacksonville Ordinance Code (September 2015). Site lighting shall be designed to promote a sense of security in walkways, parking areas, open spaces, entrances, and along streets.

### SUPPLEMENTAL INFORMATION

It should be noted that upon visual inspection of the subject property on October 30, 2016 by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



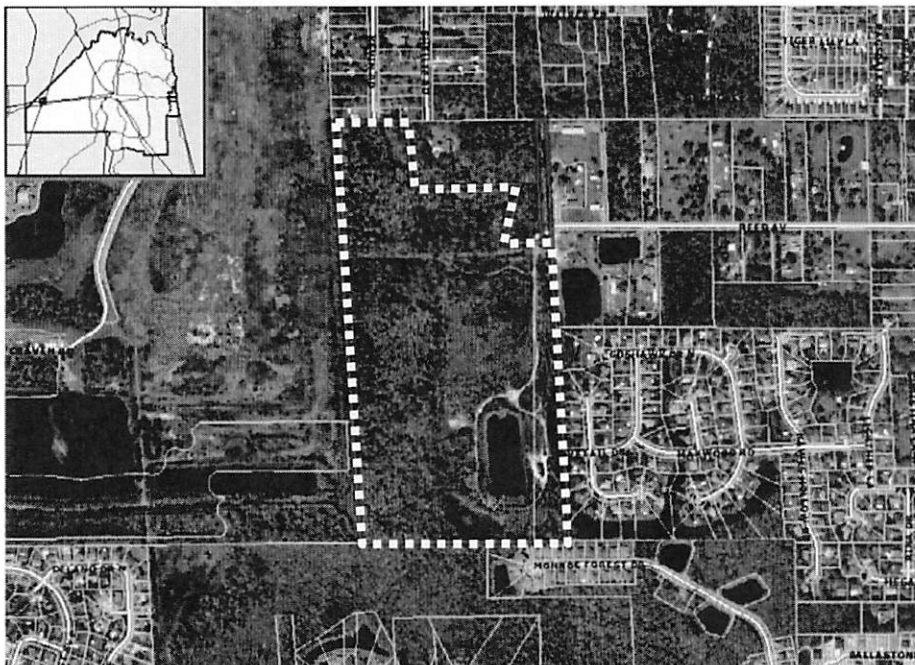
### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2016-0577 be **APPROVED** with the following exhibits:

1. The original legal description dated October 13, 2016
2. The original written description dated October 24, 2016.
3. The original site plan dated October 24, 2016.
4. The Listed Spices report dated October 24, 2016

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2016-0577 be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. No access shall be permitted from Reed Road or Dovetail Court/Drive.
2. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.



**Aerial**

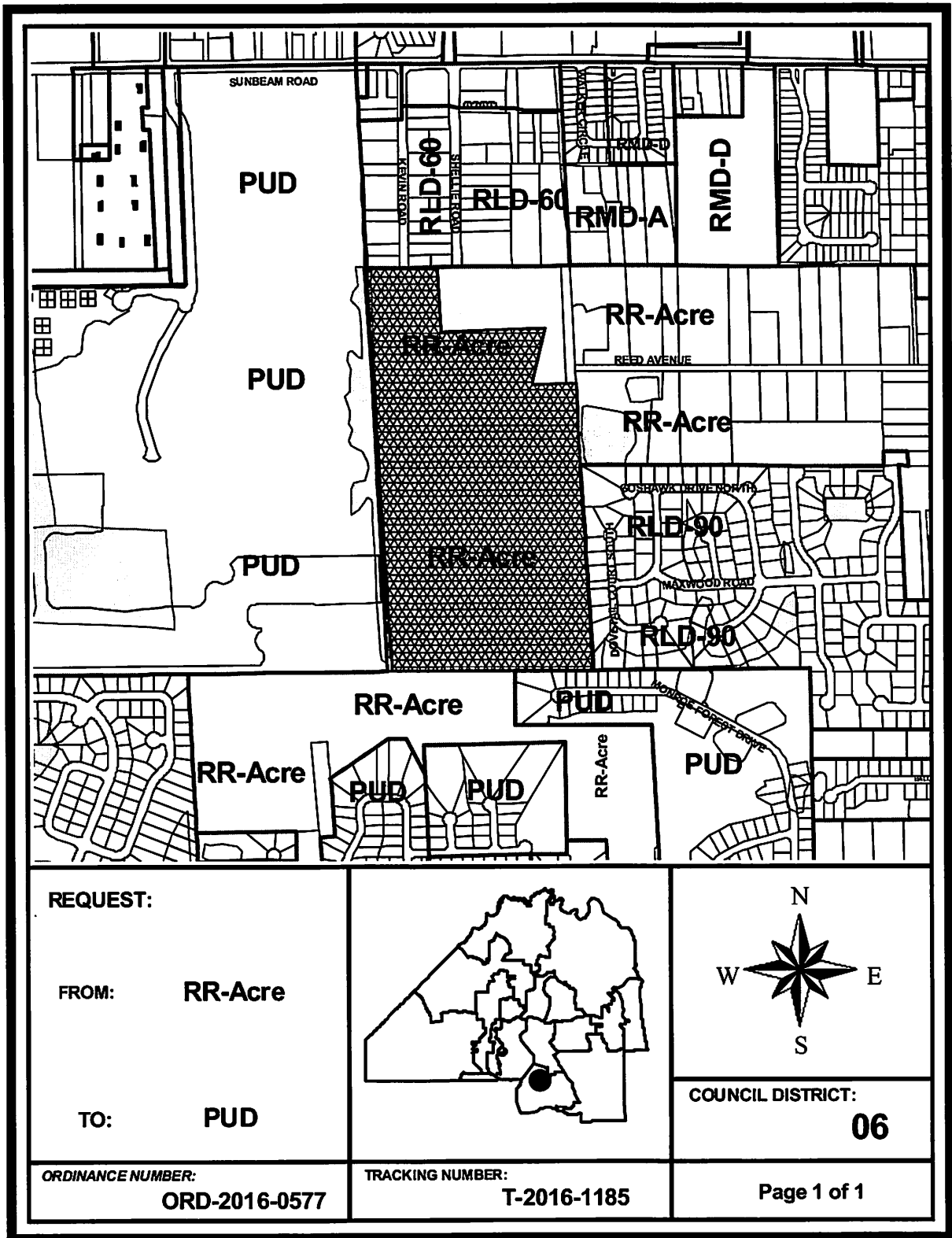
*Source: Staff, Planning and Development Department  
Date: October 30, 2016*



**Subject site, as viewed from Kevin Road**

*Source: Staff, Planning and Development Department*

*Date: October 30, 2016*



### Application For Rezoning To PUD

#### Planning and Development Department Info

**Ordinance #** 2016-0577 **Staff Sign-Off/Date** N/A / N/A  
**Filing Date** N/A **Number of Signs to Post** 2  
**Hearing Dates:**  
**1st City Council** 11/22/2016 **Planning Commission** 11/17/2016  
**Land Use & Zoning** 12/06/2016 **2nd City Council** N/A  
**Neighborhood Association** GREATER HOOD NEIGHBORHOOD ASSOCIATION  
**Neighborhood Action Plan/Corridor Study** NONE

#### Application Info

**Tracking #** 1277 **Application Status** FILED COMPLETE  
**Date Started** 10/13/2016 **Date Submitted** 10/13/2016

#### General Information On Applicant

**Last Name** DAY **First Name** JOHN **Middle Name** NATE  
**Company Name**  
 H. SMITH, INC.  
**Mailing Address**  
 1 SAN JOSE PLACE, SUITE 7  
**City** JACKSONVILLE **State** FL **Zip Code** 43357  
**Phone** 9042689990 **Fax** 904 **Email** NDAY@HSMITH-INC.COM

#### General Information On Owner(s)

**Check to fill first Owner with Applicant Info**

**Last Name** CONTE **First Name** NICHOLAS **Middle Name**  
**Company/Trust Name**  
**Mailing Address**  
 22 DOGWOOD DR  
**City** MIDDLESEX **State** NJ **Zip Code** 08846  
**Phone** 9088121099 **Fax** **Email**

**Last Name** CONTE **First Name** MARY **Middle Name** LYNN  
**Company/Trust Name**  
**Mailing Address**  
 9906 CHRIS CRAFT COURT  
**City** TAMPA **State** FL **Zip Code** 33615  
**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 149030 0050	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)** 71.48

**Development Number**

**Proposed PUD Name** KEVIN ROAD

**Justification For Rezoning Application**

SEE WRITTEN DESCRIPTION

**Location Of Property**

**General Location**

END OF KEVIN ROAD OFF OF SUNBEAM ROAD

House #	Street Name, Type and Direction	Zip Code
9670	KEVIN RD	32257

**Between Streets**

SUNBEAM ROAD and KEVIN ROAD

**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

- |  |                 |
|--|-----------------|
| <b>1) Rezoning Application's General Base Fee:</b>                     | \$2,269.00      |
| <b>2) Plus Cost Per Acre or Portion Thereof</b>                        |                 |
| <b>71.48 Acres @ \$10.00 /acre:</b>                                    | \$720.00        |
| <b>3) Plus Notification Costs Per Addressee</b>                        |                 |
| <b>76 Notifications @ \$7.00 /each:</b>                                | \$532.00        |
| <b>4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):</b> | <b>\$532.00</b> |

