

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-039

TO PLANNED UNIT DEVELOPMENT

FEBRUARY 23, 2017

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2017-039** to Planned Unit Development.

Location: On the east side of Old Middleburg Road South; between Sandler Road and Marlee Road

Real Estate Number(s): 015588-9510, 015588-9520, 015589-0100 and 015590-0000

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

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest - 4

City Council District: The Honorable Doyle Carter, District 12

Planning Commissioner: Chris Hagan

Applicant/Agent: Fred Atwill
Atwill, LLC
9001 Forest Acres Lane
Jacksonville, Florida 32234

Owner(s): Audrey Campbell
9042 Sandler Road
Jacksonville, Florida 32222

Brenda Clower
5935 Camp Trail
Cumming, Georgia 30040

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-039** seeks to rezone approximately 43.79 acres of land from RR-Acre to PUD. The rezoning to PUD is being sought to permit development of the subject property as a 197 lot single family residential subdivision, with

minimum lot widths of 50 feet and area of 5,000 sq. ft. The subject property is located on the east side of Old Middleburg Road just south of Sandler Road, roughly a mile south of 103rd Street. A similar single family development PUD is to the southwest of this property and vacant land is to the east and west; which is zoned RR-Acre. Currently the site is developed with two single-family homes.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. Residential developments shall be pursuant to the requirements of the Low Density Residential (LDR) category.

This PUD proposes a gross density of 4.4 dwelling units to the acre and will have full urban services available to the site. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles Traveled and cul-de-sacs should be avoided.

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

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

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

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

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). According to the category description of the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Urban Priority Area (UPA) is intended to provide low density residential development, while promoting neighborhoods in need of redevelopment, and providing a compact, single-family development typology that is supportive of transit and neighborhood commercial services.

The proposed zoning application has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, Future Land Use Element (FLUE):

FLUE Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

FLUE Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

FLUE Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

FLUE Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

FLUE 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.

The proposed PUD differs from the usual application of the Zoning Code because it includes unique buffering, site planning and other conditions that would not be required through a strict application of the existing zoning category. The proposed development will fulfill housing needs appropriate to various lifestyles and income levels, provide a mix of housing types appealing to first time buyers, retirees and other buyers. This would have a positive impact on the area, blend with surrounding uses and help to increase the property values of the older communities in the area.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Herlong Recreational Airport and Cecil Airport. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. 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).

Future Land Use Element

FLUE 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

Wetlands

The Conservation/Coastal Management Element (CCME) recommends avoiding wetlands if

possible unless no other on site alternative exists. This site contains wetlands that are classified as wetland forest mixed and wet pinelands/hydric pine. A wetland Survey may be needed for further evaluation. Development should be further reviewed at Site Plan Review for consistency with the policies under Goal 4 of the Conservation/Coastal Management Element and as more particularly specified in the following CCME policies:

Conservation/Coastal Management Element

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 wetlands resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

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.

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.

4.1.9 The City of Jacksonville shall modify the Land Development Regulations as follows in order to protect water quality and preserve natural wetland functions:

- The City shall require new development to provide a 15 foot minimum upland buffer between developed areas contiguous to Category I and II Wetlands;
- The City of Jacksonville shall require a Low Maintenance Zone (LMZ) to be established between developed areas contiguous to any pond, stream, water course, lake, wetland or seawall in accordance with Chapter 366, Part 6, Ordinance Code;
- All buffers shall be measured from the St. Johns River Water Management District (SJRWMD) or Florida Department of Environmental Protection Wetland jurisdictional line;
- Buffers shall consist of Florida Friendly Landscape plants or ground cover which is planted and managed in order to minimize the need for fertilization, watering and mowing;
- The aforementioned minimum buffers are required, except for those circumstances where an averaging of the buffer width, because of an unavoidable buffer reduction, achieves a greater overall upland buffer width;
- Buffers are not required for wetlands permitted for filling; and
- In all cases, the applicable buffer shall be depicted on all site plans, development plans, and other documents submitted to authorize the review for development.

The City shall allow administrative approval by the Director of Planning for the purposes of unavoidable wetlands impacts upon finding that all of the following criteria are met:

- a. All required valid and unexpired permits from state and federal regulating agencies have been issued and are provided with the Development application or will be made a contingency for approval.
- b. The request is limited to one of the following:
 1. A road crossing;
 2. Public infrastructure and utility crossings or rights-of-way that are related to transmission or conveyance of a service;
 3. A driveway on a Legal Lot of Record to a single-family residence;
 4. Reasonable access to waterways; and
 5. Circumstances where there could be no reasonable use of the property.

c. Administrative approval shall not be allowed for self-created hardships such as, but not limited to:

1. Placing a road crossing, utility crossing, rights-of-way, driveways, or other features in wetlands instead of uplands for the sole purpose of providing additional upland area for Development.

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.

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 on-site 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.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

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

(4) Internal compatibility

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

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The proposed PUD will provide a minimum of 8.37 acres of open space and a recreation/common area for the community of approximately two (2) acres in size. In addition,

ponds and wetlands will comprise a total of roughly five (5) acres, providing additional passive open space.

Traffic and pedestrian circulation patterns: The PUD proposes one access point off of Sandler Road and will contain sidewalks which meet the 2030 Comprehensive Plan. The final location of the access point is subject to the review of the Development Services Division.

The use and variety of building setback lines, separations, and buffering: The proposed PUD written description contains development standards which are the same as the current Zoning Code requirements for the RLD-50 zoning district. Per the site plan, the lots are oriented in a typical subdivision configuration.

Staff recommends that minimum lot size shall be 60 feet in width and 6,000 square feet in area to provide the subdivision with more flexibility in the location, type and size of the homes built and be consistent with the nearby subdivisions' pattern of development. The Whispering Oaks PUD (2001-0674) to the southwest of this site approved an 88 lot subdivision with minimum lot widths of 70 feet. The Weston PUD (2005-0245) to the northeast approved a 65 lot subdivision with minimum lot widths of 65 feet. The Sandler Chase PUD (Ord. 2005-752) to the northwest approved 140 lots with a minimum lot size of 60' in width. The surrounding area has been developed per the RR-Acre standards other than these three developments.

Signage: The applicant proposes up to two (2) single faced identity signs at each side of the entrance on Sandler Road or one (1) permanent, single or double faced sign in the median of the entry road to the development. Each sign shall not exceed twenty-four (24) square feet in area or twelve (12) feet in height.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any use within the proposed Planned Unit Development: An existing ditch along the northern perimeter of the property to Sandler Road will be cleared of debris and excess vegetation prior to final acceptance of the first phase of development for Sandler Oaks. As shown by the site plan, a 10' buffer shall be provided along the eastern property line. An 8 foot tan vinyl fence shall be placed along this buffer and maintained by the Homeowners Association.

(5) External Compatibility

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

The type, number and location of surrounding external uses: The proposed project is within an area where residential subdivision development is expanding. If approved as conditioned the PUD would add another subdivision with flexibility in the location, type and size of the homes to the community and increase the housing options in/for the area.

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

| <u>Adjacent Property</u> | <u>Land Use Category</u> | <u>Zoning District</u> | <u>Current Use</u> |
|--------------------------|--------------------------|------------------------|---|
| North | LDR | RR-Acre | Sandler Road and single-family home |
| South | LDR | RR-Acre | Single-family homes on large lots |
| East | LDR | RR-Acre | Single-family homes on large lots |
| West | LDR | RR-Acre | Old Middleburg Road and single-family homes on large lots |

(6) Intensity of Development

The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands: The use is consistent with the residential density and intensity of surrounding lands. This PUD proposes a gross density of 4.4 dwelling units to the acre and over 15 acres of recreational and passive open space, and differs from the usual application of the Zoning Code because it contains a mixture of design elements and buffering within a residential community in keeping with the area's pattern of development.

The availability and location of utility services and public facilities and services: Water, sanitary sewer and electric service will be provided by the JEA.

(7) Usable open spaces plazas, recreation areas.

The PUD will provide a recreation/common area for the community of approximately two (2) acres in size. In addition, ponds and wetlands will comprise a total approximately five (5) acres, providing additional passive open space.

(8) Impact on wetlands

This site contains wetlands that are classified as wetland forest mixed and wet pinelands/hydric pine. A wetland Survey may be needed for further evaluation. Development should be further reviewed at Site Plan Review for consistency with the policies under Goal 4 of the Conservation/Coastal Management Element. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

A survey is not required as the property is under the 50 acre threshold.

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

The written description indicated the site will be developed in accordance with Part 6 of the

Zoning Code. However the lack of storage space in local homes is universally acknowledged, as many residents use their garage for storage and it is important that automobiles have an adequate hard surface to park without encroaching into the sidewalk. Staff recommends that residential driveways be designed with a two car parking pad.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on February 10, 2017, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2017-039** be **APPROVED with the following exhibits:**

1. The original legal description dated November 15, 2016.
2. The original written description dated November 23, 2016.
3. The original site plan dated May, 2016.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-039** be **APPROVED subject to the following condition, which may only be changed through a rezoning:**

1. The minimum lot size shall be 60 feet in width and 6,000 square feet in area.
2. The owner/developer shall provide a traffic study to include a right and left turn warrant and signal warrant at the intersection of Old Middleburg Road and Sandler Road.
3. Prior to requesting a final building inspection or occupying the facility in any manner, the owner, applicant or developer 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.



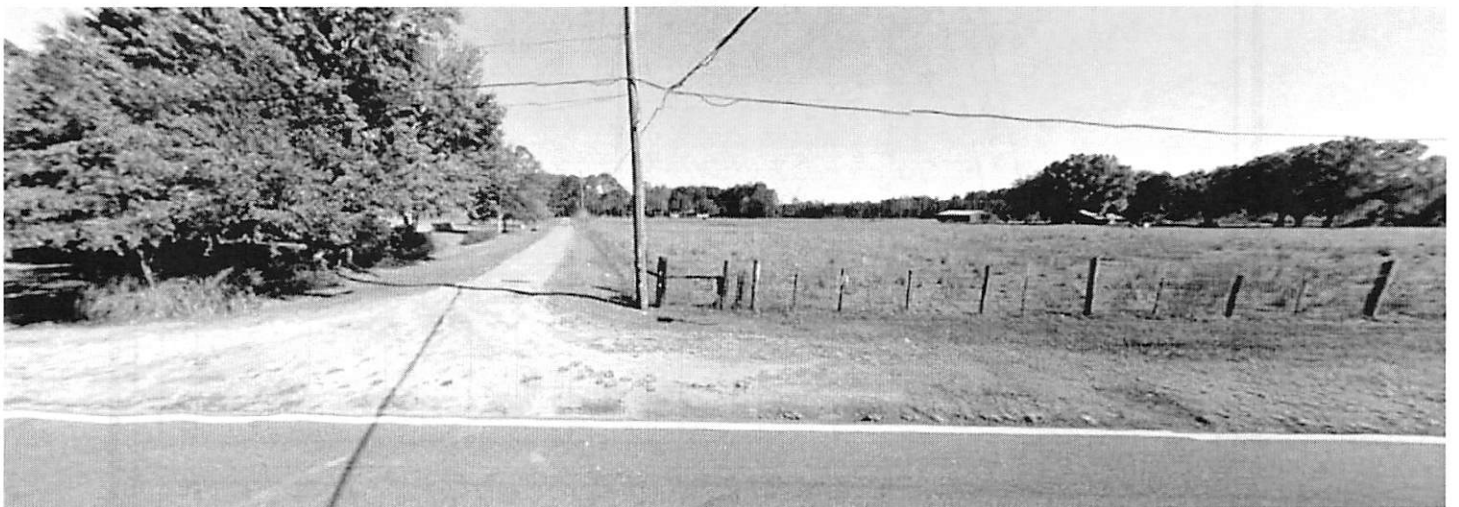
Aerial view of the subject site facing north



The subject site facing east from Old Middleburg Rd.