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

# ORDINANCE

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## Legal Description

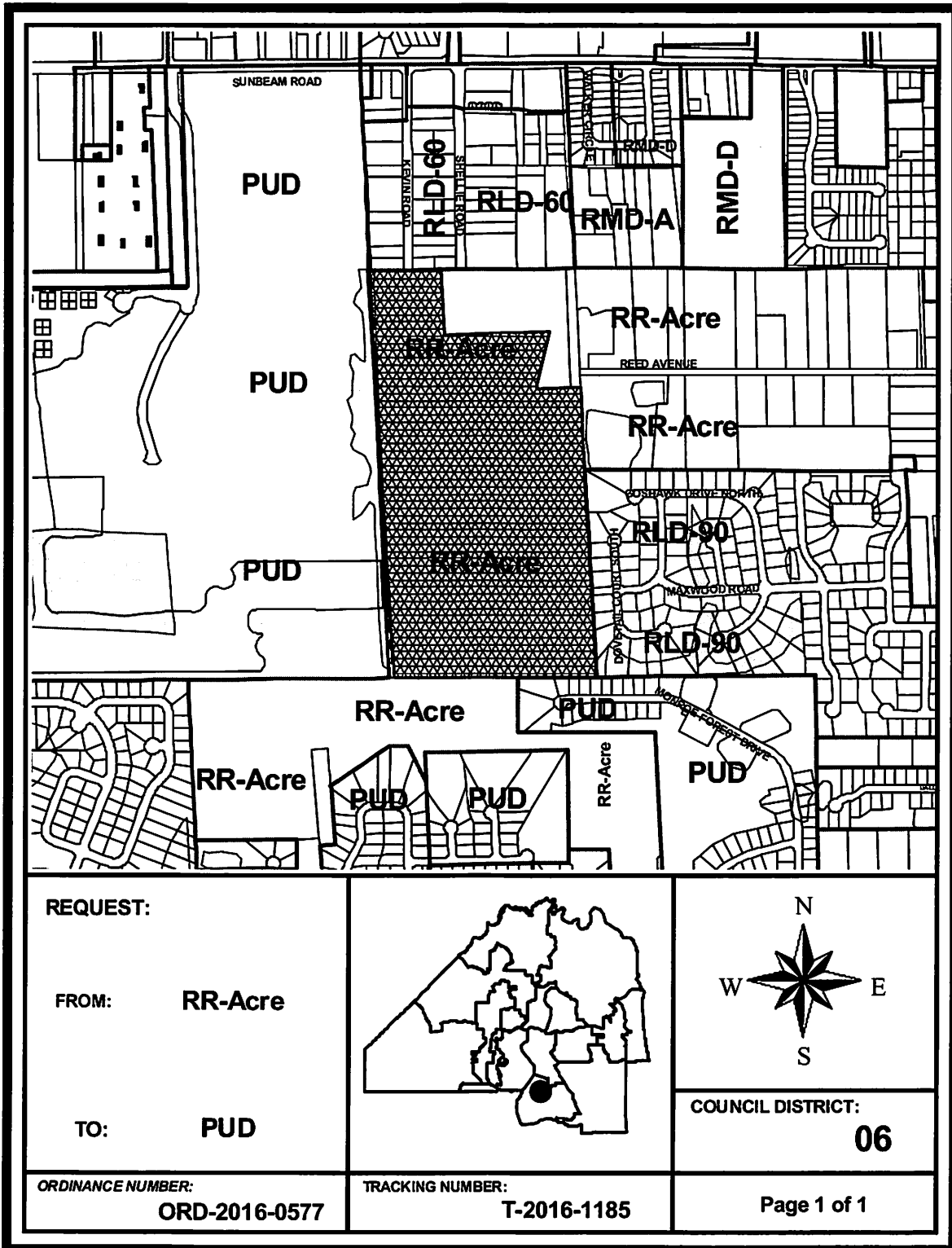
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BEGINNING AT THE NORTHWEST CORNER OF NATURES WOODS SUBDIVISION, PLAT BOOK 42, PAGE 81B, AS RECORDED IN THE CURRENT PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE SOUTH 03°23'05" EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 1337.13 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE SOUTH 89°44'49" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1342.25 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 03°31'06" WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, A DISTANCE OF 1319.50 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 03° 31'28" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, A DISTANCE OF 1319.13 FEET TO THE SOUTHWEST CORNER OF PEGGYVILLE SUBDIVISION, AS RECORDED IN PLAT BOOK 16, PAGE 11, OF THE CURRENT PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE NORTH 88°03'32" EAST, ALONG SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 491.00 FEET; THENCE SOUTH 03° 21'28" EAST, A DISTANCE OF 427.88 FEET; THENCE NORTH 88°13'21" EAST, A DISTANCE OF 687.17 FEET; THENCE SOUTH 14°11'17" WEST, A DISTANCE OF 352.25 FEET; THENCE SOUTH 04°27'43" EAST, A DISTANCE OF 32.88 FEET; THENCE NORTH 88°13'21" EAST, A DISTANCE OF 194.07 FEET; THENCE NORTH 05°34'32" WEST, A DISTANCE OF 140.85 FEET; THENCE NORTH 03°42'06" WEST, A DISTANCE OF 661.25 FEET; THENCE NORTH 88°03'32" EAST, A DISTANCE OF 60.03 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 4, REED'S SUBDIVISION, PLAT BOOK 7, PAGE 3 OF THE CURRENT PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE SOUTH 03°42'06" EAST, ALONG THE WEST LINE OF SAID LOT 4 OF REED'S SUBDIVISION, A DISTANCE OF 658.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4 OF REED'S SUBDIVISION; THENCE SOUTH 05°34'32" EAST, A DISTANCE OF 683.73 FEET TO THE POINT OF BEGINNING.

**October 13, 2016**

**EXHIBIT 1**  
**Page 1 of 1**

EXHIBIT 2



**EXHIBIT A - Property Ownership Affidavit**

Date: 6-10-16

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

Re: Property Owner Affidavit for the following site location: 0 Shelle Road (RE: 149030 0050)

To Whom It May Concern:

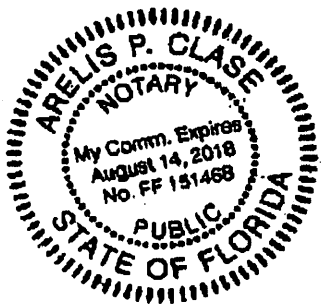
I, Mary Lynn Conte, hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for \_\_\_\_\_ submitted to the Jacksonville Planning and Development Department.

Mary Lynn Conte  
Mary Lynn Conte

STATE OF Florida

COUNTY OF Hillsborough

Sworn to and subscribed and acknowledged before me this 10<sup>th</sup> day of June, 2016, by Mary Lynn Conte, who  is personally known to me or  produced Florida DL as identification.



Arelis P. Clase  
(Signature of NOTARY PUBLIC)

Arelis P. Clase  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 08/14/2018

**EXHIBIT A - Property Ownership Affidavit**

Date: 6/14/16

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

Re: Property Owner Affidavit for the following site location: 0 Shellie Road (RE: 149030 0050)

To Whom It May Concern:

I, Nicholas Conte, hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for \_\_\_\_\_ submitted to the Jacksonville Planning and Development Department.

Nicholas J. Conte  
Nicholas Conte

STATE OF New Jersey

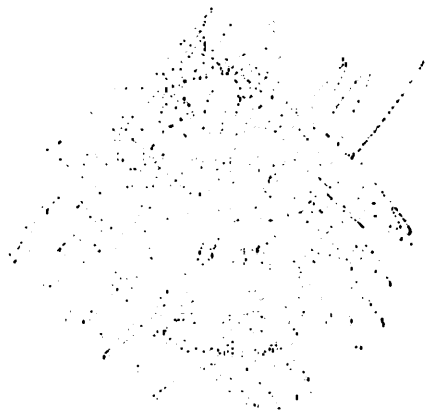
COUNTY OF Middlesex

Sworn to and subscribed and acknowledged before me this 14<sup>th</sup> day of JUNE 2016, by Nicholas Conte, who  is personally known to me or  produced Driver's License as identification.

[Signature]  
(Signature of NOTARY PUBLIC)

SUNIL PAMNANI  
(Printed name of NOTARY PUBLIC)

State of Florida at Large. **SUNIL PAMNANI**  
My commission expires. **NOTARY PUBLIC OF NEW JERSEY**  
**I.D. # 2350959**  
**My Commission Expires 10/11/2018**



**EXHIBIT B - Agent Authorization Affidavit- Property Owner**

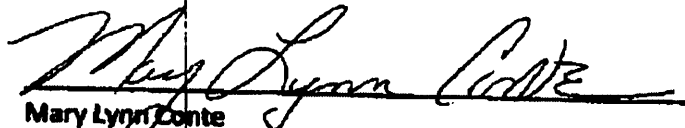
Date: 6-10-16

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

Re: Agent Authorization for the following site location: Q Shelle Road (RE: 149030 0050)

To Whom It May Concern:

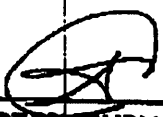
You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers H. Smith, Inc., Rogers Towers, P.A. and John N. Day to act as agent to file application(s) for rezoning from PUD to PUD for the above-referenced property and in connection with such authorization to file such applications, papers, documents; requests and other matters necessary for such requested change.

  
Mary Lynn Conte

STATE OF Florida  
COUNTY OF Hillsborough

Sworn to and subscribed and acknowledged before me this 10<sup>th</sup> day of June 2016, by Mary Lynn Conte, who  is personally known to me or  produced Florida Driver license as identification.



  
(Signature of NOTARY PUBLIC)  
Arelis P. Clase  
(Printed name of NOTARY PUBLIC)  
State of Florida at Large.  
My commission expires: 08/14/18

**EXHIBIT B - Agent Authorization Affidavit- Property Owner**

Date: 6/14/16

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

Re: Agent Authorization for the following site location: D Shellie Road (RE: 149030 0050)

To Whom It May Concern:

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 H. Smith, Inc., Rogers Towers, P.A. and John N. Day to act as agent to file application(s) for rezoning from PUD to PUD 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.

Nicholas J. Conte  
Nicholas Conte

STATE OF New Jersey  
COUNTY OF Middlesex

Sworn to and subscribed and acknowledged before me this 14<sup>th</sup> day of JUNE  
2016, by Nicholas Conte, who  is personally known to me or  produced  
Driver's License as identification.

Sunil Pamnani  
(Signature of NOTARY PUBLIC)

SUNIL PAMNANI  
(Printed name of NOTARY PUBLIC)

State of Florida at Large. **SUNIL PAMNANI**  
My commission expires: **NOTARY PUBLIC OF NEW JERSEY**  
**I.D. # 2350939**  
**My Commission Expires 10/11/2018**

# EXHIBIT C

## Binding Letter

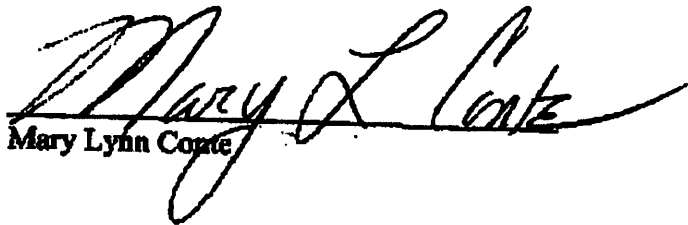
City of Jacksonville  
Planning and Development Department Jacksonville,  
Florida 32202

RE: 0 Shellie Road (RE: 149030 0050)

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,

  
Mary Lynn Conte

Page \_\_\_\_\_ of \_\_\_\_\_



## **EXHIBIT C**

### **Binding Letter**

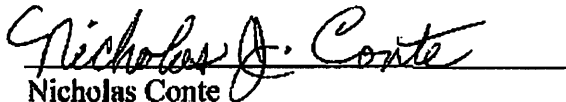
City of Jacksonville  
Planning and Development Department Jacksonville,  
Florida 32202

RE: 0 Shellie Road (RE: 149030 0050)

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,

  
Nicholas Conte

# Exhibit "D"

## Hunter's Hideaway PUD

### Written Description

Date: October 24, 2016

#### I. SUMMARY DESCRIPTION OF THE PROPERTY

- A.  Current Land Use Designation: LDR
- B.  Current Zoning District: RR-Acre
- C.  Requested Zoning District: PUD
- D.  RE #: 149030 0050
- E.  City Development Number: \_\_\_\_\_
- F.  Project Architect/Planner: N/A
- G.  Project Engineer:  
Dominion Engineering Group, Inc.  
4348 Southpoint Boulevard, Suite 204  
Jacksonville, Florida 32216
- H.  Project Developer:  
H. Smith, Inc.  
3741 San Jose Place, Suite 7  
Jacksonville, FL 32257

#### II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 72.59± acres of property from Rural Residential (RR-Acre) to Planned Unit Development (PUD). A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Revised Site Plan"). The proposed PUD rezoning permits the Property to be developed as an upscale residential community consisting of up to one hundred forty-five (145) single family detached homes.

The proposed PUD differs from the usual application of the Zoning Code for RLD-50 by reducing the front setback from 20 feet to 10 feet (20 feet for the face of the garage). The lot width, size, other setbacks and lot coverage are all the same as would be allowed under comparable traditional RLD zoning districts.