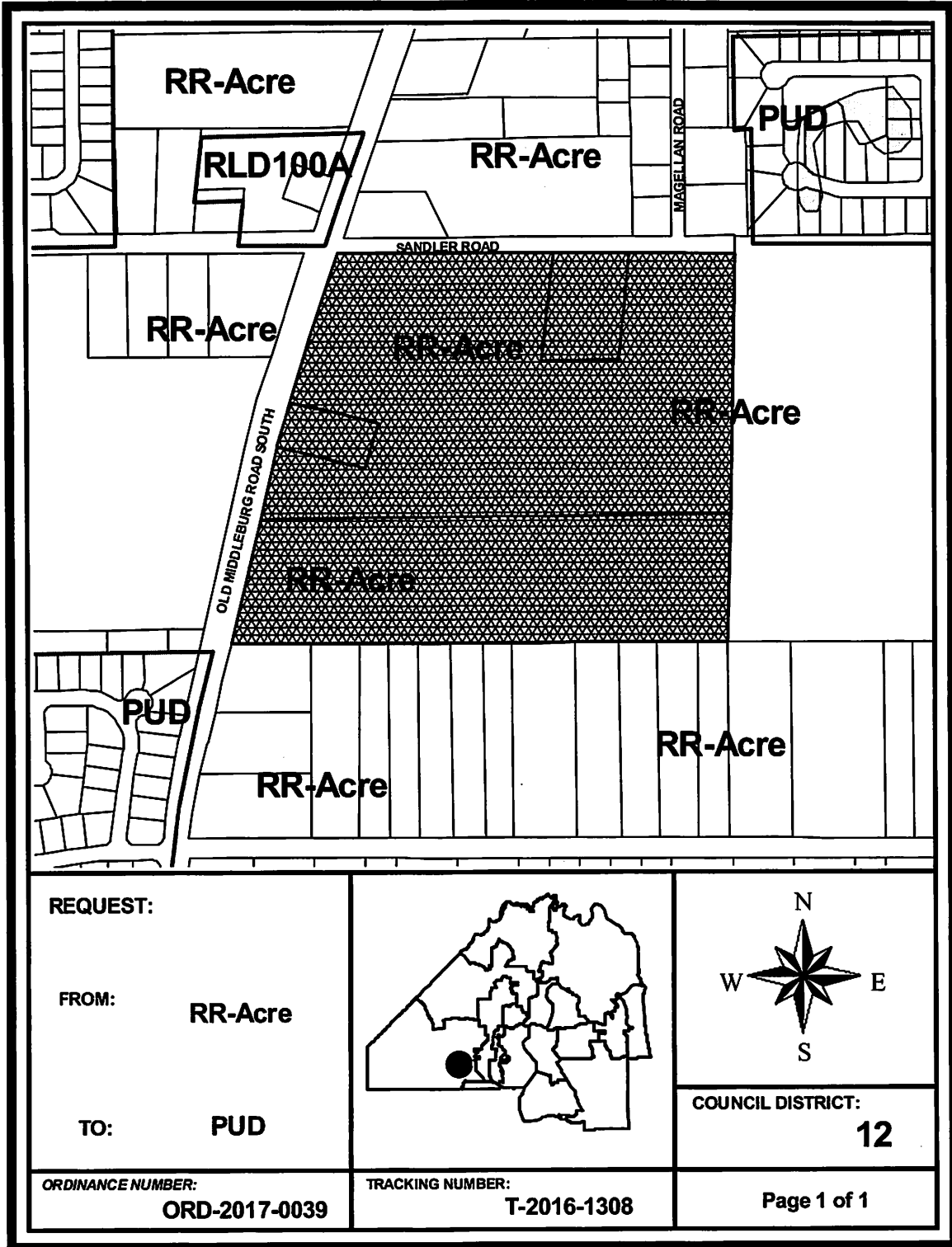
The subject site facing east from Old Middleburg Rd.



The subject site on the right facing east down Sandler Rd.



The subject site on the right facing north along Old Middleburg Rd.



Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2017-0039 Staff Sign-Off/Date AH / 12/22/2016

Filing Date 01/24/2017 Number of Signs to Post 2

Hearing Dates:

1st City Council 02/28/2017 Planning Commission 02/23/2017

Land Use & Zoning 03/07/2017 2nd City Council N/A

Neighborhood Association ARGYLE AREA CIVIC COUNCIL

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 1308

Application Status PENDING

Date Started 11/23/2016

Date Submitted 11/23/2016

General Information On Applicant

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| ATWILL | FRED | |

Company Name
ATWILL LLC

Mailing Address
9001 FOREST ACRES LANE

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32234 |

| Phone | Fax | Email |
|------------|-----|------------------------|
| 9046108975 | 904 | ATWILLFRED15@GMAIL.COM |

General Information On Owner(s)

Check to fill first Owner with Applicant Info

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| CAMPBELL | AUDREY | ANN |

Company/Trust Name

Mailing Address
9042 SANDLER RD

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32222 |

| Phone | Fax | Email |
|-------|-----|-------|
| | | |

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| CLOWER | BRENDA | |

Company/Trust Name

Mailing Address
5935 CAMP TRAIL

| | | |
|------------------------|--------------------|--------------------------|
| City CUMMING | State GA | Zip Code 30040 |
| 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 | 015590 0000 | 12 | 4 | RR-ACRE | PUD |
| Map | 015589 0100 | 12 | 4 | RR-ACRE | PUD |
| Map | 015588 9520 | 12 | 4 | RR-ACRE | PUD |
| Map | 015588 9510 | 12 | 4 | 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) 44.00

Development Number

Proposed PUD Name SANDLER OAKS

Justification For Rezoning Application

THE USE OF A PUD IS NECESSARY TO ADDRESS UNIQUE BUFFERING AND OTHER SPECIFIC CONDITIONS REQUIRED FOR THE PROPOSED DEVELOPMENT.

Location Of Property

General Location

EAST SIDE OF OLD MIDDLEBURG RD. S., SOUTH OF SANDLER RD. IN JACKSONVILLE HEI

| | | |
|----------------|--|-----------------|
| House # | Street Name, Type and Direction | Zip Code |
| | OLD MIDDLEBURG RD S | 32222 |

Between Streets

SANDLER RD and MARLEE RD

Required Attachments For Formal, Complete application

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

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

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

- Exhibit H** Aerial Photograph.
- Exhibit I** Listed Species Survey (If the proposed site is greater than fifty acres).
- Exhibit J** Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).
- Exhibit K** Site Location Map.

Public Hearings And Posting Of Signs

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

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

Application Certification

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

- Agreed to and submitted

Filing Fee Information

1) Rezoning Application's General Base Fee: \$2,269.00

2) Plus Cost Per Acre or Portion Thereof

44.00 Acres @ \$10.00 /acre: \$440.00

3) Plus Notification Costs Per Addressee

43 Notifications @ \$7.00 /each: \$301.00

4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$3,010.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

11/15/2016

A PART OF THE NORTH 1/2 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, SAID LANDS BEING A PORTION OF TRACT 5, 6, 7, 8, BLOCK 1, A PORTION OF TRACTS 1 AND 2, BLOCK 2, AND A PORTION OF AN UNNAMED 30' ROAD (CLOSED BY ORDINANCE 2007-1117-E), JACKSONVILLE HEIGHTS, AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF OLD MIDDLEBURG ROAD (COUNTY ROAD 32) (A 100' RIGHT OF WAY AS NOW ESTABLISHED) WITH THE SOUTHERLY RIGHT OF WAY LINE OF SANDLER ROAD (A 60' RIGHT OF WAY AS NOW ESTABLISHED), THENCE NORTH 89°20'54"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1264.79 FEET TO THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE WITH THE EAST LINE OF SAID TRACT 5, BLOCK 1, JACKSONVILLE HEIGHTS; THENCE S00°21'11"E, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG SAID EAST LINE OF TRACT 5, BLOCK 1, A DISTANCE OF 1306.07 FEET TO THE NORTH LINE CRESTBROOK, AS RECORDED ON THE PLAT THEREOF IN PLAT BOOK 27, PAGE 84 OF SAID CURRENT PUBLIC RECORDS; THENCE S89°42'32"W, ALONG SAID NORTH LINE OF CRESTBROOK, A DISTANCE OF 1337.53 FEET TO AN ANGLE POINT IN SAID NORTH LINE; THENCE S89°47'23"W, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 297.86 FEET TO THE INTERSECTION OF SAID NORTH LINE WITH THE SAID EASTERLY RIGHT OF WAY LINE OF OLD MIDDLEBURG ROAD; THENCE N13°36'45"E, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 782.19 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1859.86; THENCE NORTHERLY CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 181.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID CURVE BEING SUBTENDED A CHORD BEARING OF N16°24'39"E AND A CHORD DISTANCE OF 181.59 FEET; THENCE N19°12'32"E, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 386.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 43.79 ACRES MORE OR LESS.

EXHIBIT A

Property Ownership Affidavit

Date: 11-15-16

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, Audrey Ann Campbell hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for Rezoning to Planned Unit Development
submitted to the Jacksonville Planning and Development Department.

Audrey Ann Campbell
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 21st day of
NOVEMBER (month), 2016 (year) by AUDREY ANN CAMPBELL
who is personally known to me or has produced _____
as identification.

Arlene S. Ritz
(Notary Signature)

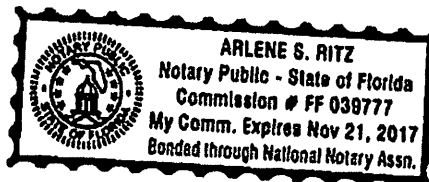


EXHIBIT A

Property Ownership Affidavit

Date: 11/15/16

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, Brenda Clower hereby certify that I am the
Owner of the property described in the attached legal description, Exhibit 1 in connection with
filing application(s) for Rezoning to Planned Unit Development
submitted to the Jacksonville Planning and Development Department.

Brenda Clower

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11th day of
NOVEMBER (month), 2016 (year) by BRENDA CLOWER
who is personally known to me or has produced _____
as identification.

Arlene S. Ritz
(Notary Signature)

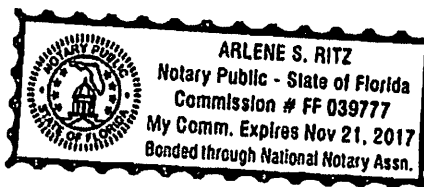


EXHIBIT B

Agent Authorization

Date: 11-15-16

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

Re: Agent Authorization for the following site location:

15580-0000, 15589-0100, 15588-9520

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers _____ to act as agent to file application(s) for Rezoning to Planned Unit Development 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.

Audrey Ann Campbell
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 21st day of NOVEMBER (month), 2016 (year) by AUDREY ANN CAMPBELL, who is personally known to me or has produced _____ as identification.

Arlene S. Ritz
(Notary Signature)

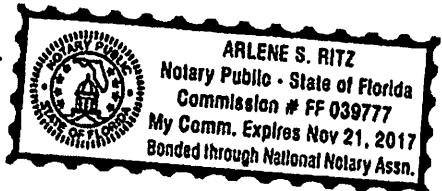


EXHIBIT B

Agent Authorization

Date: 11/15/16

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

Re: Agent Authorization for the following site location:

15588-9510

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers _____ to act as agent to file application(s) for Rezoning to Planned Unit Development 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.

Brenda Clower
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 21st day of NOVEMBER (month), 2016 (year) by BRENDA CLOWER, who is personally known to me or has produced _____ as identification.