The subject property (the "Property") is currently owned by Mary Lynn Conte and Nicholas Conte and is more particularly described in the legal description attached as Exhibit "1." The Property is located at the end of Kevin Road, as shown on Exhibit "K". The land use designation of the Property is LDR in the Future Land Use Map in the City's Comprehensive Plan and is undeveloped. The gross density of 2 units per acre is consistent with the seven (7) units per acre currently permitted under the Comprehensive Plan

The property is currently vacant and is a mix of cleared uplands and pine trees with some hardwoods on the majority of the eastern part of the property, and forested wetlands on the western portion of the property. The Property's elevation slopes from the east to the west towards the wetland on the western portion.

The proposed residential product will consist of one and two story fee simple homes on a mixture of lots with integrated minimum two car garages. The proposed development of the Property will be both aesthetically and environmentally appealing. A recreational area, including but not limited to, picnic tables, benches and tot lot will be provided for the residents.

The project will be developed in two (2) phases. The first phase of construction will commence in the early part of 2017, and will consist of roughly half the lots. The second phase will commence in mid to late 2018, and will consist of the remaining lots.

Wetlands are present along the western portion of the Property, which make the clustering of the lots to the eastern side of the Property and the mixture of lot size appropriate as shown on the Revised Site Plan. A combination of buffering, landscaping and architectural controls are provided to create this integrated community and blend the proposed development into the surrounding area.

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

#### **A.□ Description of Uses.**

- 1.□ Maximum of one hundred forty-five (145) one and two story single family units with enclosed minimum two car garage;
- 2.□ Supporting amenities/recreation facilities including, but not limited to, tot lot, park and similar uses;
- 3.□ Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and land communication devices, small satellite dishes, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code.
- 4.□ Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.
- 5.□ Home occupations meeting the performance standards set forth in Part 4 of the City of Jacksonville Zoning Code.

6.□ Silva culture and other uses allowed in the RR Land Use category shall be permitted.

7.□ Land clearing and processing of land clearing debris shall be permitted on all or any portion of the Property; provided, however, land clearing debris may be processed only in conformity with applicable fire codes and other applicable chapters of the Ordinance Code.

**B.□ Permitted Accessory Uses and Structures.** Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

**C.□ Minimum Lot and Building Requirements.**

1.□ *Minimum building setback and yard requirements.* The building setbacks for all uses and structures are as follows:

a.□ Front:

(1)□ From face of garage – twenty (20) feet.

(2)□ From building face – ten (10) feet.

b.□ Side – Five (5) feet.

c.□ Rear – Ten (10) feet.

**Note:** Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, HVAC units, patios, porches, screened enclosures and other similar improvements shall be permitted within the minimum building setbacks.

2.□ *Minimum Lot Requirements.* Fifty (50) feet wide by one hundred (100) feet deep. However, cul-de-sacs, curve and corner lots will require a minimum of twenty-five (25) feet of frontage. So long as a cul-de-sac, curve or corner lot is fifty (50) feet in width at some point (not necessarily at the BRL), the structure can be built anywhere on the lot so long as required setbacks and required building restriction lines are met.

3.□ *Maximum Height of Structures.* Thirty-five (35) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

4.□ *Maximum parcel coverage by all buildings.* Fifty (50) percent.

**D.□ Common Area Landscape Maintenance.** The Applicant shall ensure the proper maintenance of all common areas, lawns, and landscaping to be funded by mandatory homeowners association dues.

E.□ **Access.** Access to the site will be from Kevin Road only. As indicated on the Site Plan, the Property will have one access point. The design of the access point and internal roads 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 road will be dedicated to the City. No access shall be permitted from Reed Road or Dovetail Court/Drive.

F.□ **Pedestrian Circulation.** The site will be developed with an internal sidewalk system. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department. External sidewalks will be provided consistent with the Comprehensive Plan.

G.□ **Recreational/Open Space.** Unless otherwise approved by the Planning and Development Department, recreational open space (including active recreational facilities such as playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, walking/activity trails and similar uses) shall be provided at a ratio of a minimum of 150 square feet per lot.

H.□ **Signage.** The PUD shall be permitted one double-faced or two single-faced externally-illuminated monument sign(s), not to exceed twenty-four (24) square feet in area per sign face and twelve (12) feet in height, at the entrance.

Directional Signs that indicate ways to and from property entrances, major buildings, common areas and key components of the development within the PUD, for drivers of vehicles, and for pedestrian users of the PUD shall be permitted throughout the PUD. The design of such Directional Signs shall be reflective of the overall character of the PUD, and may include the relevant project logo and name. Vehicle-oriented Directional Signs shall be a maximum of four (4) square feet in area per sign face. Pedestrian-oriented Directional Signs, such as "informational sidewalk kiosks," 1-, 2-, 3- or 4-sided (or cylindrical signs) shall be a maximum of four (4) square feet per side (or 16 square feet for a cylinder). Directional signs may be attached to lighting fixtures within the PUD.

Real estate signs and construction signs in compliance with Part 13 of the Zoning Code are also permitted. Signs to identify entrances to buildings that contain residential model units not to exceed twelve (12) square feet shall be permitted throughout the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

I.  **Parking and Loading Requirements.** The proposed PUD will provide integrated parking facilities to support the proposed residential community. Parking within the PUD will be provided in accordance with the City's off-street parking and loading requirements as set forth in Part 6 of the City of Jacksonville Zoning Code. The homes will have integrated two car garages, and sufficient driveway space to park one car without protruding into the internal sidewalk.

Modifications to parking requirements within the PUD may be permitted by an administrative modification.

J.  **Landscaping/Fencing/Screening.** There will be a ten (10) foot wide natural, undisturbed buffer along the east and south boundaries of the Property where it currently borders existing single family residential neighborhoods. There will also be a minimum six (6) foot high, 95% opaque fence installed along the east and south boundaries of the Property where proposed lots will back up to existing single family homes. Buffering will be consistent with the requirements of Section 656.1222 of the Zoning Code.

K.  **Stormwater Retention.** Stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District, and may include underground detention vaults.

L.  **Utilities.** Electric power, water and sewer services will be available to the site by JEA.

M.  **Temporary Uses.** Temporary sales, leasing and construction office(s) and trailers shall be allowed to be placed within the PUD.

N.  **Modifications.** Amendments to this approved PUD district may be accomplished by administrative modification, administrative deviation, by minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. PUD amendments, including administrative modification, administrative deviations, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.

O.  **Conceptual Site Plan.** The configuration of the development as depicted in the Revised Site Plan is conceptual and revisions to the Revised Site Plan, including internal circulation, location of stormwater ponds and location of recreational facilities, 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.  **Phasing.** Upon approval of the construction plans for the infrastructure improvements within the PUD, the Applicant may seek and obtain building permits for the construction of the residential and recreational buildings within the PUD prior to the recordation of the plat(s) for the subdivision.

#### IV. PUD REVIEW CRITERIA

A.  **Consistency with Comprehensive Plan.** The Property is currently within the RR land use category, which permits residential development at a density of up to 2 units per acre. At 55.56± acres, the proposed density of 1.998 (111 d.u. / 55.56± acres) is consistent with the RR land use category. The proposed development is consistent with the following policies of the 2030 Comprehensive Plan: 1.1.1, 1.1.8, 1.1.9, 1.1.12, 1.1.17, 1.4.5, 3.1.5, 3.1.6 and 3.1.7.

B.  **Roadways / Consistency with the Concurrence Management System.** The development of the Property will comply with the requirements of the Concurrence Management System. An application for concurrence will be submitted concurrently to the Concurrence Management System Office.

C.  **Allocation of Residential Land Use.** This proposed development will not exceed the projected holding capacity reflected in Table L20 of the Future Land Use Element of the 2030 Comprehensive Plan.

D.  **Internal Compatibility/Vehicular Access.** The Revised Site Plan attached as Exhibit "E" addresses access and circulation within the site. The Property will have one primary access point from Grover Road. 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. The completed internal road will be dedicated to the City.

E.  **External Compatibility/Intensity of Development.** The proposed development is consistent with and comparable to permitted development in the area. The Property is bounded to the north by single family lots in the RPI Land Use category and RLD-60 Zoning district, to the south by single family lots in the LDR Land Use category and PUD Zoning district, to the east by single family lots in the LDR Land Use category and the RLD-90 Land Use category and RR-Acre Zoning district, and to the west by the old Sunbeam Road landfill that is now a mixed use development with single family and multifamily units in the PBF Land Use category and PUD Zoning district. All along Sunbeam Road, which is the access point for this neighborhood, are various multifamily apartment complexes, high density single family residential, and commercial developments. The proposed use is compatible in both intensity and density with these surrounding uses and zoning districts.

F.  **Recreation/Open Space.** The PUD provides ample open spaces and recreational opportunities.

G.  **Impact on Wetlands.** Development that would impact wetlands will be permitted in accordance with local, state and federal requirements.

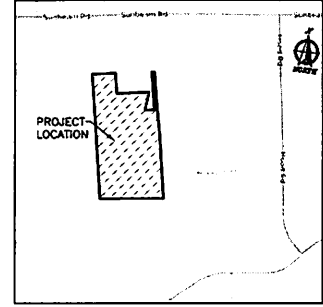
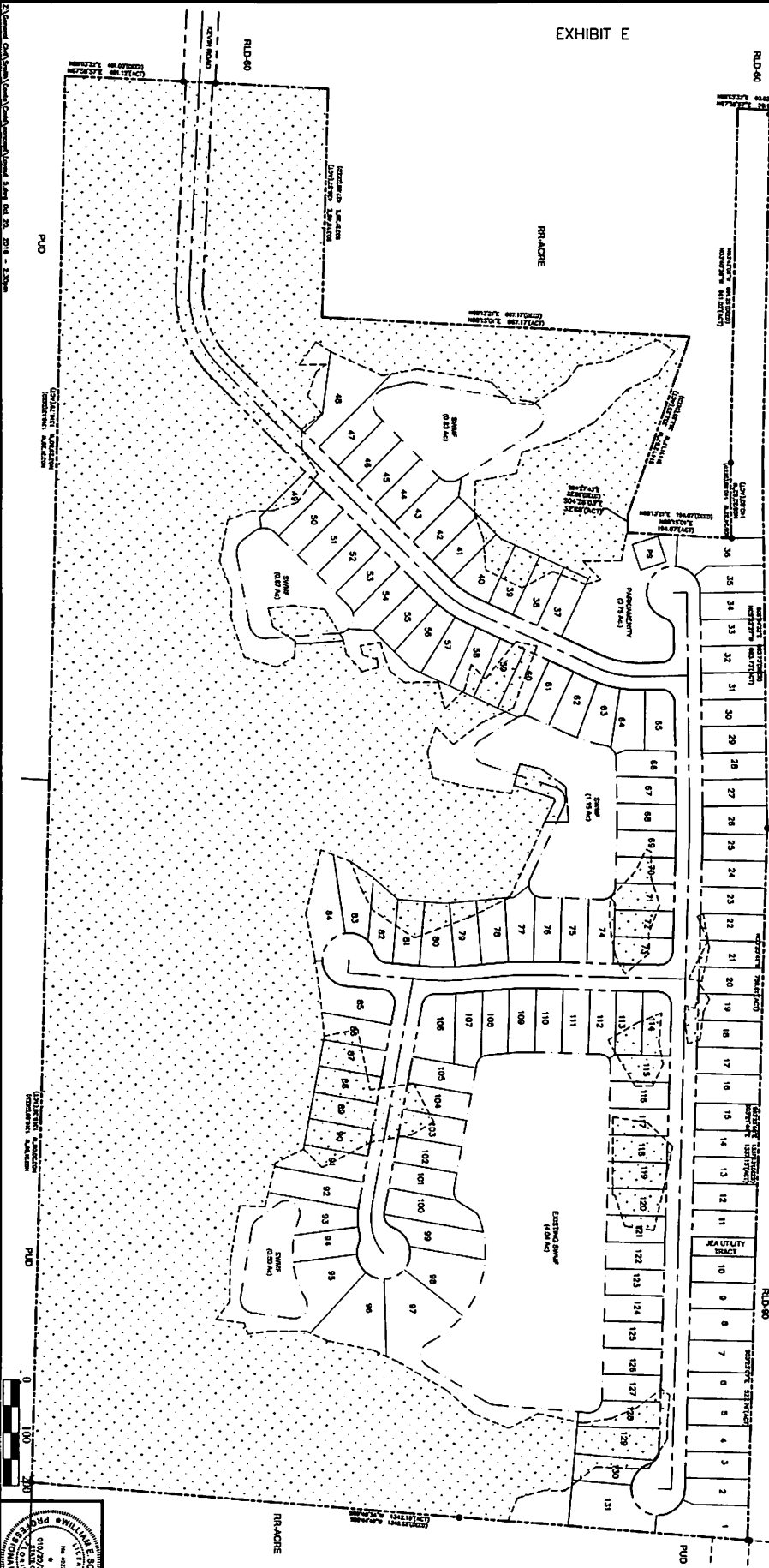
H.  **Listed Species Regulations.** A listed species survey has been included with the PUD application.