Arlene S. Ritz
(Notary Signature)

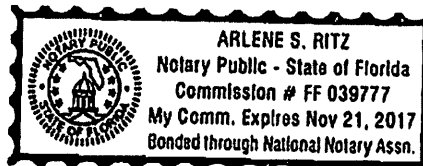


EXHIBIT C

Binding Letter

Date: 11-15-16

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: R.E. #15590-0000, 15589-0100, 15588-9520 / Sandler Oaks PUD

Ladies and Gentlemen:

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 hereof, 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 development plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities that are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By: Audrey Ann Campbell
(Owner's Signature)

Its: _____

EXHIBIT C

Binding Letter

Date: 11/15/16

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: R.E. #15588-9510 / Sandler Oaks

PUD

Ladies and Gentlemen:

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 hereof, 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 development plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities that are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By: Brenda Clower
(Owner's Signature)

Its: _____

Exhibit D

WRITTEN DESCRIPTION

SANDLER OAKS

November 23, 2016

I. PROJECT DESCRIPTION

- A. Atwill, LLC (the "Applicant") proposes to rezone approximately +/- 43.79 acres of property (the "Property") from RR-Acre to a Planned Unit Development ("PUD") to permit development of the subject property as a 197 lot single family residential subdivision. This property is currently owned by Audrey Ann Campbell, Dwayne Allen Waxer and Brenda Clower. The subject property is located east of Old Middleburg Road, south of Sandler Road, north of Marlee Road and west of Shindler Drive. The surrounding properties are zoned RR-Acre and single family developments (PUD) known as Sandler Chase and Whisper Glen located west of Old Middleburg Road S., and Weston which is north of Sandler Road. The subject property is in close proximity to shopping, mass transportation and schools.
- B. Project Architect/Planner: Dunn & Associates, Inc.
- C. Project Engineer: Dunn & Associates, Inc.
- D. Project Developer: D.R. Horton, Inc. - Jacksonville
- E. Current Land Use Category: Low Density Residential (LDR)
- F. Current Zoning District: Residential Rural (RR-Acre)
- G. Requested Zoning District: Planned Unit Development (PUD)
- H. Requested Land Use Category: Low Density Residential (LDR)
- I. Real Estate Numbers: 015588-9520, 015589-0100, 015590-0000, 015588-9510

II. QUANTITATIVE DATA

- A. Total acreage: +/- 43.79 acres
- B. Total (maximum) number of dwelling units: 197 units
- C. Total amount of non-residential floor area: N/A

D. Total amount of recreation area: To be provided as required by Section 656.420 of the Zoning Code

E. Total amount of open space: +/- 8.37 acres

F. Total amount of public/private rights of way: +/- 7.91 acres

G. Total amount of land coverage of all buildings and structures: 50%

H. Phase schedule of construction: initiation date: 1st quarter 2017
completion date: 4th quarter 2020

III. STATEMENTS

A. This proposed PUD differs from the usual application of the Zoning Code because it includes unique buffering, site planning and other conditions that would not be required through a strict application of the existing zoning categories.

B. A Homeowners' Association for the development shall be responsible for the maintenance of the common areas and recreation facilities. The streets will be dedicated to and maintained by the City of Jacksonville.

C. The Subject Property will fulfill housing needs appropriate to various lifestyles and income levels, provide a mix of housing types appealing to first time buyers, retirees and other buyers. This would have a positive impact on the area, blend with surrounding uses and help to increase the property values of the older communities in the area.

IV. USES AND RESTRICTIONS

A. Permitted Uses: Single family dwellings and other uses allowed in RLD zoning districts as allowed by Part 656.305.A.II.(a).(4)(family day care homes),(5)(community residential homes),(6)(essential services),(9)(neighborhood parks, pocket parks, playgrounds or recreational structures) and (11)(home occupations) of the Zoning Code. Temporary sales offices and construction trailers shall be allowed to be placed on site and moved throughout the site, if necessary. The number of temporary offices will not exceed three (3) at any given time and shall be removed upon the completion of all sales and construction activities on the Property. No construction trailers shall be located next to a completed and occupied home. Completed homes may be used as model homes or sales or construction offices.

B. Permissible Uses by Exception: N/A

C. Limitations on Permitted or Permissible Uses by Exception: N/A

D. Permitted Accessory Uses and Structures: Accessory uses and structures are allowed as defined in Section 656.40 of the Zoning Code, provided however, that no setback shall be required to locate air conditioning compressors in a required side yard and fences, swimming pools, screened enclosures and air conditioning compressors shall be permitted in the second front yard on double frontage or through lots.

V. DESIGN GUIDELINES

A. Lot Requirements (Required setbacks shall be measured to the face of the structural wall of the home or building. Nonstructural exterior surfaces or veneers will not be considered encroachments):

- (1) Minimum lot area: 5,000 square feet
- (2) Minimum lot width: 50 feet - For corner lots the minimum lot width shall be increased by 5' to 55'
- (3) Maximum lot coverage: 50%
- (4) Minimum front yard: 20 feet measured to the garage and 15 feet measured to the living space. On corner lots one of the front yards may be reduced to 10 feet.
- (5) Minimum side yard: 5 feet
- (6) Minimum rear yard: 10 feet - A rear yard shall also include any double frontage or through lot that is shown on the plat for the development which reflects a 5' non-access easement.
- (7) Maximum height of structures: 35 feet
- (8) Minimum frontage of each lot: Equal to 80% of its required lot width provided however, that the lot frontage may be reduced to 25' on cul-de-sacs and curves.

B. Ingress, Egress and Circulation

- (1) Parking Requirements. The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.
- (2) Vehicular Access.

- a. Vehicular access to the Property shall be by way of Sandler Road, substantially as shown in the Site Plan. Sandler Road to be paved, by the Applicant, from Old Middleburg Road to 100 feet past the entrance to Sandler Oaks and all improvements to Sandler Road are to be dedicated to the City of Jacksonville. The final location of all access points is subject to the review and approval of the Development Services Division.
- b. Within the Property internal access shall be provided to each home and the common areas via the streets as shown on the Site Plan which shall meet the standards required by the Code of Subdivision Regulations.

(3) Pedestrian Access.

- a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

C. Signs

- (1) The Applicant may construct up to two (2) permanent, single faced identity signs at each side of the entrance on Sandler Road or one (1) permanent, single or double faced sign in the median of the entry road to the development. The signs may be located within the road right-of-way or on private property. Each sign shall not exceed twenty-four (24) square feet in area or twelve (12) feet in height.
- (2) Real estate and construction signs shall also be allowed on each lot as provided for by Part 656.1306 and Section 656.1307 of the Zoning Code.

D. Landscaping

Landscaping will meet the requirements of Part 12 Landscape Regulations of the Zoning Code.

E. Recreation and Open Space

A minimum of 1 acre of recreation area shall be provided per every 100 single family lots (and any fraction thereof) pursuant to Part 656.420 of the Zoning Code.

F. Utilities

Water, sanitary sewer and electric will be provided by JEA.

G. Wetlands

The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District and all other local, state and federal requirements. The site plan has been designed to minimize impacts to wetlands.

H. Buffer

An existing ditch along the northern perimeter of the property to Shindler Road will be cleared of debris and excess vegetation prior to final acceptance of the first phase of development for Sandler Oaks. As shown by the site plan, a 10' buffer shall be provided along the eastern property line. An 8 foot tan vinyl fence shall be placed along this buffer and maintained by the Homeowners Association.

VI. DEVELOPMENT PLAN APPROVAL

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

VII. PUD REVIEW CRITERIA

- A. Consistency with Comprehensive Plan: According to the Future Land Use Map series (FLUMS) of the 2030 Comprehensive Plan, the designated Land Use is Low Density Residential (LDR), which allows for the use requested in the subject PUD.
- B. Consistency with the Concurrency and Mobility Management System: The PUD will satisfy all concurrency requirements as required by the City of Jacksonville Concurrency Management System Office.
- C. Allocation of Residential Land Use: The PUD provides for residential uses which are in compliance with the requirements of the 2030 Comprehensive Plan.
- D. Internal Compatibility/Vehicular Access: Vehicular access will be from Sandler Road. All uses are for single family.
- E. External Compatibility/Intensity of Development: The proposed density and uses are compatible with residential development in the area.
- F. Recreation/Open Space: The PUD will provide a recreation/common area for the community of approximately 1.53 acres or as otherwise required by Part 656.420 of the Zoning Code. In addition, ponds and wetlands total approximately 6.84 acres and provide additional open space.
- G. Impact on Wetlands: The Property will be developed in accordance with the permit requirements of the local, state and federal agencies with jurisdiction.
- H. Listed Species Regulations: The Subject Property contains less than 50 acres and a listed species survey is not required.

- I. Off Street Parking and Loading Requirements: Parking will be provided for each home as required by Part 6 of the Zoning Code.
- J. Sidewalks, Trails and Bikeways: Sidewalks will be constructed as required by the 2030 Comprehensive Plan..
- K. Stormwater Retention: A total of two (2) ponds are proposed to be constructed on the Property and will be maintained by the Homeowners Association.
- L. Utilities: The Jacksonville Electric Authority will provide all utilities.

EXHIBIT E
PUD Site Plan

EXHIBIT F

PUD Name Sawdler Oaks

Date 10/26/16

Land Use Table

| | | | |
|--|-------|---------|--------|
| Total gross acreage | 43.79 | Acres | 100 % |
| Amount of each different land use by acreage | | | |
| Single family | 27.51 | Acres | 62.9 % |
| Total number of dwelling units | 197 | D.U. | |
| Multiple family | 0 | Acres | 0 % |
| Total number of dwelling units | 0 | D.U. | |
| Commercial | 0 | Acres | 0 % |
| Industrial | 0 | Acres | 0 % |
| Other land use | 0 | Acres | 0 % |
| Active recreation and/or open space | 1.53 | Acres | 3.5 % |
| Passive open space, wetlands, pond | 6.84 | Acres | 15.6 % |
| Public and private right-of-way | 7.91 | Acres | 18.0 % |
| Maximum coverage of non-residential buildings and structures | 0 | Sq. Ft. | 0 % |

{
Perimeter buffers 1.44 ac.
Pond 5.4 ac.

{
0.21 Ac. tot lot
1.32 Ac. O.S. passive rec. @ lots 47/48 (NIC 20' Buffer)

EXHIBIT G

Deed

Electronically Filed 06/03/2013 12:17:29 PM ET

IN THE CIRCUIT COURT FOR DUVAL COUNTY,
FLORIDA

PROBATE DIVISION

File No: 16-2013-CP-0151

Division: PR-A

IN RE: ESTATE OF KENNETH ROY HIPPS, JR.
Deceased.

PERSONAL REPRESENTATIVE'S RELEASE AND
CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY

The undersigned, AUDREY ANN CAMPBELL, the duly appointed and serving personal representative of the estate of KENNETH ROY HIPPS, JR., deceased, hereby acknowledges that title to the real property located in Duval County, Florida, owned by the decedent at the time of death, more particularly described as follows:

The following piece, parcel or tract of land, situate, lying and being in the county of Duval, State of Florida, more particularly described as follows:

Tracts 5, 6, 7 and 8, Block 1, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat book 5, Page 93 of the current public records of Duval County, Florida, together with that part of Tracts 1 and 2, Block 2, JACKSONVILLE HEIGHTS lying easterly of Old Middleburg Road, according to plat thereof recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida; less and except that part recorded in Official Records Book 2524, Page 985, of the current public records of Duval County, Florida; less and except that part recorded in Official Records Volume 6162, Page 2033, of the current public records of Duval County, Florida, and less and except that part recorded in Official Records Book 16393, Pages 208-210, inclusive.

vested in AUDREY ANN CAMPBELL, whose post office address is: 9042 Sandler Road, Jacksonville, Florida 32222, the Beneficiary, by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for Duval County, Florida, Probate Division File No. 16-2013-CP-0151, Division PR-A, subject to rights of the personal representative under Sections 733.607 and 733.608 of the

Florida Probate Code to take possession or control of the property, or to use, sell, encumber or otherwise exercise control over the Property (1) for the payment of devises, debts, family allowance, estate and inheritance taxes, claims, charges, and expenses of administration, (2) to enforce contribution and equalize advancement, or (3) for distribution.