I.  **Off-Street Parking & Loading Requirements.** The proposed PUD will provide integrated parking facilities to support the proposed residential community as described above.

J.  **Sidewalks, Trails, and Bikeways.** External sidewalks will be provided as required by the Comprehensive Plan. Internal sidewalks will be provided as shown on the Revised Site Plan. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department.



EXHIBIT E



LOCATION MAP  
NTS

SITE SUMMARY

1. **OWNER/DEVELOPER:**  
NATE DAY  
H.SMITH, INC.  
ONE SAN JOSE PLACE, SUITE 7  
JACKSONVILLE, FLORIDA 32257  
PHONE: 904-268-9990
2. **ENGINEER:**  
DOMINION ENGINEERING GROUP  
4348 SOUTHPOINT BLVD, SUITE 204  
JACKSONVILLE, FLORIDA 32216  
PHONE: 904-854-4500  
FAX: 904-854-4505
3. **SURVEYOR:**  
ALL AMERICAN SURVEYORS OF FLORIDA, INC.  
3751 SAN JOSE PLACE, SUITE 15  
JACKSONVILLE, FLORIDA 32257  
PHONE: 904-279-0088
4. **EXISTING VEGETATION:**  
WOODED
5. **ZONING/PUD:**  
PUD
6. **TOTAL SITE AREA SUMMARY:**  
TOTAL SITE AREA = 72.57 AC.± (100%)  
SINGLE FAMILY AREA = 21.36 AC.± (29.5%)  
ACTIVE REC/OPEN SPACE = 0.75 AC.± (1.0%)  
PASSIVE OPEN SPACE, WETLANDS, PONDS = 45.27 AC.±(62.3%)  
PUBLIC & PRIVATE R/W = 5.19 AC.± (7.2%)  
MAXIMUM COVERAGE OF BUILDINGS = 13.88 AC.± (5.22%)  
TOTAL NUMBER OF LOTS = 131  
  
TYPICAL LOT SIZES: 50'x110'  
MIN LOT AREA: 5,000 sf  
  
BUILDING SET BACK INFORMATION:  
FRONT = 15' TO FACE OF BUILDING AND  
20' TO FACE OF GARAGE  
SIDE = 5'  
REAR = 10'  
  
MAXIMUM LOT COVERAGE: 65%  
MAXIMUM HEIGHT OF BUILDING: 35'
7. **TOTAL OF ANTICIPATED PHASES:** 2
8. **WATER SUPPLY:** JACKSONVILLE ELECTRIC AUTHORITY
9. **SEWER SUPPLY:** JACKSONVILLE ELECTRIC AUTHORITY
10. **ELECTRICAL SUPPLY:** JACKSONVILLE ELECTRIC AUTHORITY
11. **FIRE PROTECTION:** 6" FIRE HYDRANTS SERVED BY WATER MAIN EXTENSION
12. **FLOOD ZONE:** ZONE X (PANEL No. 12031C0553H & 12031C0554)
13. **CITY DEV. No. XXXX**
14. **REAL ESTATES No. 149030 0050**

NOTE: THIS A CONCEPTUAL SITE PLAN, LOT LINES, SIZES, ROADWAY LAYOUTS, RIGHT OF WAY, AND STORM WATER PONDS MAY BE ADJUSTED FOR ENGINEERING, GEOMETRY, AND ANY GOVERNMENTAL AGENCY REQUIREMENTS AND AS SITE PLANNING REQUIRES.

October 24, 2016

Exhibit 4  
Page 1 of 1



DATE: _____	REVISION: _____
DESIGNED BY: _____	CHECKED BY: _____
DRAWN BY: _____	DATE: _____
C4	

PAGE \_\_\_\_ OF \_\_\_\_

CONTE/SHELLIE ROAD  
FOR  
H. SMITH  
PRELIMINARY SITE PLAN

**DOMINION ENGINEERING GROUP, INC.**  
PLANNERS AND ENGINEERS  
4348 SOUTHPOINT BLVD, SUITE 204, JACKSONVILLE, FLORIDA 32216  
TEL: 904-854-4500 C.A. NUMBER: 26821 FAX 904-854-4505  
www.dom-eng.com

# EXHIBIT F

PUD Name

**Conte/Shellie Road**

## Land Use Table

---

Total gross acreage	<b>75.57</b> Acres	100 %
Amount of each different land use by acreage		
Single family	<b>21.36</b> Acres	<b>29.5</b> %
Total number of dwelling units	<b>131</b> D.U.	
Multiple family	<b>0</b> Acres	
Total number of dwelling units	<b>0</b> D.U.	
Commercial	<b>0</b> Acres	
Industrial	<b>0</b> Acres	
Other land use	<b>0</b> Acres	
Active recreation and/or open space	<b>0.75</b> Acres	<b>1</b> %
Passive open space	<b>45.27</b> Acres	<b>62.3</b> %
Public and private right-of-way	<b>5.19</b> Acres	<b>7.2</b> %
Maximum coverage of buildings and structures	<b>604,612</b> Sq. Ft.	<b>5.22</b> %

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CIVIL ACTION NO: 16-2011-CA-001744-XXXX-MA  
DIVISION:

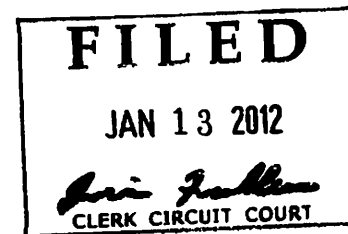
FC-D.

SPACE FOR RECORDING ONLY F.S. §695.26

PHILIP<sup>4</sup> CONTE and  
NICHOLAS CONTE,

Plaintiff(s)

vs.  
ESTEBAN J GONZALEZ, et al.



Defendant(s)

**CERTIFICATE OF TITLE**

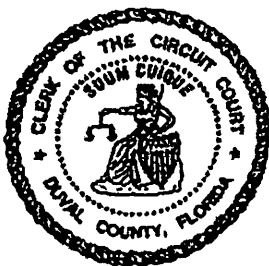
The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on Dec 06, 2011 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Duval County, Florida:

**SEE ATTACHED EXHIBIT A**

was sold to PHILIP CONTE and NICHOLAS CONTE,  
whose address is: C/O PERRY G. GRUMAN, ESQ. 3400 W. Kennedy Blvd. , Tampa, FL 33609

WITNESS my hand and the seal of the court on **JAN 13 2012**, as Clerk of the Circuit Court.



JIM FULLER  
CLERK OF THE CIRCUIT AND COUNTY  
COURTS

By: *Jana Lovelady*  
Deputy Clerk  
JANA LOVELADY

## Exhibit A

**LEGAL DESCRIPTION :** BEGINNING AT THE NORTHWEST CORNER OF NATURES WOODS SUBDIVISION PLAT BOOK 42 PAGE 818 AS RECORDED IN THE PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE S 03°23'05" E ALONG THE WEST LINE OF SAID SUBDIVISION A DISTANCE OF 1337.13' TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE S 89°44'49" W ALONG SAID NORTH LINE A DISTANCE OF 1342.25' TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N 03°31'08" W ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST A DISTANCE OF 1319.60' TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N 03°31'25" W ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST A DISTANCE OF 1319.13' TO THE SOUTHWEST CORNER OF PEGGYVILLE SUBDIVISION AS RECORDED IN PLAT BOOK 18 PAGE 11 OF THE PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE N 88°03'32" E ALONG SOUTH LINE OF SAID SUBDIVISION A DISTANCE OF 491.00'; THENCE S 03°21'28" E A DISTANCE OF 427.88'; THENCE N 88°13'21" E A DISTANCE OF 687.17'; THENCE S 14°11'17" W A DISTANCE OF 352.25'; THENCE S 04°27'43" E A DISTANCE OF 32.88'; THENCE N 88°13'21" E A DISTANCE OF 264.20' TO A POINT ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10079 PAGE 2245 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE S 05°34'32" E A DISTANCE OF 539.68' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 71.48 ± ACRES.

TOGETHER WITH A PORTION OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCE AT THE NORTHWEST CORNER OF SUNBEAM WOODS UNIT TWO AS RECORDED IN PLAT BOOK 39 PAGES 92 THROUGH 92B INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 88 DEGREES 44 MINUTES 30 SECONDS WEST ALONG THE SOUTHERLY LINE OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST 1340.52 FEET TO THE EASTERLY LINE OF SECTION 33 OF TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE SOUTH 03 DEGREES 23 MINUTES AND 05 SECONDS EAST ALONG LAST SAID LINE 760.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 03 DEGREES 23 MINUTES AND 05 SECONDS EAST ALONG SAID EASTERLY LINE 60.0 FEET, THENCE NORTH 88 DEGREES 36 MINUTES AND 55 SECONDS EAST 65.0 FEET TO THE POINT OF A CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AND AROUND THE ARC OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.0 FEET, AN ARC DISTANCE OF 39.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 48 DEGREES 23 MINUTES AND 05 SECONDS EAST 35.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 03 DEGREES 23 MINUTES AND 05 SECONDS WEST 100.0 FEET TO THE POINT OF CURVATURE OF A CURVE BEARING SOUTHWESTERLY THENCE ALONG AND AROUND THE ARC OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.0 FEET, AN ARC DISTANCE OF 39.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING A DISTANCE OF SOUTH 41 DEGREES 38 MINUTES AND 55 SECONDS WEST 35.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE SOUTH 88 DEGREES 36 MINUTES AND 55 SECONDS WEST 95.0 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.14 ± ACRES.

And

A PORTION OF LANDS IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED BELOW.