Having determined that the aforesaid property is not needed for any of the foregoing purposes, except distribution, and that such property should be released and distributed to the Beneficiaries, the personal representative hereby releases said property from all rights and powers of the personal representative and acknowledges that the property is vested in AUDREY ANN CAMPBELL, free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on JUNE 3, 2013.

Executed in the presence of:

Ronald D. Fairchild
Print Name: Ronald D. Fairchild

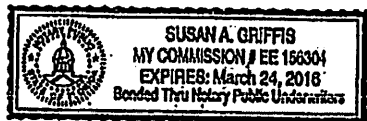
Audrey Ann Campbell
AUDREY ANN CAMPBELL, as
Personal Representative

Sharon B. Milne
Print Name: Sharon B. Milne

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me on June 3, 2013, by AUDREY ANN CAMPBELL, as personal representative of the estate of KENNETH ROY HIPPS, JR., deceased, who is personally known to me _____ or who produced _____ as identification.

Susan A. Griffis
Notary Public, State of and
County Aforesaid



Electronically Filed 06/03/2013 12:17:29 PM ET

IN THE CIRCUIT COURT FOR DUVAL COUNTY,
FLORIDA

PROBATE DIVISION

File No: 16-2013-CP-0151

Division: PR-A

IN RE: ESTATE OF KENNETH ROY HIPPS, JR.
Deceased.

PERSONAL REPRESENTATIVE'S RELEASE AND
CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY

The undersigned, AUDREY ANN CAMPBELL, the duly appointed and serving personal representative of the estate of KENNETH ROY HIPPS, JR., deceased, hereby acknowledges that title to the real property located in Duval County, Florida, owned by the decedent at the time of death, more particularly described as follows:

Being a part of the North one-half (N 1/2) of Section 21, Township 3-south, Range 25-east, of Duval County, Florida described as follows:

COMMENCING at the intersection of the north line of said section 21 with the center line of Old Middleburg Road, (County Road 32), thence S 19° 12' 10" W, along the said center line of Old Middleburg Road 497.32 feet to a point in said Road; thence south 13° 36' 10" W, continuing along the said center line of Old Middleburg Road, 119.35 feet; thence S 72° 45' 50" E, 50.10 feet to the east line of said Old Middleburg Road as now established for a width of 100 feet and the POINT OF BEGINNING; thence N 13° 36' 10" E, along the said east line of Old Middleburg Road, 29.10 feet to the P.C. of a curve in said right of way having a radius of 1859.86 feet and concave easterly; thence northly along the said curve in the right of way of Old Middleburg Road to a point that bears N 13° 58' 30" E, 131.32 feet from the said P.C.; thence S 72° 45' 50" E, 305.46 feet; thence S 17° 14' 10" W, 150 feet; thence N 72° 45' 50" W, 296.15 feet to the POINT OF BEGINNING.

RE Number 015590-0000

vested in AUDREY ANN CAMPBELL, whose post office address is 9042 Sandler Road, Jacksonville, Florida 32223, the Beneficiary, by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in

the Circuit Court for Duval County, Florida, Probate Division File No. 16-2013-CP-0151, Division PR-A, subject to rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to take possession or control of the property, or to use, sell, encumber or otherwise exercise control over the Property (1) for the payment of devises, debts, family allowance, estate and inheritance taxes, claims, charges, and expenses of administration, (2) to enforce contribution and equalize advancement, or (3) for distribution.

Having determined that the aforesaid property is not needed for any of the foregoing purposes, except distribution, and that such property should be released and distributed to the Beneficiaries, the personal representative hereby releases said property from all rights and powers of the personal representative and acknowledges that the property is vested in AUDREY ANN CAMPBELL, free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on JUNE 3, 2013.

Executed in the presence of:
Ronald D. Fairchild
Print Name: Ronald D. Fairchild

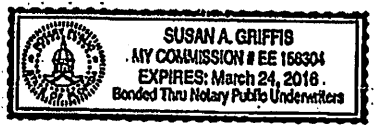
Audrey Ann Campbell
AUDREY ANN CAMPBELL, as
Personal Representative

Sharon B. Milne
Print Name: Sharon B. Milne

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me on June 3, 2013, by AUDREY ANN CAMPBELL, as personal representative of the estate of KENNETH ROY HIPPS, deceased, who is personally known to me or who produced _____ as identification.

Susan A. Hipps
Notary Public, State of and
County Aforesaid



Electronically Filed 06/03/2013 11:19:35 AM ET

IN THE CIRCUIT COURT FOR DUVAL COUNTY,
FLORIDA

PROBATE DIVISION

File No: 16-2013-CP-0151

Division: PR-A

IN RE: ESTATE OF KENNETH ROY HIPPS, JR.

Deceased.

AMENDED
PERSONAL REPRESENTATIVE'S RELEASE AND
CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY

The undersigned, AUDREY ANN CAMPBELL, the duly appointed and serving personal representative of the estate of KENNETH ROY HIPPS, JR., deceased, hereby acknowledges that title to the real property located in Duval County, Florida, owned by the decedent at the time of death, more particularly described as follows:

The following piece, parcel or tract of land, situate, lying and being in the county of Duval, State of Florida:

The southerly fifteen (15) acres of that certain tract of land located in Jacksonville, Duval County, Florida, being more particularly described as follows:

Tracts 5, 6, 7 and 8, Block 1, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat book 5, Page 93 of the current public records of Duval County, Florida, together with that part of Tracts 1 and 2, Block 2, JACKSONVILLE HEIGHTS lying easterly of Old Middleburg Road, according to plat thereof recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida; less and except that part recorded in Official Records Book 2524, Page 985, of the current public records of Duval County, Florida; and less and except that part recorded in Official Records Volume 6162, Page 2033, of the current public records of Duval County, Florida, being more particularly described as follows:

A portion of Tracts 5, 6, & 8, Block 1 together with a portion of Tract 2, Block 2, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat book 5, Page 93, of the current public records of Duval County, Florida. Said lands lying in the North 1/2 of Section 21, Township 3 South, Range 25 East, Duval County, Florida, being more

particularly described as follows:

Begin at intersection of the Easterly right of way line of Old Middleburg Road (a 100 foot right of way as now established) with Northerly line of Crestbrook as recorded in Plat book 27, Page 84, of the current public records of said county; thence North 89°47'35" East along the Northerly line of said Crestbrook, a distance of 297.86 feet, to an angle point in said Northerly line; thence continue along said Northerly line North 89°41'01" East, a distance of 1337.95 feet, to its intersection with the Easterly line of the Northwest 1/4 of the Northeast 1/4, also being the Westerly line of Tract 4, Block 1, of said JACKSONVILLE HEIGHTS; thence North 00°22'05" West, departing said Northerly line and along said Easterly line, a distance of 418.25 feet; thence South 89°14'43 West, departing said Easterly line, a distance of 1534.75 feet, to its intersection with said easterly right of way line of Old Middleburg Road; thence South 13°37'11" West, along said Easterly right of way line, a distance of 418.25 feet to the point of beginning.

Containing 15.0 acres, more or less.

vested in BRENDA CLOWER, whose post office address is 6485 Calamar Drive, Cumming, Georgia 30041 the Beneficiary, by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for Duval County, Florida, Probate Division File No. 16-2013-CP-0151, Division PR-A, subject to rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to take possession or control of the property, or to use, sell, encumber or otherwise exercise control over the Property (1) for the payment of devises, debts, family allowance, estate and inheritance taxes, claims, charges, and expenses of administration, (2) to enforce contribution and equalize advancement, or (3) for distribution.

Having determined that the aforesaid property is not needed for any of the foregoing purposes, except distribution, and that such property should be released and distributed to the Beneficiaries, the personal representative hereby releases said property from all rights and powers of the personal representative and acknowledges that the property is vested in BRENDA CLOWER, free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this

instrument on JUNE 3, 2013.

Executed in the presence of:

Ronald D. Fairchild
Print Name: Ronald D. Fairchild

Audrey Ann Campbell
AUDREY ANN CAMPBELL, as
Personal Representative

Sharon B. Milne
Print Name: Sharon B. Milne

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me on June 3, 2013, by AUDREY ANN CAMPBELL, as personal representative of the estate of KENNETH ROY HIPPS, deceased, who is personally known to me or who produced _____ as identification.

Susan A. Griffis
Notary Public, State of and
County Aforesaid



156304
EXPIRES: 3/24/16
Bonded Thru Notary Public Underwriters

Prepared By:
Ronald D. Fairchild, Esquire
1000 Riverside Avenue, Suite 100
Jacksonville, Florida 32204

QUIT-CLAIM DEED
WITH ENHANCED LIFE ESTATE RETAINED

THIS QUIT-CLAIM DEED, executed this 6 day of MARCH, 2015, between BRENDA CLOWER, the Grantor, of Forsyth County, Georgia, whose mailing address is 5935 Camp Trail, Cumming, Georgia 30040, and DWAYNE ALLEN WAXER, the Remainderman/Grantee, c/o Brenda Clower, whose mailing address is 5935 Camp Trail, Cumming, Georgia 30040.

WITNESSETH: that the said Grantor, for and in consideration of love and affection, has remised and released, and by these presents does remise and release unto the said Remainderman/Grantee, and his heirs, successors and assigns forever, a remainder interest in the following described land, situate, lying and being in Duval County, Florida, more particularly described as follows:

The southerly fifteen (15) acres of that certain tract of land located in Jacksonville, Duval County, Florida, being more particularly described as follows:

Tracts 5, 6, 7 and 8, Block 1, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat book 5, Page 93 of the current public records of Duval County, Florida, together with that part of Tracts 1 and 2, Block 2, JACKSONVILLE HEIGHTS lying easterly of Old Middleburg Road, according to plat thereof recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida; less and except that part recorded in Official Records Book 2524, Page 985, of the current public records of Duval County, Florida; and less and except that part recorded in Official Records Volume 6162, Page 2033, of the current public records of Duval County, Florida, being more particularly described as follows:

A portion of Tracts 5, 6, & 8, Block 1 together with a portion of Tract 2, Block 2, JACKSONVILLE HEIGHTS, according to plat thereof recorded in Plat book 5, Page 93, of the current public records of Duval County, Florida. Said lands lying in the North 1/2 of Section 21, Township 3 South, Range 25 East, Duval County, Florida, being more particularly described as follows:

Begin at intersection of the Easterly right of way line of Old Middleburg Road (a 100 foot right of way as now established) with Northerly line of Crestbrook as recorded in Plat book 27, Page 84, of the current public records of said county; thence North 89°47'35" East along the Northerly line of said Crestbrook, a

distance of 297.86 feet, to an angle point in said Northerly line; thence continue along said Northerly line North 89°41'01" East, a distance of 1337.95 feet, to its intersection with the Easterly line of the Northwest 1/4 of the Northcast 1/4, also being the Westerly line of Tract 4, Block 1, of said JACKSONVILLE HEIGHTS; thence North 00°22'05" West, departing said Northerly line and along said Easterly line, a distance of 418.25 feet; thence South 89°14'43 West, departing said Easterly line, a distance of 1534.75 feet, to its intersection with said easterly right of way line of Old Middleburg Road; thence South 13°37'11" West, along said Easterly right of way line, a distance of 418.25 feet to the point of beginning.

Containing 15.0 acres, more or less.

Real Estate No.: 015588-9510

* This property is not the homestead of Grantor or any other person.

** The Grantor reserves a life estate unto herself during the Grantor's lifetime coupled with an unrestricted power to convey, sell, mortgage, lease and otherwise dispose of the property described above without joinder by the Remainderman/Grantee, and to retain absolutely any and all proceeds derived therefrom.