POINT OF BEGINNING BEING THE NORTHWEST CORNER OF LOT 4, REED'S SUBDIVISION PLAT BOOK 7, PAGE 3 OF THE PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE S 03°42'06" E ALONG THE WEST LINE OF SAID LOT 4 REED'S SUBDIVISION A DISTANCE OF 658.42' TO THE SOUTHWEST CORNER OF SAID LOT 4 REED'S SUBDIVISION; THENCE S 05°34'32" E A DISTANCE OF 143.85'; THENCE S 88°13'21" W A DISTANCE OF 60.13'; THENCE N 05°34'32" W A DISTANCE OF 140.88'; THENCE N 03°42'06" W A DISTANCE OF 661.28'; THENCE N 88°03'32" E A DISTANCE OF 60.03' TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.10 ± ACRES.

Prepared by and return to:

**PERRY G. GRUMAN, ESQUIRE**  
3400 West Kennedy Blvd.  
Tampa, FL 33609  
(813)870-1614

[Space Above This Line For Recording Data]

\$10.00

### Warranty Deed

This Warranty Deed made this 18 day of Jan, 2016 between **PHILIP CONTE**, a single man, whose post office address is P.O. Box261388, Tampa FL 33685, grantor, and **MARY LYNN CONTE**, whose mailing address is **9906 Chris Craft Court**, Tampa FL 33615, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County, Florida**, to-wit:

See attached exhibit A

Parcel Identification Number: 149030-0050  
149159-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors, subject to easements and restrictions of record.

*This deed is pursuant to a Final Divorce Decree*

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.



Signed, sealed and delivered in our presence:

WITNESS K. Zepko  
Printed name: K. Zepkosky  
Address: Tampa FL

Philip Conte  
PHILIP CONTE

Perry Gruman  
WITNESS  
Printed name: Perry Gruman  
Address: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

BEFORE ME the undersigned authority this day personally appeared **PHILIP CONTE**, who, after being duly sworn, deposes and states that he executed the foregoing instrument and acknowledged before me that he executed it voluntarily for the purposes therein expressed, and who is personally known to me or produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal this 18 day of Jan, 2016.

Perry Gruman  
Notary Public

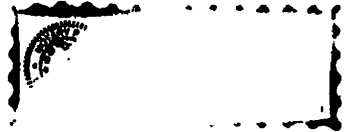


Exhibit "A"

BEGINNING AT THE NORTHWEST CORNER OF NATIERES WOODS SUBDIVISION, PLAT BOOK 42, PAGE 818, AS RECORDED IN THE CURRENT PUBLIC RECORDS FOR DUAL COUNTY, FLORIDA; THENCE SOUTH 03°23'05" EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 137.13 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE SOUTH 89°44'49" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 134.25 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST; A DISTANCE OF 1319.50 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THENCE NORTH 03°31'06" WEST, ALONG THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THENCE NORTH 03°31'28" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, A DISTANCE OF 119.13 FEET TO THE SOUTHWEST CORNER OF PEGGYVILLE SUBDIVISION, AS RECORDED IN PLAT BOOK 16, PAGE 11, OF THE CURRENT PUBLIC RECORDS FOR DUAL COUNTY, FLORIDA; THENCE NORTH 88°03'32" EAST, ALONG SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 491.00 FEET; THENCE SOUTH 03°21'28" EAST, A DISTANCE OF 427.88 FEET; THENCE NORTH 88°13'21" EAST, A DISTANCE OF 687.17 FEET; THENCE SOUTH 14°11'17" WEST, A DISTANCE OF 352.25 FEET; THENCE SOUTH 04°27'43" EAST, A DISTANCE OF 32.88 FEET; THENCE NORTH 88°13'21" EAST, A DISTANCE OF 254.20 FEET TO A POINT ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10079, PAGE 2245, OF THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA; THENCE SOUTH 05°34'32" EAST, A DISTANCE OF 539.88 FEET TO THE POINT OF BEGINNING.

AND

TOGETHER WITH A PORTION OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMENCE AT THE NORTHWEST CORNER OF STUBBAM WOODS UNIT TWO, AS RECORDED IN PLAT BOOK 39, PAGES 92 THROUGH 92B, INCLUSIVE, OF THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA; THENCE SOUTH 89°44'30" WEST, ALONG THE SOUTHERLY LINE OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 27 EAST, 1340.52 FEET TO THE EASTERLY LINE OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE SOUTH 03°23'05" EAST, ALONG LAST SAID LINE, 760.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 03°23'05" EAST, ALONG SAID EASTERLY LINE, 50.0 FEET; THENCE NORTH 86°36'55" EAST, 95.0 FEET TO THE POINT OF A CURVE TO THE RIGHT, THENCE ALONG AND AROUND THE ARC OF A CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.0 FEET, AN ARC DISTANCE OF 39.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING A DISTANCE OF SOUTH 48°23'05" EAST, 35.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 03°23'05" WEST, 100.0 FEET TO THE POINT OF CURVATURE OF A CURVE BEARING SOUTHWESTERLY, THENCE ALONG AND AROUND THE ARC OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.0 FEET, AN ARC DISTANCE OF 39.28 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING A



DISTANCE OF SOUTH 41°36'55" WEST, 35.36 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 86°36'55" WEST, 95.0 FEET TO THE POINT OF BEGINNING.

AND

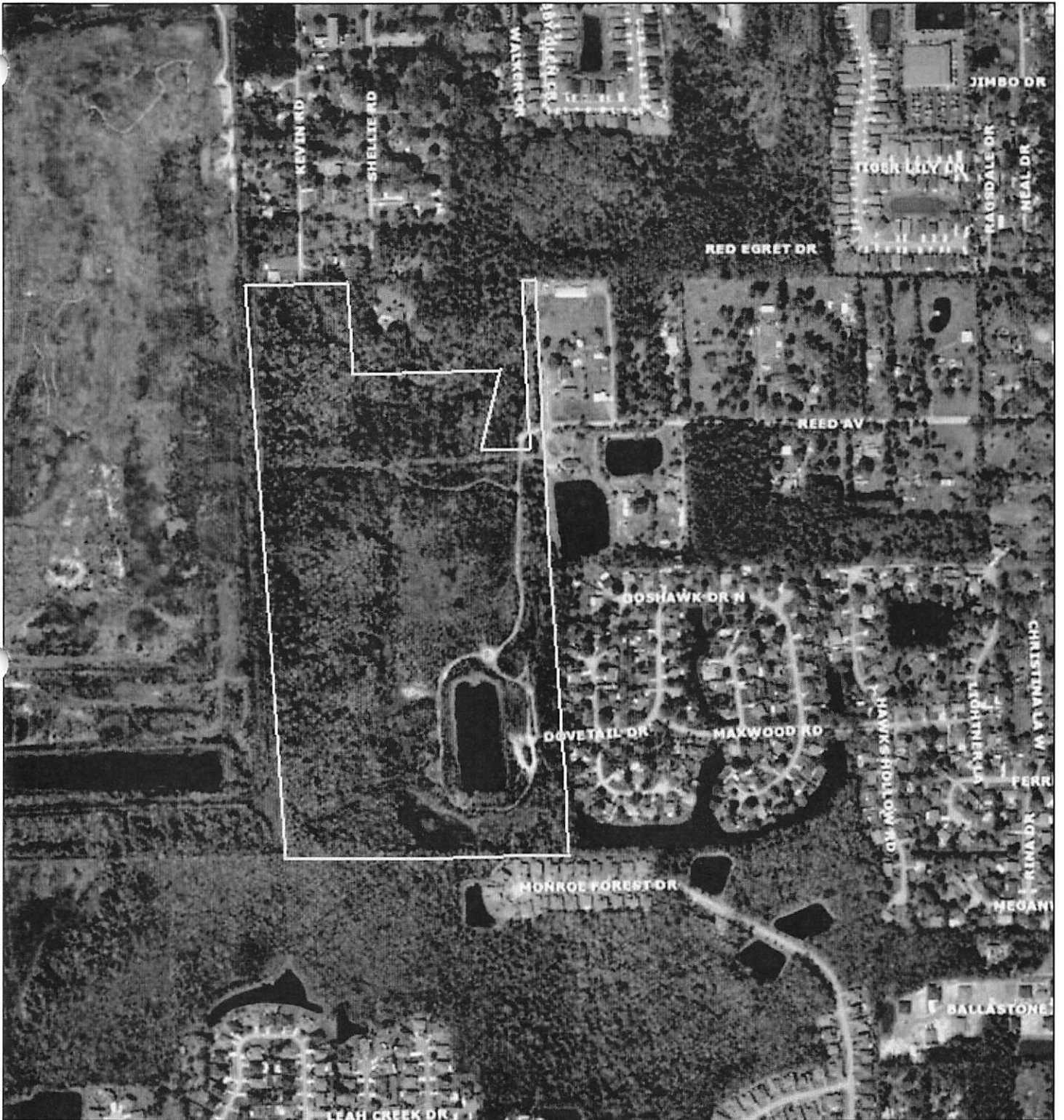
A PORTION OF LANDS IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE POINT OF BEGINNING BEING THE NORTHWEST CORNER OF LOT 4, REEDS SUBDIVISION, PLAT BOOK 7, PAGE 3 OF THE CURRENT PUBLIC RECORDS FOR DUVAL COUNTY, FLORIDA; THENCE SOUTH 03°42'06" EAST, ALONG THE WEST LINE OF SAID LOT 4 OF REEDS SUBDIVISION, A DISTANCE OF 658.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4 OF REEDS SUBDIVISION; THENCE SOUTH 05°34'32" EAST, A DISTANCE OF 143.85 FEET; THENCE SOUTH 88°13'21" WEST, A DISTANCE OF 60.13 FEET; THENCE NORTH 05°34'32" WEST, A DISTANCE OF 140.85 FEET; THENCE NORTH 03°42'06" WEST, A DISTANCE OF 661.25 FEET; THENCE NORTH 88°03'32" EAST, A DISTANCE OF 60.03 FEET TO THE POINT OF BEGINNING.



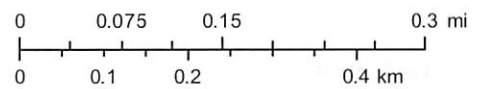


# Duval Map



October 12, 2016

1:9,028





October 14, 2016

Nate Day  
H. Smith, Inc.  
One San Jose Place, Suite 7  
Jacksonville, FL 32257  
Phone: (904) 268-9990  
Email: nday@hsmith-inc.com

**RE: Wildlife Assessment  
Shellie Road Property, Project #2016-116  
Duval County, Florida**

Dear Mr. Day,

Pursuant to your request, LG<sup>2</sup> Environmental Solutions, Inc. (LG<sup>2</sup>ES) has conducted a wildlife and habitat assessment of the above-referenced property. The purpose of this assessment was to determine the potential presence and extent of wildlife species listed as Endangered, Threatened or Species of Special Concern by the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS). Additionally, all onsite habitat types were examined and their extents mapped. Please find a report of our findings attached.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,  
LG<sup>2</sup> Environmental Solutions, Inc.

A handwritten signature in black ink, appearing to read 'Brian Spahr', with a long horizontal line extending to the right.

Brian Spahr  
Project Manager

**Attachments:**  
Listed Wildlife and Habitat Assessment  
Figures 1-4

## 1.0 INTRODUCTION

LG<sup>2</sup> Environmental Solutions, Inc. (LG<sup>2</sup>ES) has conducted a natural resources assessment with emphasis on listed wildlife species within the Shellie Road property. The purpose of this assessment was to determine the potential presence and extent of wildlife species listed as Endangered, Threatened or Species of Special Concern by the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS).