THIS INSTRUMENT WAS PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION AND THE PREPARER MAKES NO REPRESENTATIONS OR WARRANTIES AS TO TITLE OR DESCRIPTION.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in our Presence:

[Signature]
Witness
Print Name: Kim Thornton

[Signature]
BRENDA CLOWER

[Signature]
Witness
Print Name: Philipp Eggstein

STATE OF Georgia
COUNTY OF Fulton

Before me personally appeared BRENDA CLOWER, known to me to be the person described in and who executed the foregoing instrument and who is personally known to me or who produced _____ for identification and who did not take an oath.

WITNESS my hand and official seal this 6 day of March, 2015 at County and State aforesaid.

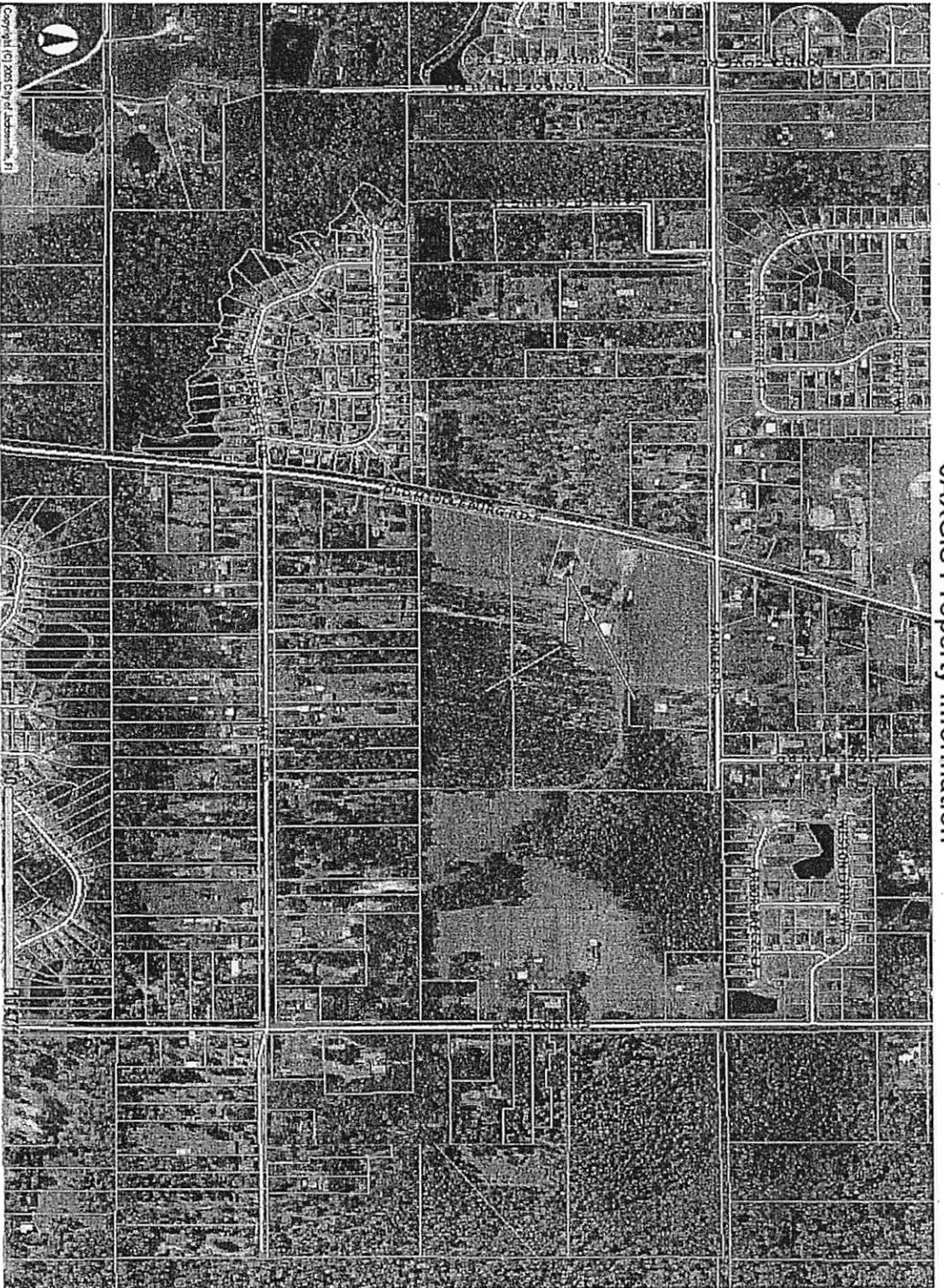
[Signature] Fulton, GA
Notary Public, County and State Aforesaid



EXHIBIT H

Aerial Photograph

JAXGIS Property Information



Copyright (c) 2004 City of Jacksonville, FL

EXHIBIT I

Listed Species Survey

Not required – subject property is 50 acres

EXHIBIT J

Other



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Vince Dunn
Dunn & Associates, Inc.
8375 Dix Ellis Trail Ste 102
Jacksonville, Florida, 32256

October 05, 2016

Project Name: Sandler Oaks
Availability#: 2016-1398

Dear Mr/Mrs Vince Dunn,

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.

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. 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
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

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



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2016-1398
Request Received On: 9/7/2016
Availability Response: 10/5/2016
Prepared by: Mollie Price

Project Information

Name: Sandler Oaks
Type: Single Family
Requested Flow: 70,000 gpd
Location: East side of Old Middleburg Road S. just south of Sandler Road
Parcel ID No.: 015588-9520 and*
Description: 200 lot residential subdivision*015588-9510 and 015589-0100 and 015590-0000

Potable Water Connection

Water Treatment Grid: NORTH GRID
Connection Point #1: Existing 16-in water main on the west side of Old Middleburg Rd S
Connection Point #2: NA
Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

Sewer Connection

Sewer Treatment Plant: SOUTHWEST
Connection Point #1: Existing 8-in forcemain on the east side of Old Middleburg Rd S
Connection Point #2: NA
Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

Reclaimed Water Connection

Sewer Region/Plant: North Grid
Connection Point #1: No reclaim in the foreseeable future
Connection Point #2: NA
Special Conditions: No reclaim in the foreseeable future.

General Comments:

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.



February 23, 2017

The Honorable Lori N. Boyer, President
The Honorable Danny Becton, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2017-40 **Application for: Gate Parkway Mixed Use PUD**

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairperson Becton and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission ("PC") respectfully offers this report for consideration by the Land Use and Zoning Committee ("LUZ").

● Recommendation by JPDD: Approve Approve with Conditions Deny

● Recommendation by PC to LUZ: Approve Approve with Conditions Deny

● This rezoning is subject to the following exhibits:

1. The original legal description dated December 21, 2016.
2. The ~~original~~revised written description dated ~~December 21, 2016~~February 22, 2017.
3. The ~~original~~revised site plan dated ~~December 20, 2016~~February 22, 2107.

● Recommended Planning Commission Conditions* to the Ordinance:

1. ~~A Traffic Study shall be submitted at the time of verification of substantial compliance for review and approval by the Traffic Engineer and the Transportation Planning Division. Driveway widths shall meet city standards. Internal roads dedicated to the City of Jacksonville, they shall meet city standards. There shall be no angled parking or identification signage in city right of way.~~
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.~~

*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~strikethrough~~.

● Recommended PC Conditions that can be incorporated into the Written Description: None

PLANNING & DEVELOPMENT DEPARTMENT

● PC Vote: 4-0

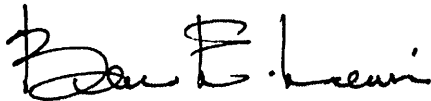
● PC Commentary: There was no one to speak in opposition. The agent explained he has attended three meetings with neighbors. He has also meet with traffic engineer and included comments in a revised written description and site plan. Those were presented to the commissioners.

The Department has reviewed the revised written description and site plan and recommends conditions #1 and 2 be deleted.

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|---------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Daniel Blanchard, Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Abel Harding, Vice Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Nicole Padgett, Secretary | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Marshall Adkison | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ben Davis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Hagan | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Joshua Garrison | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Dawn Motes | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis, City Planner Supervisor
 Planning and Development Department

Exhibit "D"

Gate Parkway Mixed-Use Village PUD

February 22, 2017

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 167742 0150
- B. Current Land Use Designation: CGC
- C. Current Zoning District: IBP & CO
- D. Proposed Zoning District: PUD

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

Sidlyd Investments, LLC propose to rezone approximately 18.72 acres of property located at the southwest quadrant of Gate Parkway and Deerwood Park Boulevard from Industrial Business Park ("IBP") and Commercial Office ("CO") to Planned Unit Development ("PUD"). The property is more particularly described by the legal description attached hereto as **Exhibit "1"** (the "Property"). As described below, the PUD zoning district is being sought to provide for a pedestrian-friendly mixed-use development, which may include a mix of residential, office, medical, commercial, and recreational uses. The PUD allows for a diversity of uses, building types, and recreational spaces to be developed in a manner that is internally consistent, compatible with external uses, and provides for innovative site planning concepts that will create an aesthetically pleasing environment. The PUD shall be developed in accordance with this PUD Written Description and the PUD Conceptual Site Plan which is **Exhibit "E"** to this application.

The Property is designated as Community Commercial General ("CGC") on the Future Land Use Map (FLUM) of the 2030 Comprehensive Plan and is within the Urban Development Area. The PUD shall be developed consistent with the applicable CGC – Urban Area land use category of the 2030 Comprehensive Plan.

III. SITE SPECIFICS

Surrounding land use designations, zoning districts, and existing uses are as follows:

| | <u>Land Use Category</u> | <u>Zoning</u> | <u>Use</u> |
|-------|--------------------------|---------------|-----------------------------------|
| South | BP | IBP | Flex Office/Warehouse |
| East | BP | PUD | Professional Office |
| North | CGC | PUD | Hotel, Restaurant, Financial Bank |
| West | BP | PUD | Flex Office/Warehouse |

IV. PERMITTED USES

A. Maximum Densities/Intensities

Consistent with the Operative Provisions of the Future Land Use Element of the 2030 Comprehensive Plan governing CGC Urban Area uses, residential uses, as described in Section IV.C below, shall not exceed eighty (80%) percent of the gross acreage of the Property with a maximum residential density of forty (40) units per acre.

Maximum densities/intensities shall be as follows:

Multi-Family Residential (Apartments) (Section IV.C below): up to 300 units.

Office/Medical (Section IV.D below): up to 25,000 square feet.

Commercial (Section IV.E below excluding Hotel/Motel): up to 50,000 square feet.

Hotel/Motel (Section IV.E below): up to 110 rooms.

The Applicant may convert the above permitted densities/intensities upon notification to the Planning and Development Department pursuant to the Conversion Table attached as **Exhibit “2,”** which is based upon p.m. peak hour trip generation. The above densities/intensities correspond generally to the ITE Trip Generation Manual land use codes as identified in **Exhibit “3.”** Any permitted uses which do not correspond to the ITE Trip Generation Manual land use codes as identified in **Exhibits “3-A” and “3-B”** shall be analyzed pursuant to the most comparable ITE Trip Generation Manual land use code, subject to the review and approval of the Planning and Development Department.

B. PUD Conceptual Site Plan and Parcels

The PUD Conceptual Site Plan dated December 20, 2016, attached hereto as **Exhibit “E,”** shows the uses to be permitted in parcels within the Property. The parcel designations are solely for the purpose of defining the general location of permitted uses within the PUD; they do not define or correlate to ownership and do not subdivide the Property. Parcel size, configuration, and boundaries as shown on the PUD Conceptual Site Plan may be modified as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.

The following uses, as described in Sections IV.C, D, E and F below, shall be permitted uses in the parcels as follows:

In the Residential Village Parcel as shown on the PUD Conceptual Site Plan, Multi-Family Residential and Lake/Greenway uses and related amenities, as described in Sections IV.C and F below, shall be permitted. The Residential and Lake/Greenway uses may include associated shared parking.