The site is located at the southern end of Shellie Road in Jacksonville, Duval County, Florida. The site is located within the US Geological Survey (USGS) 7.5-minute Bayard Quadrangle, Section 33 Township 3 South and Range 27 East (**Figure 1**). The site is comprised of approximately 72.5-acres located north of Hood Road, west of Phillips Highway and south of Sunbeam Road in Jacksonville, Duval County, Florida (**Figure 2**).

## 2.0 METHODOLOGY

Prior to the site assessment, aerial orthophotographic satellite images, United States Geologic Survey (USGS) topographic maps and U.S. Department of Agriculture (USDA) soil survey maps, were reviewed to determine potential natural resources onsite. Databases from the FFWCC, the Florida Natural Areas Inventory (FNAI), the FFWCC bald eagle (*Haliaeetus leucocephalus*) nest locator and the USFWS Threatened & Endangered Species System (TESS) were accessed to determine the presence of potentially suitable habitat for sensitive species.

During the site assessment, pedestrian transects were conducted within each vegetative community. Within each transect, data collected included, but was not limited to, plant species, wildlife species, weather conditions, time assessment commenced and terminated, and any anthropogenic activity. All vegetative communities were identified according to the Florida Land Use, Cover and Forms Classification System (FLUCFCS). Special attention was given to locate sensitive habitats known to support listed wildlife species within the scope of this assessment area. These methods are consistent with recognized FFWCC survey guidelines for a general wildlife assessment.

## 3.0 DATABASE REVIEW OF SOIL CONDITIONS

The Soil Survey of Duval County (Natural Resource Conservation Service) indicates four soil types as occurring within the property (**Figure 3**):

### **Evergreen-Wesconnett**

This complex is found in the central portion of the subject property. The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are found in depressions and are slowly

permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods. Slopes are concave and range from 0 to 2 percent. The Wesconnett series consists of nearly level, very poorly drained, sandy soils. These soils formed in thick sandy marine sediments and are found in depressions. The soils are slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods. Slopes are concave and range from 0 to 2 percent.

#### **Lynn Haven fine sand**

This soil is found in the eastern portion of the subject property. The Lynn Haven series consists of nearly level and gently sloping, very poorly drained, sandy soils. These soils are formed in thick beds of sandy marine sediments. They are on flats and in seep areas on side slopes. The soils are moderately permeable and moderately rapidly permeable. Generally, the high water table is at or near the surface. Slopes are concave and range from 0 to 5 percent.

#### **Mascotte fine sand**

This soil is found in a very small portion of the northeastern corner of the subject property. The Mascotte series consists of nearly level, poorly drained soils. These soils formed in thick sandy and loamy marine sediments. They are in flatwoods. The soils are moderately slowly permeable and moderately permeable. Generally, the high water table is at a depth of 6 to 18 inches. Slopes are linear and range from 0 to 2 percent.

#### **Pamlico muck**

The majority of the subject property is comprised of this soil type which is located in the north central and western portions. The Pamlico series consists of nearly level, very poorly drained, organic soils. These soils formed in decomposed organic material underlain by thick loamy and sandy marine and fluvial sediments. They are on flood plains and in depressions. The soils are moderately permeable. In areas on the flood plains, the high water table generally is at or near the surface and the areas are frequently flooded for brief periods. In depressional areas, the high water table generally is at or above the surface for very long periods. Slopes are concave and are 0 to 1 percent.

#### **Urban Land-Leon-Boulogne**

This complex is found along the eastern property boundary of the subject property. Urban Land is defined as land mostly covered by streets, parking lots, buildings, and other structures of urban areas. The Leon series consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are found in flatwoods and tidal marshes. Leon soils are slowly permeable to moderately rapidly permeable. Slopes are linear and range from 0 to 2 percent. The Boulogne series consists of nearly level, poorly drained, sandy soils formed in thick sandy marine sediments. The soils are slowly permeable and, generally, the high water table is at a depth of 6 to 18 inches. Slopes are linear and range from 0 to 2 percent.

## 4.0 EXISTING SITE CONDITIONS

Eight vegetative/ecological communities have been identified within the boundary of the subject property, assigned a Florida Land Use, Cover and Forms Classification System (FLUCFCS), and described below in further detail (FDOT 1999) (**Figure 4**). The vegetative/ecological communities found onsite are typical of northeast Florida and unusual or unique vegetative communities were not found within the subject property.

### Uplands

Pine Mesic Oak (FLUCFCS 414) Northern and eastern areas of the subject project can be classified as this vegetative community type. The canopy is dominated by slash pine (*Pinus elliottii*) and live oak (*Quercus virginiana*), with scattered water oak (*Quercus nigra*), southern magnolia (*Magnolia grandiflora*), red cedar (*Juniperus virginiana*) and sweetgum (*Liquidambar styraciflua*). The midstory is comprised of saltbush (*Baccharis halimifolia*), winged sumac (*Rhus copallinum*), wax myrtle (*Myrica cerifera*). The understory contains mainly gallberry (*Ilex glabra*) and saw palmetto (*Serenoa repens*) with the following species distributed in various densities: brackenfern (*Pteridium aquilinum*), blackberry (*Rubus* spp.), dwarf palmetto (*Sabal minor*), dogfennel (*Eupatorium capillifolium*), broomsedge (*Andropogon virginicus*) and goldenrod (*Solidago* spp.). Also present in these areas are the exotic, invasive species Chinese tallow (*Triadica sebifera*), Japanese climbing fern (*Lygodium japonica*) and rattlebox (*Sesbania punicea*).

Upland Scrub, Pine, Hardwoods (FLUCFCS 436) This vegetative community can be found in the cleared area located in the central and south eastern portion of the project area. This community is a conglomeration of the species found in the Pine Mesic Oak community with the addition of sweet bay (*Magnolia virginiana*) and loblolly bay (*Gordonia lasianthus*). Also present in these areas are the exotic, invasive and/or nuisance species lantana (*Lantana camara*), camphor tree (*Cinnamomum camphora*), cattail (*Typha* spp.) and Chinese tallow.

### Wetlands

Wetland Forested Mixed (FLUCFCS 630) The majority of the wetlands found on the property can be considered wetland forested mixed communities. The canopy is dominated by red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), overcup oak (*Quercus lyrata*), Chinese tallow and slash pine. The midstory is mainly wax myrtle, fetterbush (*Lyonia lucida*), cattail and virginia willow (*Itea virginica*). The understory is comprised mainly of St. John's wort (*Hypericum* spp.), pickerel weed (*Pontederia cordata*), blue flag iris (*Iris virginica*), star rush (*Rhynchospora colorata*), and Virginia chain-fern (*Woodwardia virginica*).

Vegetated, Non-forested Wetlands (FLUCFCS 640) The wetland areas within the cleared area in the central and south eastern portion of the property can be classified as this vegetative community type. These areas are comprised mainly of various sedges and marsh grasses with the following species distributed in various densities: cattail, goldenrod, dogfennel, pipewort (*Eriocaulon decangulare*), false foxglove (*Agalinis* sp.) and Virginia chain-fern.

Emergent Aquatic Vegetation (FLUCFCS 644) This community type defines the littoral zone of the retention pond located in the southeastern portion of the property. The vegetative community is dominated by water lily (*Nymphaea* spp.) with areas of rushes (*Juncus* spp.), spike rushes (*Eleocharis* spp.) and cattail.

### **Other Areas**

Reservoir, less than 10 acres (FLUCFCS 534) This classification can be applied to the man-made retention pond found in the south eastern portion of the project area. This area is comprised of open water.

Roads and Highways (FLUCFCS 814) This classification applies to the dirt roads that are located in the northern and eastern portions of the subject project.

Electrical Power Transmission Lines (FLUCFCS 832) This classification can be applied to the powerline easements located in the northern portion of the subject project.

## **5.0 SITE VISIT SUMMARY**

LG<sup>2</sup>ES personnel conducted a site visit on October 13, 2016, to determine the natural resources onsite with emphasis on the presence of State and Federally listed wildlife species. No formal species specific surveys for listed and/or sensitive species were conducted within the scope of this assessment. During the site visit, wildlife assessment guidelines provided by FFWCC were used.

Weather conditions, along with time of day and season, as well as the scope of inspection, may have influenced the wildlife observed. The presence of specific wildlife species was determined visually, audibly, or by evidence of tracks, scat, nests, burrows, or dens. General wildlife species observed were recorded and are detailed in Section 5.1.

### **5.1 Observed Wildlife Species**

A comprehensive list of common wildlife species that were directly observed on the subject property or evidenced by scat or tracks is found in the table below (Table 1).

Table 1 Wildlife Species Observed and Evidenced, October 13, 2016

Common Name	Taxonomic Name
American bullfrog	<i>Lithobates catesbeianus</i>
Eastern gray squirrel	<i>Sciurus carolinensis</i>
Southern black racer	<i>Coluber constrictor priapus</i>
Blue jay	<i>Cyanocitta cristata</i>
Northern cardinal	<i>Cardinalis cardinalis</i>
Northern flicker	<i>Colaptes auratus</i>
Northern mockingbird	<i>Mimus polyglottos</i>
Monarch butterfly	<i>Danaus plexippus</i>
Queen butterfly	<i>Danaus gilippus</i>
Red-mantled saddlebags	<i>Tramea onusta</i>
Blue corporal	<i>Ladona deplanata</i>
White-tailed deer	<i>Odocoileus virginianus</i>

## 5.2 Sensitive Species and Supporting Habitats

Sensitive species are those species deemed Endangered (FE), Threatened (ST & FT), or Species of Special Concern (SSC) by the FFWCC or USFWS. During the wildlife survey, meandering pedestrian transects and stationary observation posts were utilized to survey through all habitat types, with emphasis on those areas with vegetative assemblages and soils potentially indicative of the presence of gopher tortoises (*Gopherus polyphemus*).

Sensitive species with the potential to occur in or near the site include, but are not limited to; bald eagle, wood stork (*Mycteria americana*), red knot (*Calidris canutus rufa*), red-cockaded woodpecker (*Picoides borealis*), southeastern American kestrel (*Falco sparverius paulus*), white ibis (*Eudocimus albus*), gopher tortoise, gopher frog (*Lithobates capito*), eastern indigo snake (*Drymarchon corais couperi*), Florida pine snake (*Pituophis melanoleucus mugitus*), and Sherman's fox squirrel (*Sciurus niger shermani*). There was no direct evidence observed of these species utilizing the subject property. A formal listed species survey was not conducted for each species within the scope of this site visit.

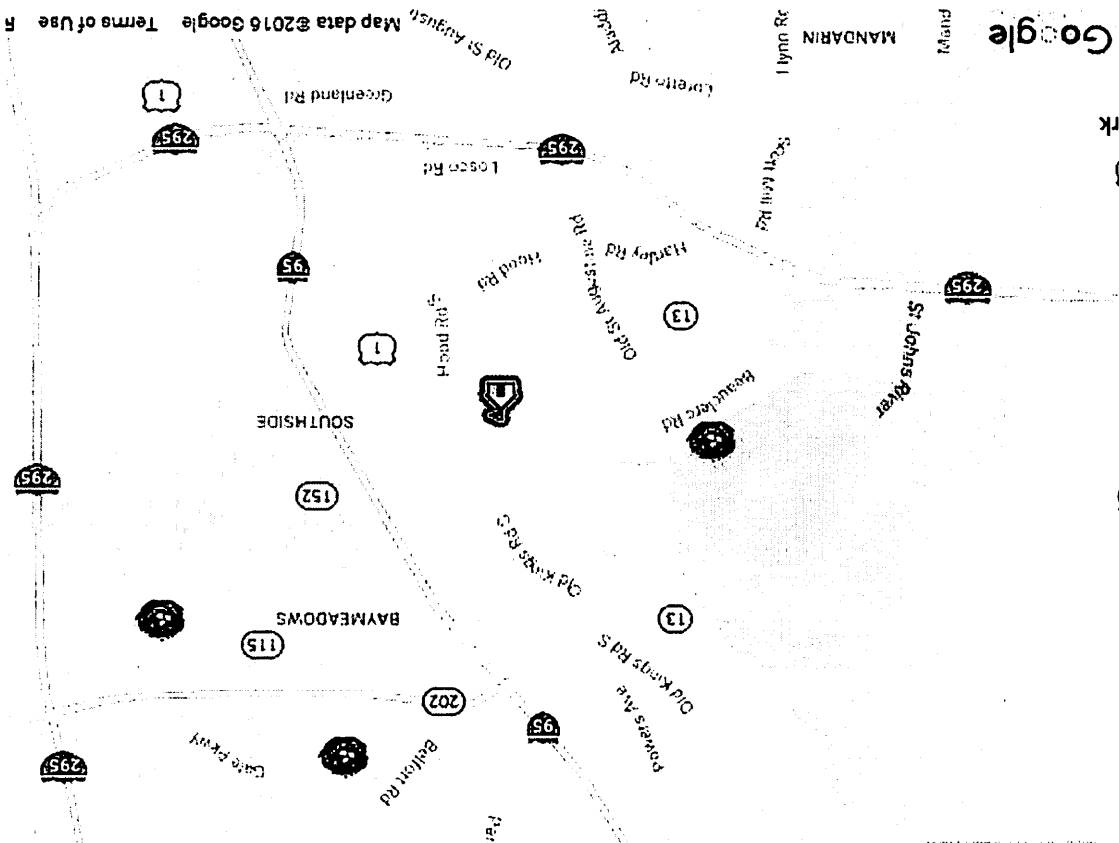
Currently, the bald eagle is not protected under the Endangered Species Act, however, if a bald eagle nests within 660 feet of the project area, the Bald and Golden Eagle Protection Act (BGEPA) and the Federal Migratory Bird Treaty Act (MBTA) may be enforced and recommendations from federal and state regulatory agencies may apply. An FFWCC database search for surrounding bald eagle nests showed the nearest nests to be approximately 2.18 miles west of the subject property (see map below).

It is unlikely that the present onsite vegetative communities can support sensitive species. Regarding the sensitive species with the potential to occur, the probability of occurrence is derived from the preferred habitat type and historical distribution. No evidence of gopher tortoise was observed onsite and is unlikely to occur due to the existing vegetation types. Wood stork, eastern indigo snake, and southeastern American kestrel were not observed onsite, nor was any evidence of their presence observed. No bald eagle nests have been recorded in the immediate vicinity of

LG<sup>2</sup>ES conducted a series of pedestrian transects over the subject property to determine the presence and extent of Florida or Federally listed wildlife species. The location of any natural resource issue of concern were located utilizing sub-meter rated global positioning system technology for later use in generating report graphics and recommendations. No State and/or Federally listed species were observed onsite.

## 6.0 DISCUSSION

The information contained within this database is current through the 2014-2015 nesting season; nests were surveyed by FWC from November 2014 to April 2015. Accuracy of the nest locations is estimated to be within 0.1 miles of the true location. Not all eagle nests in Florida have been documented by FWC. Non-documented nests receive the same level of protections as FWC documented nests.





the site and none were observed onsite. However, if a nest is discovered, protection measures per FWC and USFWS would be required.

## **7.0 CONCLUSION & RECOMMENDATIONS**

A site visit was conducted to evaluate onsite natural resources and to determine the quality of potential onsite habitats. No additional Endangered, Threatened, or SSC surveys are recommended at this time. In conclusion, the upland and wetland communities found onsite are common in the landscape of Duval County and northeast Florida. LG<sup>2</sup>ES biologists conducted investigations for State and Federally listed species throughout approximately 15% of the overall onsite habitats. If a listed species, or its nest or burrow, is found onsite prior to construction, mitigation measures may be recommended by FFWCC or USFWS.

## 8.0 REFERENCES

FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION (FWC) 2009. Florida Land Use Cover Classification System (FLUCCS) Final Report: December 31, 2009

FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION (FWC) 2014. Wildlife Technology Services in the Division of Habitat and Species Conservation, Eagles Nest Locator by County, modified: December 12; online at <http://myfwc.com/eagle/eaglenests/Default.asp>

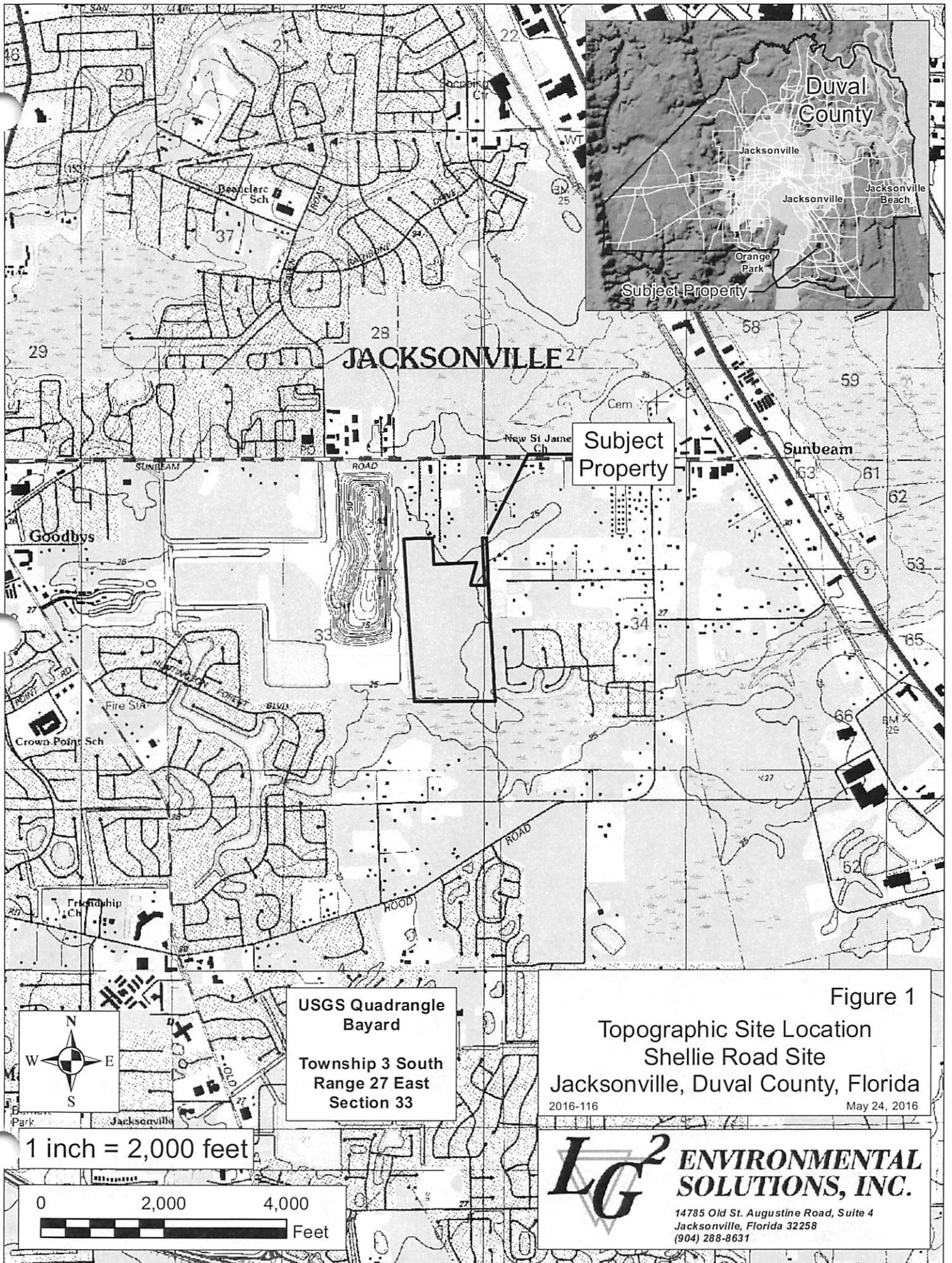
FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION (FWC) 2013. Florida's Endangered Species, Threatened Species, or Species of Special Concern, updated January 2013 online at [http://myfwc.com/media/1515251/threatened\\_endangered\\_species.pdf](http://myfwc.com/media/1515251/threatened_endangered_species.pdf)

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) 1999. Florida Land Use, Cover and Forms Classification System (FLUCFCS) Handbook; Surveying and Mapping Geographic Mapping Section.

FLORIDA NATURAL AREAS INVENTORY (FNAI) & FLORIDA DEPARTMENT OF NATURAL RESOURCES (FDNR) 2012. Field Guide to the Rare Animals of Florida. Online flora & fauna search at [http://www.fnai.org/FieldGuide/search\\_001.cfm](http://www.fnai.org/FieldGuide/search_001.cfm)

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) 1983. Soil Survey of Duval County, Florida; Soil Conservation Service.

UNITED STATES FISH & WILDLIFE SERVICE (USFWS) 2012. Threatened & Endangered Species System (TESS); listings by state and territory as of April 2014. [http://ecos.fws.gov/tess\\_public/StartTESS.do](http://ecos.fws.gov/tess_public/StartTESS.do).