In the Merchant and Medical Village Office/Commercial Parcel as shown on the PUD Conceptual Site Plan, Office/Medical, Commercial and Lake/Greenway uses, as described in Sections IV.D, E and F below shall be permitted. The Office/Medical and Commercial uses may include uses which are integrated horizontally and vertically, with associated shared parking.

In the Lakeside Village Office/Commercial Parcels as shown on the PUD Conceptual Site Plan, Office/Medical, Commercial and Lake/Greenway uses, as described in Sections IV.D, E and F below, shall be permitted. The Office/Medical and Commercial uses may include uses which are integrated horizontally and vertically, with associated shared parking.

C. Multi-Family Residential

1. *Permitted uses and structures.*

a. Rental apartments (with a maximum of 300 units in the Residential Village Parcel).

b. Leasing/management offices, models, and similar uses.

c. Amenity/recreation centers, which may include a pool, cabana/clubhouse, health/exercise facility, and similar uses.

d. Mail center.

e. Laundry (self) facilities for residents.

f. Car wash (self) area for residents.

g. Home occupations subject to Section 656.401(n), Ordinance Code.

h. Structured parking, including detached or attached garages.

i. Essential services, including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric, meeting the performance standards and development criteria set forth in Section IV.J.3, below.

j. Parks, playgrounds, playfields, dog/pet parks, and recreational and community structures.

k. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.

l. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.

2. *Permitted accessory uses and structures.* As accessory to the Apartment use within the PUD, child or day care centers with fewer than 15 children or adults, establishments for the sale of convenience goods, personal and professional service

establishments are permitted; provided, however, that these establishments shall be designed and scaled to meet only the requirements of the Apartment use in which it is located and shall have no signs or other external evidence of the existence of these establishments.

3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Apartment use.* For the purpose of these requirements, “lot” refers to the parent Property as described in **Exhibit “1”** and “yard” refers to distance from the parent Property boundary.

a. *Minimum lot width*—None.

b. *Maximum gross density*—300 units on the Residential Village Parcel. As density for the PUD is calculated based on the Property, the density maximum of 300 units on 18.72 acres = a maximum of 16.03 units/acre.

c. *Maximum lot coverage by all buildings*— Sixty-five (65) percent with “lot” being defined as the entire PUD Property. The Lake/Greenway area shown on the PUD Conceptual Site Plan and described in Section IV.F below will provide open space and pervious surfaces throughout the PUD.

d. *Minimum yard requirements.* The minimum yard requirements for all structures are:

- (i) Front—Ten (10) feet.
- (ii) Side— Ten (10) feet.
- (iii) Rear— Ten (10) feet.

e. *Maximum height of structure.* Thirty-five (35) feet, provided, however, height may be unlimited where all required yards are increased by one (1) foot for each three (3) feet of building height or fraction thereof in excess of thirty-five (35) feet.

f. *Separation between structures.* Structures which face or back up to each other shall provide at least twenty (20) feet of separation between structures; provided, however, that the separation between a windowless end wall of a structure and another windowless end wall of a structure shall be at least ten (10) feet.

D. Office/Medical

1. *Permitted uses and structures:*

a. Professional and business offices.

b. Medical uses, including:

- (i) Medical, dental and chiropractic offices or clinics
- (ii) Rehabilitation hospitals, including inpatient, outpatient, and skilled nursing programs and services.

(iii) Emergency medicine, urgent care, imaging/radiology services, ancillary uses and similar uses, including 24-hour care but not overnight lodging.

(iv) Hospice facilities and overnight-stay facilities for families and caregivers of patients.

c. Senior housing, including:

(i) Nursing homes, homes for the aged, housing for the elderly, community residential homes for the elderly, group care homes for the elderly, and similar uses.

(ii) Independent living, assisted living, and memory care housing for the elderly.

(iii) Service of beer, wine, and alcohol for residents and guests as catered and/or provided for special events.

d. Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products.

e. Banks, savings and loans, credit unions, and other financial institutions and similar uses; including drive-through and drive-up facilities, with drives and connections designed and configured for safe access.

f. Mortgage brokers, stockbrokers, and similar financial institutions.

g. Churches including a rectory, day care and /or school, and similar uses.

h. Schools meeting the performance standards and development criteria set forth in Section IV.J.8 below.

i. Colleges and universities.

j. Vocational, trade and business schools.

k. Public buildings and facilities.

l. Libraries, museums, and community centers.

m. Art galleries, dance, art, pottery, crafts, gymnastics, fitness/exercise centers, martial arts and music studios, and theaters for stage performances (but not motion picture theaters), and similar uses.

n. Museums, art galleries, music studios, and theaters for stage performances may include bottle clubs or the retail sale and service of all alcoholic beverages, including liquor, beer or wine, for on-premises consumption in conjunction with performances, shows, meetings, and similar activities.

o. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.

p. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.

q. Radio and television broadcasting studios and offices.

r. Essential services, including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric, meeting the performance standards and development criteria set forth in Section IV.J.3 below.

2. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Office/Medical use.* For the purpose of these requirements, "lot" refers to the parent Property as described in **Exhibit "1"** and "yard" refers to distance from the parent Property boundary.

a. *Minimum lot width*—None.

b. *Maximum lot coverage by all buildings*— None. The Lake/Greenway area shown on the PUD Conceptual Site Plan and described in Section IV.F below will provide open space and pervious surfaces throughout the PUD.

c. *Minimum yard requirements.* The minimum yard requirements for all structures are:

- (a) Front—None.
- (b) Side— None.
- (c) Rear— None.

d. *Maximum height of structure*—Thirty-five (35) feet, provided, however, height may be unlimited where all required yards are increased by one (1) foot for each three (3) feet of building height or fraction thereof in excess of thirty-five (35) feet.

E. Commercial

1. *Permitted Uses and Structures:*

a. Retail outlets for the sale of food and drugs including grocery stores, apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry, art, cameras or photographic supplies including camera repair, sporting goods, hobby shops and pet shops, musical instruments, florists, delicatessens, bakeries, restaurants, home furnishings and appliances including repairs incidental to sales, office equipment or furniture, hardware, antiques, new automobile parts (including rebuilt parts) and accessories, plant nurseries, home improvement, and all other similar retail uses. These uses include drive-through and drive-in facilities.

b. Retail outlets for the purchase, sale, or trade of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.

c. Fruit, vegetable, poultry or fish market.

d. Personal service establishments such as barber and beauty shops, shoe repair, interior decorators, health clubs and gymnasiums, spas, laundries and dry cleaners, tailors, dry cleaning pickup, travel agencies, and similar uses.

e. Libraries, museums, and community centers.

f. Establishments which include the retail sale and service of all alcoholic beverages, including liquor, beer or wine, for on-premises consumption or off premises consumption or both. These establishments are exempt from the distance limitations set forth in Part 8 of the Zoning Code from applicable uses within this PUD.

g. Studios where art, pottery, or crafts are made with a bottle club or the retail sale and service of all alcoholic beverages, including liquor, beer or wine, for on-premises.

h. Breweries, taprooms, wineries, wine clubs, tasting rooms, and similar uses.

i. Convenience stores which may include the sale of petroleum, electric or natural gas and an automated car wash meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code. This use is restricted to the Merchant and Medical Village Office/Commercial Parcel only and is prohibited in all other parcels. This use also is subject to the following design criteria:

(i) Roof heights shall vary, with a top of roof of a maximum of 26 feet (26') in height, a main building parapet of a maximum of 22 feet (22'), and lower elements at building entry points.

(ii) The mix of roof heights shall be accented with colorful awnings over windows at the front elevation as well as a variation of storefront/window heights.

(iii) The exterior materials shall include a mix of materials, such as glazing, stone, metal and wood, with variation between elevations.

j. Auto laundry.

k. Outside sale and service of alcoholic beverages, subject to the criteria set forth in Section IV.J.5 below.

l. Restaurants with on premises consumption of beer, wine and alcohol. These establishments are exempt from the distance limitations set forth in Part 8 of the Zoning Code from applicable uses within this PUD.

- m. Restaurants with the outside sale and service of food.
- n. Indoor or outdoor retail and restaurant kiosks (static or mobile kiosks).
- o. Hotels.
- p. Banks, savings and loans, and other financial institutions and similar uses, including drive-through and drive-up facilities.
- q. Stand-alone walk-up or drive-up ATMs and similar uses.
- r. Private clubs, lodges and fraternities meeting the performance standards and development criteria set forth in Section IV.J.7 below.
- s. Blueprinting and job printing.
- t. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, skating rinks, cinemas, theaters, and similar uses.
- u. Express or parcel delivery offices, but not trucking distribution centers.
- v. Veterinarians, animal hospitals and associated animal boarding kennels meeting the performance standards and development criteria set forth in Section IV.J.9 below.
- w. Off-street parking lots, meeting the performance standards and development criteria set forth in Section IV.J.4 below, which may include outdoor sales, entertainment, and public displays.
- x. Parking decks and parking garages.
- y. Buildings and uses immediately and exclusively accessory to the uses permitted above, including automobile parking or valet facilities, living quarters for custodians or caretakers of the office buildings, and storage of documents and equipment.
- z. Child and adult day care centers meeting the performance standards in Section IV.J.1 below.
- aa. Outside retail sales of holiday items, including fireworks, subject to the performance standards and development criteria set forth in Section IV.J.6 below.
- bb. Personal property storage establishments, subject to the performance standards and development criteria set forth in Section IV.J.10 below.
- cc. Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric and communication towers subject to the performance standards in Section IV.J.2 & 3 below.

dd. Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.

ee. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

ff. Any uses permitted herein may be integrated vertically within a structure, specifically including but not limited to the vertical integration of residential and retail uses.

gg. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.

hh. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.

2. *Permissible uses by exception.*

a. Tire stores, including minor repair services such as installation, balance, rotation, etc., subject to the performance standards in Section IV.J.11 below and subject to the following design criteria:

(i) Service bays shall be oriented perpendicular to public streets and to any residential uses within the PUD.

(ii) Service bays shall be recessed or screened to minimize visibility from public streets.

(iii) Storefronts shall be oriented toward public streets.

b. Establishments for the service and repair of general appliances and small engines, where all activities are conducted within enclosed building space, subject to the performance standards in Section IV.J.12 below.

3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Commercial use.* For the purpose of these requirements, "lot" refers to the parent Property as described in **Exhibit "1"** and "yard" refers to distance from the parent Property boundary.

a. *Minimum lot width*—None.

b. *Maximum lot coverage by all buildings*—None. The Lake/Greenway area shown on the PUD Conceptual Site Plan and described in Section IV.F below will provide open space and pervious surfaces throughout the PUD.

c. *Minimum yard requirements.* The minimum yard requirements for all structures are:

- (a) Front—None.
- (b) Side— None.
- (c) Rear— None.

d. *Maximum height of structure*—Thirty-five (35) feet, provided, however, height may be unlimited where all required yards are increased by one (1) foot for each three (3) feet of building height or fraction thereof in excess of thirty-five (35) feet.

F. Lake/Greenway

1. *Permitted Uses and Structures:*

a. Conservation, open space, greenspace, and passive and low intensity recreation uses shall be permitted, including: parks, playgrounds, dog/pet parks, park structures, site furnishings, landscaping, vegetative screens or buffers, fencing, walkways, greenways, nature walks, trails, exercise courses, boardwalks, footbridges, gardens, ponds, observation platforms, storage sheds for maintenance equipment, benches, picnic areas, shelters and informational kiosks, informational signage, habitat enhancement devices such as birdhouses, duck houses, and bat houses, and other similar uses designed for and used for low intensity/low impact recreational/open space uses.

b. Stormwater, surface water management and flood control improvements, as permitted by the applicable regulatory agencies.

c. Wetland preservation, mitigation, and restoration, as permitted by the applicable regulatory agencies.

d. Docks, piers, over-water walkways or promenades, bulkheads, pilings, and similar facilities.

e. Uses which are adjacent to a lake may use small pram boats, paddle boats, kayaks, canoes, and similar small, recreational boats on the lake. Gasoline, diesel and other powered motors are prohibited, except for boats used to maintain the lake.

f. Essential services, including water, sewer, gas, telephone, stormwater management facilities, radio, television and electric, meeting the performance standards and development criteria set forth in Section IV.J.3 below.