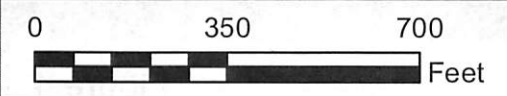
Sunbeam Hill Landfill

Subject Property

- 22 - EVERGREEN-WESCONNETT COMPLEX, DEPRESSIONAL, 0 TO 2 PERCENT SLOPES
- 35 - LYNN HAVEN FINE SAND, 0 TO 2 PERCENT SLOPES
- 38 - MASCOTTE FINE SAND, 0 TO 2 PERCENT SLOPES
- 49 - PAMLICO MUCK, DEPRESSIONAL, 0 TO 1 PERCENT SLOPES
- 71 - URBAN LAND-LEON-BOULOGNE COMPLEX, 0 TO 2 PERCENT SLOPES
- 99 - WATER



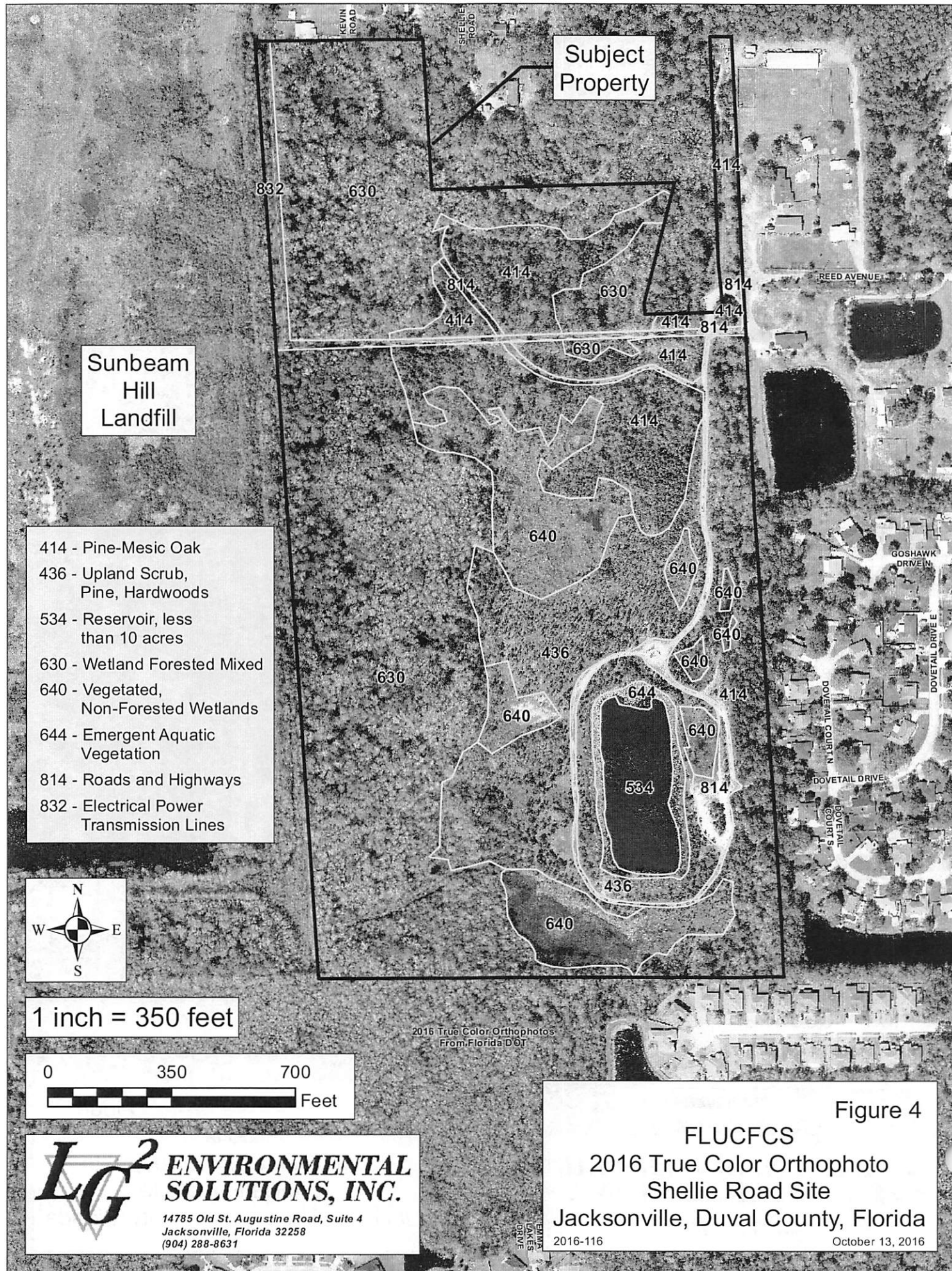
1 inch = 350 feet



2016 True Color Orthophotos From Florida DOT

Figure 3  
Soils  
2016 True Color Orthophoto  
Shellie Road Site  
Jacksonville, Duval County, Florida  
2016-116  
October 13, 2016

**LG<sup>2</sup> ENVIRONMENTAL SOLUTIONS, INC.**  
 14785 Old St. Augustine Road, Suite 4  
 Jacksonville, Florida 32258  
 (904) 288-8631



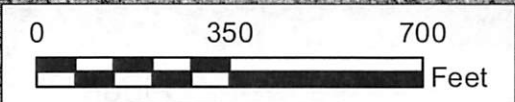
Sunbeam Hill Landfill

Subject Property

- 414 - Pine-Mesic Oak
- 436 - Upland Scrub, Pine, Hardwoods
- 534 - Reservoir, less than 10 acres
- 630 - Wetland Forested Mixed
- 640 - Vegetated, Non-Forested Wetlands
- 644 - Emergent Aquatic Vegetation
- 814 - Roads and Highways
- 832 - Electrical Power Transmission Lines



1 inch = 350 feet

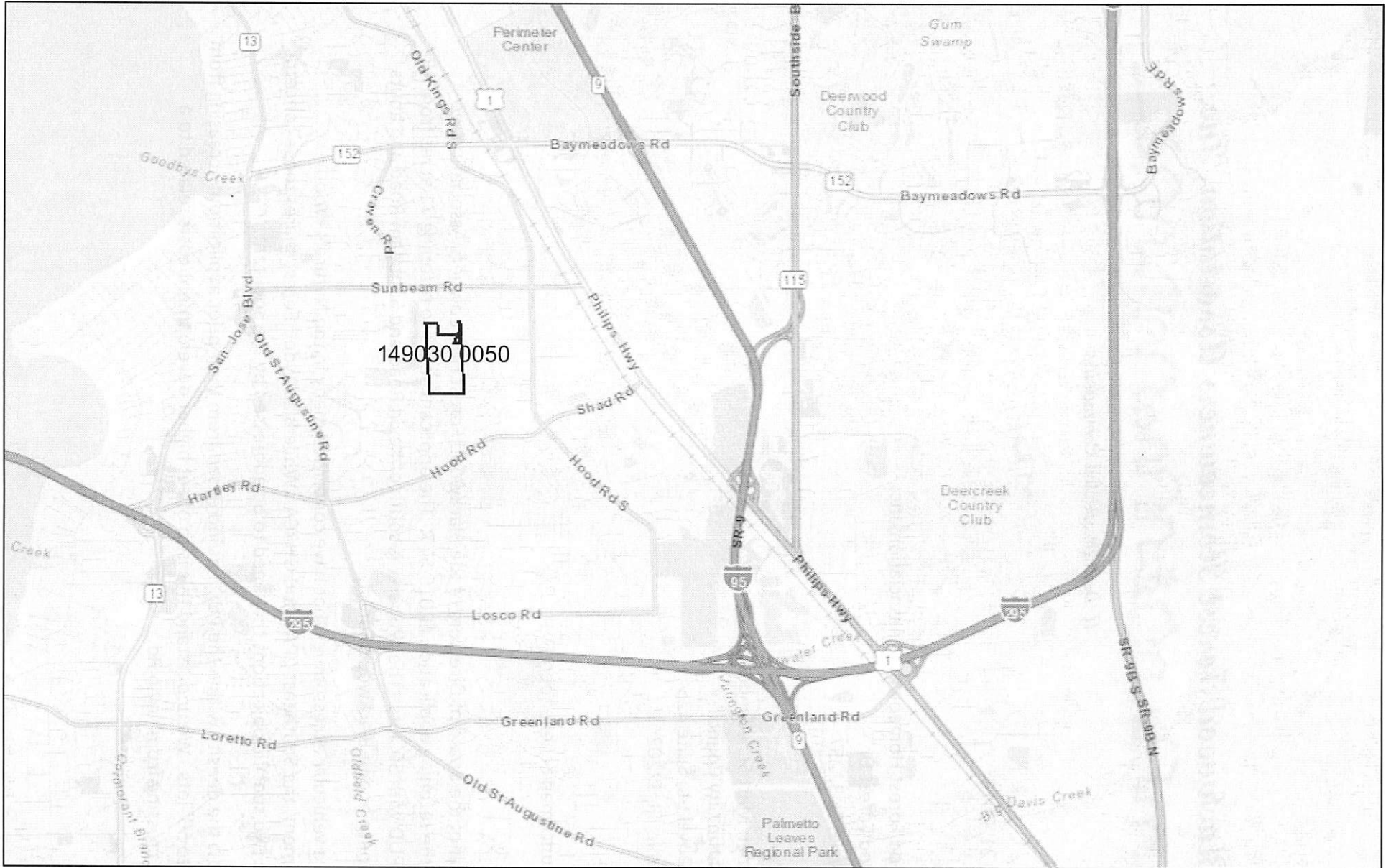


2016 True Color Orthophotos From Florida DOT

**LG<sup>2</sup> ENVIRONMENTAL SOLUTIONS, INC.**  
 14785 Old St. Augustine Road, Suite 4  
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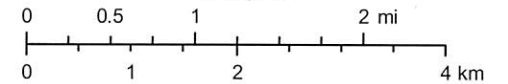
Figure 4  
**FLUCFCS**  
 2016 True Color Orthophoto  
 Shellie Road Site  
 Jacksonville, Duval County, Florida  
 2016-116 October 13, 2016

# Duval Map



October 12, 2016

1:72,224



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand).

# *Blackwood Forest Homeowners Association, Inc.*



*A Deed Restricted Community*

October 21, 2016

Blackwood Forest Homeowners Association, Inc.  
Blackwood Forest Dr.  
Jacksonville, FL 32257

Councilman Matt Schellenberg  
Office of the City Council  
117 W. Duval St., Suite 425  
Jacksonville, FL 32202

Dear Councilman Schellenberg,

On behalf of the Board of Directors of the Blackwood Forest Homeowners Association we oppose the rezoning application #2016-577. The applicant seeks to rezoning 71 acres from RR-Acre to PUD with 50' lots. The property is south of Kevin Road and Sunbeam Road and abuts the northern end of Blackwood Forest.

There are vehicular access issues that have concerned many in the Nature's Wood development, the Southeast CPAC and GHRCA. While Blackwood Forest shares those concerns we have two specific objections that need to be addressed by the applicant.

The first is the density within the PUD has increased from their prior application increasing from 60' lots to 50' lots. We understand this is to offset higher development costs related to a wetland crossing from Kevin Rd.



We objected to this higher density as not being consistent with the surrounding densities. The properties to the east are currently RLD – Acre and RLD-90. Our subdivision is a PUD with the equivalent of 70' lots. An infill development project as proposed should consider the surrounding character of lot types and be consistent with those existing developments.

The second is the proposed site plan within the PUD application. If this plan is approved our existing Blackwood Forest neighbors that border the southern property would have a direct view down the proposed roadway. This vantage point is almost 1/3 of a mile long! The plan offers no buffer along the property line to obstruct this view corridor. At a minimum a sufficiently wide undisturbed buffer should be maintained along the southern boundary to help deflect our residents from viewing upwards of 50' homes and a long stretch of roadway.

As currently proposed we request the application be denied at both Planning Commission and at City Council.

Thank you for your time,

Nicholas Damone, Jr.  
President, HOA  
4976 Monroe Forest Dr.  
Jacksonville, Florida 32257  
904-742-2228

Cc: Daniel Blanchard - Planning Commission Chair  
Danny Becton – Chair LUZ  
William Killingsworth – Planning and Development Director



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Mike BOWLES  
Dominion Engineering Group  
4348 Southpoint Blvd, Suite 204  
Jacksonville, Florida, 32216

May 19, 2016

Project Name: Conte Parcel(see also 2015-0689)  
Availability#: 2016-0753

Dear Mr/Mrs Mike BOWLES,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

**Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

**Offsite Improvements:**

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on [jea.com](http://jea.com).

**Reservation of Capacity:**

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at [JEA.com](http://JEA.com). This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

Mollie Price  
Water/Wastewater System Planning  
(904) 904-665-7710