2. *Minimum lot requirement (width and area):* None.

3. *Maximum lot coverage by all buildings:* None.

4. *Minimum yard requirements:* None.
5. *Maximum height of structure:* None.

G. Silviculture.

Silviculture may continue as a permitted use on all or any portion of the Property until build-out.

H. Land Clearing.

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.

I. Accessory Uses and Structures

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal structure. Accessory uses shall be subject to the following:

Accessory uses and structures in the Residential Village shall include noncommercial greenhouses and plant nurseries, garages, carports, boat shelters, tool-houses, garden sheds, garden work centers, children's play areas, play equipment, barbecue pits, and swimming pools, and similar uses or structures which are of a nature not likely to attract visitors in larger number than would normally be expected in a residential neighborhood.

J. Additional Performance Standards

Additional performance standards for those uses identified shall be as follows:

1. Child or day care centers shall provide a fenced outdoor play area which meets the minimum requirements set forth by the state licensing agency and which shall be located in the rear or side yards of the subject property.

2. Communication towers shall be permitted subject to the requirements relating to the location of such towers pursuant to Part 15 of the City of Jacksonville Zoning Code. Additionally, the maximum height of communication towers is as provided for in Part 15.

3. Essential services including central water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the Jacksonville Ordinance Code.

4. Off-street parking lots shall be permitted subject to the following condition:

a. There shall be no storage, sales or service activity of any kind on these lots.

b. Vehicles parked on the lot shall be limited to automobiles for employee and customer parking.

5. The outside sale and service of alcoholic beverages in conjunction with a restaurant shall be limited to an area which is contiguous to an existing licensed facility or establishment and which shall be no greater than the inside area for sale and service.

6. Outside retail sale of holiday items, including fireworks, shall be permitted subject to the following conditions:

a. The holiday items sold shall be limited to those items which are related to the holiday immediately upcoming at the end of the applicable 30-day period. For example, prior to New Year's Day and the Fourth of July - legal fireworks; prior to Christmas - Christmas trees and ornaments; prior to Halloween - costumes and decorations related to Halloween. Whether an item is related to the upcoming holiday shall be determined by the Director of the Planning and Development Department or the Director's designee.

b. There shall be adequate parking sufficient to accommodate the additional temporary retail sales without reducing the number of available parking spaces required by the Ordinance Code in connection with the other principal use(s), unless, in the opinion of the Planning and Development Department, adequate parking is otherwise available.

c. There shall be adequate access to the site from the right-of-way, such that the temporary outside retail sales will not result in undue traffic congestion. The site plan for the site shall be submitted to the City Traffic Engineer for review and approval to ensure that access to the site from the right-of-way will not result in undue traffic congestion, prior to the issuance of the permit by the Chief of the Building Inspection Division.

d. Outside retail sales of holiday items shall occur only by permit issued by the Chief of the Building Inspection Division.

7. Private clubs, conference centers, and meeting facilities shall be permitted subject to the condition that any food and beverage, including alcoholic beverages, shall be limited to service incidental to the primary activity of the facility.

8. Schools shall be permitted subject to the condition that lighting associated with the school, as well as the recreation areas and playing fields, shall be so designed and installed so as to prevent glare or excessive light on any adjacent residential property, subject to the review and approval of the Planning and Development Department.

9. Veterinarians, animal hospitals and associated animal boarding kennels shall be permitted subject to the following conditions:

a. Buildings which are used for animal boarding shall be completely soundproofed.

b. Animals shall be kept in the enclosed soundproofed buildings during the hours of 8:00 p.m. to 8:00 a.m.

10. Personal Property Storage will be allowed on minimum lot size of not less than 1.5 acres and the minimum parking spaces required are .24 per 1000 square feet. Otherwise, use is subject to the remaining conditions of 656.401(q).

11. Service garages for minor automotive repairs shall be subject to the buffer requirements set forth in Section 656.1216 of the Zoning Code where the use is located immediately adjacent to the Residential Village Parcel.

12. Establishments for the service and repair of general appliances and small engines shall be subject to the buffer requirements set forth in Section 656.1216 of the Zoning Code where the use is located immediately adjacent to the Residential Village Parcel.

K. Height Limitations

Decorative rooftop structures including: screening, mechanical equipment, roof access, mansard roofs, spires, cupolas, parapets, antennas, chimneys and other appurtenances not intended for human occupancy are not included in the maximum height.

V. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

A. Access

Access will be provided via: the three existing access points on Deerwood Park Boulevard (one full access; one right-in and right-out access, and one right-in access); two proposed access points on Gate Parkway (both right-in and right-out, including one with a left-in subject to the review and approval of the City Traffic Engineer), and the proposed vehicular internal circulation as shown on the PUD Conceptual Site Plan. The location and design of the access points, the proposed traffic signal, and the vehicular internal circulation are subject to the review and approval of the City Traffic Engineer. Acceleration/deceleration lanes on Gate Parkway and/or Deerwood Park Boulevard shall be provided if required by the City Traffic Engineer. Internal traffic circulation shall be via approved private streets or private drives. The proposed vehicular internal circulation as shown on the PUD Conceptual Site Plan is conceptual and may be subject to revision during final design, engineering, and permitting. For individual parcels within the PUD which may be owned in fee simple, there shall be no required street frontage or access. No additional median cuts (in addition to existing median cuts) on Deerwood Park Boulevard are proposed. Median cuts and right-in, right-out access points as shown on the PUD Conceptual Site Plan may be relocated subject to review and approval of the Planning and Development Department and City Traffic Engineer; any right-in, right-out access points in addition to those shown on the PUD Conceptual Site Plan may be permitted by minor modification.

There shall be connectivity and cross-access among adjoining parcels within the PUD.

Cross-access to the adjoining property south of the PUD as shown on the PUD Conceptual Site Plan may be provided if mutually agreed upon by affected property owners.

Street festivals are permitted on streets or drives within the Property (not including Gate Parkway and Deerwood Park Boulevard), subject to any applicable licensing or permitting by the City of Jacksonville.

B. TMA Roadway Network Improvements

Improvements to the intersection of Deerwood Park Boulevard and Gate Parkway shall be constructed as shown on the Transportation Improvement Plan attached hereto as **Exhibit “4,”** subject to the review and approval of the City Traffic Engineer. Deerwood Park Boulevard and Gate Parkway are part of the Transportation Management Area (TMA) roadway network described in the Development Agreement establishing the TMA, as it has been amended (Ordinance 2014-104-E). A contract for the construction of the roadway improvements shown in **Exhibit “4”** shall be awarded and a performance bond posted, in accordance with the provisions of the Development Agreement, prior to the issuance of permits for vertical construction. A contract for construction of such roadway improvements and performance bond is not required prior to the issuance of permits for site preparation, utilities and other horizontal construction.

C. Sidewalks, Trails, and Bikeways

Sidewalks shall be provided as required in the 2030 Comprehensive Plan. Internal Pedestrian/Bicycle Circulation paths shall be provided as shown on the PUD Conceptual Site Plan.

D. Recreation/Open Space

Active recreational amenities and uses will be provided in accordance with the standards set forth below. These amenities may include the parks, open space, pedestrian walks and trails, bikeways, and other recreational uses located within the PUD, or within any amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, and similar uses which may be provided within the Residential Village.

For apartment uses within the Residential Village, active recreation/amenities (including active recreational facilities such as a playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, the Lake/Greenway, Pedestrian Walkway, the Pedestrian Greenway, and similar uses) shall be provided at a ratio of a minimum of 150 square feet of recreational land per residential unit cumulatively throughout the PUD.

For each residential use, the preliminary sketch plan submitted to the Planning and Development Department for verification of substantial compliance with this PUD shall contain specifications (including recreation land area and information regarding the active recreation facilities to be included) demonstrating compliance with these standards cumulatively throughout the PUD.

E. Landscaping/Landscaped Buffers

Landscaping and tree protection shall be provided in accordance with the City of Ordinance Code, with the following additional and superseding provisions specifically noted to address the integrated mixed use design qualities of the PUD. Landscaping standards shall be applied taking into consideration all proposed uses and the entire PUD site. For individual uses, which may own their sites in fee simple, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, as long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries which may exist among individual uses.

1. *Buffers*

The City’s Ordinance Code requires buffers for “uncomplimentary land uses and zones” in Section 656.1216. Except as specifically required in Sections IV.J.11 (minor & major automotive repair) and IV.J.12 (general appliance and small engine repair) above, due to the integrated mixed use nature of this PUD, all internal uses within the PUD are considered compatible with each other and no buffers between such internal uses are required, including, but not limited to residential uses in the Residential Village.

2. *Parking Fields*

Conceptual illustrations, attached as Composite **Exhibit “5,”** show the parking dimensions, streetscape and landscape intent of the landscape islands and placement of trees in the parking fields, which shall supersede the provisions of Sections 656.607 and 656.1214, Ordinance Code.

3. *Perimeter Vehicle Use Area Buffer*

A ten (10) foot buffer shall be provided between public rights-of-way and vehicle use areas. Parking along the perimeter vehicle use area buffer may be reduced in depth from eighteen (18) feet to sixteen (16) feet provided that the additional two (2) feet of parking depth is added to the width of the landscape buffer.

4. *Landscaped Setbacks along Gate Parkway and Deerwood Park Boulevard*

As shown on the PUD Conceptual Site Plan, a landscaped setback of minimum thirty feet (30’) shall be provided along Gate Parkway and a landscaped setback of minimum twenty feet (20’) shall be provided along Deerwood Park Boulevard. Any acceleration/deceleration lanes as required by the City Traffic Engineer may be located within these setbacks. The landscaped setback is intended as a visual enhancement to the street frontage, not as a visual screen. As part of verification of substantial compliance for uses with frontage on Gate Parkway, a plan for landscaping within the setback will be submitted to the Planning and Development Department for review and approval. The landscaped setback replaces the perimeter vehicle use area buffer along Gate Parkway.

F. Signage

The purpose of these sign standards is to establish a coordinated signage program that provides for the identification of the project, uses, users, and tenants and for directional

communication in a distinctive and aesthetically pleasing manner. A coordinated system of identification, directional, and vehicular control signage will be provided for all common areas and road right-of-way. The PUD identity, multiple uses, owners, and/or tenants may be identified on signs within the PUD without regard to property ownership boundaries that may exist among the individual uses, owners, and/or tenants and without regard to lot location or frontage. All project identity and directional signs shall be architecturally compatible with the project or buildings represented. Signs may be internally or externally illuminated. In addition to the uses, owners, and or tenants, the signs may include the overall PUD identity.

1. Project Identity Monument Signs on Deerwood Park Boulevard and Gate Parkway.

A maximum of one (1) project identity monument sign will be permitted along Deerwood Park Boulevard for the PUD project and/or uses, owners, and tenants within the PUD. This sign may be two sided and externally or internally illuminated. Multiple uses/owners/tenants within one building or a series of buildings may be identified with one shared elevated sign.

A maximum of one (1) project identity monument sign will be permitted along Gate Parkway for the PUD project and/or uses, owners, and tenants within the PUD. This sign may be two sided and externally or internally illuminated. Multiple uses/owners/tenants within one building or a series of buildings may be identified with one shared elevated sign.

These monument signs will not exceed thirty-five (35) feet in height and two hundred (200) square feet (each side) in area.

2. Individual Commercial and/or Office/Medical Uses: Identity Monument Signs.

Identity monument signs are permitted for each individual Commercial and Office/Medical use. Each such use will be permitted one (1) externally or internally illuminated identity monument sign with one or two sides. Multiple users/tenants within one building or a series of buildings may be identified with one shared identity monument sign.

Identity monument signage shall be subject to the height and size limitations below.

a. Signage for lots with less than one and a half (1.5) acres may not exceed ten (10) feet in height and twenty-five (25) square feet (each side) in area.

b. Signage for lots greater than one and a half (1.5) acres may not exceed fifteen (15) feet in height and fifty (50) square feet (each side) in area.

3. Residential Village Identity Monument Signs.

The Residential Village is permitted up to two (2) identity monument signs (one or two sides) externally or internally illuminated not exceeding fifteen (15) feet in height, one of which may be located on Deerwood Park Boulevard and one of which may be located on Gate Parkway. Sign face area is maximum twenty-five (25) square feet (each side).

4. Other Signs.

Wall signs and awning signs are permitted. Wall and awning signage visible from public rights of way will be permitted for each residential use, non-residential use, and for each non-residential tenant within a multi-tenant building. Cumulatively, both wall and awning signage will not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building visible from public rights of way. Wall signage for residential uses shall be limited to one wall sign for each building face oriented toward a public street. Wall and awning signage facing the pedestrian and vehicular drives within the interior of the PUD are deemed to be interior signs and the size is unlimited.

Projecting signs are permitted and will not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building visible from a public right-of-way to which side the projecting sign is attached. The ten (10) percent shall be measured cumulatively with any wall and awning signs on the same side of the building.

Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of ten (10) square feet in area per side.

Directional signs indicating major buildings, major tenants, common areas, various building entries, will be permitted. The design of these signs should reflect the character of the building and project identity signs and may include the project and/or tenant logo and name. For predominately vehicle directional signage, such signs shall be a maximum of thirty (30) square feet in area per sign face. For pedestrian directional signage, such as "informational side walk kiosks", 1, 2, 3 or 4 sided (or cylindrical), such signs shall also be a maximum of twenty (20) square feet per side. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

Changing message devices are permitted for non-residential uses subject to the provisions of Section 656.1302, Ordinance Code, as it may be amended.

Because all project identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they will be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.

Temporary banner signs will be permitted not to exceed 50 square feet in area. Banner signs will be permitted in the entrances and interior of the PUD. Seasonal festive banners may be displayed for a maximum of fourteen (14) days without a permit except that such banners may be displayed forty-five (45) days prior to and thirty (30) days following the holiday. Other banners (including but not limited to "Now Opening" or "Hiring Soon" banners) may be displayed for a maximum of thirty (30) days. The banners shall be allowed to display logos and/or the name of the project and/or owner. Festival banners placed on street light poles are permitted and unregulated. Banner signs do not count toward the overall maximum sign face allowable for monument and pylon signs.

5. General Provisions Governing All Monument Signage

a. All monument signs on the same lot must be a minimum of one-hundred (100) feet apart; provided, however, that this minimum distance shall not apply to the distance between a sign for residential use and a sign for non-residential use.

b. As a part of verification of substantial compliance with this PUD, prior to commencement of each use which proposes a monument sign, the applicant for that use shall submit a plan showing the location, height, size and design of the proposed monument sign to the Planning and Development Department for its review and approval for consistency with this PUD.

Sign Guidelines

| Sign Type | General Location | Quantity | Max Area Per Side (sq. ft.) | Max Height (ft.) | Min Dist Btwn Signs (ft.) |
|---|---|-----------|--|------------------|---------------------------|
| Project Identity Monument Sign on Deerwood Park Blvd. | On Deerwood Park Blvd. | 1 | 200 | 35 | 100 |
| Project Identity Monument Sign on Gate Parkway | On Gate Parkway | 1 | 200 | 35 | 100 |
| Commercial/Office/Medical Identity Monument | Lots less than 1.5 acres | 1 Per Lot | 25 | 10 | 100 |
| Commercial/Office/Medical Identity Monument | Lots greater than 1.5 acres | 1 Per Lot | 50 | 15 | 100 |
| Residential Village Identity Monument | Project Wide | Up to 2 | 25 | 15 | 100 |
| Wall Signs | Project Wide | | 10% cumulative (with awning and projecting) of sq ft of occupancy frontage | | |
| Projecting Signs | Project Wide | | 10% cumulative (with awning and wall) of sq ft of occupancy frontage | | |
| Awning Signs | Project Wide | | 10% cumulative (with wall and projecting) of sq ft of occupancy frontage | | |
| Under Canopy Signs | Project Wide | | 10 | | |
| Directional Signs | Project Wide | | 30 | | |
| Information Kiosks | Project Wide | | 20 | | |
| Temporary Banners | Project Wide with 14 Day Limit (45 Days Prior to Christmas) | | 50 | | |
| Festival Banners | Project Wide on Light Poles | N/A | | | |

G. Architectural Guidelines.

Buildings, structures, and signage shall be architecturally compatible with those in other uses within the PUD.

H. Construction offices/model units/real estate rental or sales.

On-site, temporary construction offices/trailers/model units/rental or sales offices will be permitted in any lot, "unit," or "phase" until that lot, "unit," or "phase" is built out. Real estate rental or sales activities are permitted within model units. Associated parking for rental or sales activities is permitted adjacent to model units.

I. Modifications

Amendment to this approved PUD district may be accomplished through an administrative modification, minor modification, or by filing an application for rezoning as authorized by Section 656.341 of the Zoning Code.

J. Parking and Loading Requirements

Parking will be provided in accordance with Part 6 of the City's Zoning Code, as it may be amended, with the following additional and superseding provisions:

1. Parking shall be provided in garages, driveways, or common parking in accordance with the following minimum standards:

- a. Retail/Commercial and Restaurants: 4.0 spaces per 1,000 s.f. GLA
- b. Office/Medical: 3.0 spaces per 1,000 s.f. GLA
- c. Movie Theater: 1.0 space per 6.0 seats
- d. Hotel/Motel: 1.0 space per room
- e. Senior Housing: 1.0 space per 2 units/beds
- f. Residential Apartments: 1.35 spaces per dwelling unit

2. A minimum of two (2) loading spaces per apartment development shall be provided.

3. For residential uses, required parking may be provided in garages, driveways, carports, or common parking. Tandem parking also is permitted.

4. Shared parking is permitted to satisfy parking required for multiple uses subject to the review and approval of the Planning and Development Department.

5. Valet parking is permitted to satisfy parking requirements when provided within 1,000 feet of the business(es) being served.

6. In the verification of substantial compliance process pursuant to Section 656.341(g), Zoning Code, a study of proposed parking for a mix of identified uses may be submitted to the Planning and Development Department, subject to its review and approval, demonstrating that the total parking requirements for such uses may be reduced as part of the verification process to not less than eighty (80) percent of the sum of the amount required for each separate identified use.

7. The PUD may provide for more parking than is required to the extent the owner or developer may deem it necessary and appropriate.

K. Lighting

Lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property.

L. Stormwater Retention

Stormwater facilities will be constructed to serve the PUD in accordance with applicable regulations.

M. Utilities

The Property is served by JEA.

VI. PRE-APPLICATION CONFERENCE

A pre-application conference was held regarding this application on December 15, 2016.

VII. JUSTIFICATION FOR THE PUD REZONING

The PUD proposes the concept of a carefully planned mixed-use development scaled for and complimentary to the pedestrian. Many best development and planning practices have been incorporated into the PUD including:

- A mix of land uses;
- Internal and external vehicular connectivity;
- Pedestrian-friendly environment;
- Creation of employment opportunities; and
- The inclusion of performance standards for the project that will establish the unique quality, identity and character of the PUD.

Additionally, considering the urban nature of this site, the mixed use nature of the proposed development, the configuration and orientation of the proposed development, the maximum heights provided herein, and other factors, the proposed residential densities within the PUD, are appropriate and compatible with abutting and nearby development.

VIII. PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE

The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and PUD Conceptual Site Plan; it includes limitations on uses to ensure compliance with the CGC land use category; it provides for maximum densities/intensities and conversion of those uses; it limits certain uses to certain parcels as shown on the PUD Conceptual Site Plan; for each use, it sets forth minimum lot width, maximum lot coverage, minimum yard requirements, maximum height of structures, and separation between structures which are unique to the urban design and character of this PUD and therefore vary from the otherwise applicable Zoning Code provisions; it consolidates under Office/Medical uses office, medical, and institutional uses which are otherwise set forth in multiple, different zoning districts; it consolidates under Commercial uses various neighborhood and community retail uses intended to be appropriate in scale to the area and which are otherwise set forth in multiple, different zoning districts; it sets forth in Lake/Greenway uses various passive and active recreational uses and conservation uses which will serve the overall PUD; it provides for silviculture and land clearing uses throughout the PUD; it includes variations to the accessory use and performance standards provisions which are consistent with the urban, mixed use design of this PUD; it contains unique access provisions specifying existing accesses at Deerwood Park Boulevard and proposed new accessed at Gate Parkway and permitting flexibility in internal traffic circulation design; it contains Recreation/Open Space provisions which ensure compliance with applicable Comprehensive Plan requirements; it specifies the uses permitted in the Lake/Greenway area as shown on the PUD Conceptual Site Plan; it includes variations from the landscaping provisions consistent with the urban design of this PUD; it provides for use-specific signage tailored to the frontage on Deerwood Park Boulevard and Gate Parkway; and it includes variations from the parking standards otherwise applicable to accommodate the urban design of this PUD, shared parking, and other features of a planned multi-use development.

IX. PERMISSIBLE USES BY EXCEPTION

Service garages for minor and major of automobiles and establishments for the service and repair of general appliances and small engines are permitted by exception where Commercial uses are otherwise permitted subject to applicable additional performance standards set forth in Section IV.J above.

X. NAMES OF DEVELOPMENT TEAM

Developer/Owner: Sidlyd Investments, LLC

Planner/Engineer: ETM, Inc.

Architect: Wakefield Beasley & Associates and Others

XI. LAND USE TABLE

A Land Use Table is attached hereto as **Exhibit "F."** Acreages in Exhibit F are approximate.

XII. PUD REVIEW CRITERIA

A. Consistency with the Comprehensive Plan: As described above, the uses proposed herein are consistent with the CGC Urban Area land use category. The proposed residential use does not exceed eighty (80%) percent of the gross acreage of the Property (the Residential Village Parcel is less than 14.9 acres) or the maximum residential density of forty (40) units per acre (300 units/18.72 acres = 16.03 units/acre).

B. Consistency with the Concurrency Management System: The PUD will comply with the Concurrency and Mobility Management System and the TMA Development Agreement applicable to the PUD site.

C. Allocation of Residential Land Use: The PUD is consistent with land use allocations under the 2030 Comprehensive Plan.

D. Internal Compatibility: The PUD provides for integrated design and compatible uses within the PUD.

E. External Compatibility/Intensity of Development: The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.

F. Maintenance of Common Areas and Infrastructure: All common areas will be maintained by one or more owners' association(s).

G. Usable Open spaces, Plazas, Recreation Areas: The PUD provides ample open spaces and recreational opportunities and will provide active recreation for all residential uses consistent with the Ordinance Code

H. Impact on Wetlands: Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

I. Listed Species Regulations: The Property is less than fifty (50) acres in size, so a listed species survey is not required.

J. Parking Including Loading and Unloading Areas: The PUD provides ample off street parking.

K. Sidewalks, Trails, and Bikeways: The PUD provides extensive pedestrian and bicycle connectivity and recreational trails.

LEGEND

- Proposed Vehicular Internal Circulation
- Proposed Pedestrian Circulation
- Existing Pedestrian Walkway
- Proposed Pedestrian Walkway
- Pedestrian Greenway
- Proposed Vehicular Access
- Existing Vehicular Access
- 30' Landscape Buffer

