

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-416 TO

PLANNED UNIT DEVELOPMENT

OCTOBER 3, 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 2017-416 to Planned Unit Development.

Location: 0 Bardin Road between Dunn Creek Road and Leonardo Lane North

Real Estate Number: 108453-0000

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: North, District 6

Applicant/Agent: Curtis L. Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, Florida 32216

Owner: Luis Acosta & Cedar Acosta Armbuster
Sue Annie Bardin Acosta Life Estate
724 Grove Park Boulevard
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2017-416 seeks to rezone 8.33 acres from the Residential Rural-Acre (RR-Acre) to the Planned Unit Development (PUD) Zoning District. The request is for a 29 lot subdivision for single family dwellings. The minimum lot area is 7,000 square feet and the minimum lot width is 70 feet. The site has approximately 308 feet of road frontage along Bardin Road, a local road as classified by the Functional Highway Classification Map of

the 2030 Comprehensive Plan.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 3.4 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. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

The uses provided herein shall be applicable to all LDR sites within the Suburban Area.

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

Secondary Uses: Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service

establishments are exempt from the roadway classification and intersection requirements.

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

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

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

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

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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

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

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 Objective 3.1 Continue to maintain adequate land designated for residential uses which

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

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

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

The proposed rezoning will allow for single family dwellings to be located on the property. The indicated Zoning District is consistent with the surrounding area and promotes a range of residential densities in a residential area. Therefore, the proposed rezoning is consistent with the FLUE Policies and Objectives of the 2030 Comprehensive Plan.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

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

(4) Internal compatibility

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

The streetscape: The site plan and written description will provide a streetscape that is similar to the other residential streets in the area.

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

description provides for setbacks which are comparable to the RLD-70 Zoning District.

(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 development is located in an area which is predominately single family dwellings. Single family development at this location increases the housing options for the immediate area.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Single family dwellings
South	LDR	RLD-60	Single family dwellings
East	LDR	RLD-90	Single family dwellings
West	LDR	RR-Acre	Single family dwellings

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The written description contains restrictions for lots 14 through 25 which allow only one story homes. Also a six foot high vinyl fence will be constructed along the north, south and east property lines. These restrictions will protect the adjacent single family dwellings.

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category as a single-family development, which is not to exceed 29 dwelling units. The PUD is appropriate at this location because it will offer housing alternatives in the area.

(7) Usable open spaces plazas, recreation areas.

The Zoning Code allows 25 to 99 lots the option to provide at least 435 square feet of active recreation area or contribute \$250 per lot to the Parks and Recreation Department. The developer has opted to pay the recreation and open space fee.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal

permitting requirements.

(9) Listed species regulations

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

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

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

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on October 3, 2017, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2017-416 be **APPROVED** with the following exhibits:

1. The original legal description dated February 16, 2017.
2. The revised written description dated September 28, 2017.
3. The revised site plan dated September 28, 2017.



Aerial view of property



MEMORANDUM

DATE: 6/22/17

TO: Connie Patterson
City Planner I

FROM: Soliman Peter Salem
City Planner Supervisor

SUBJECT: TRANSPORTATION REVIEW OF 2017-416 CONVENTIONAL REZONING

Faye Road, from Eastport Road to State Road 9A, is the directly accessed functionally classified roadway. Faye Road is a 2-lane undivided Collector in this vicinity and is currently operating at 18.39% of capacity. This proposal is for 35 dwelling units of ITE 210 Single Family Homes, which would generate 332 vpd. This Faye Road segment has a maximum daily service volume of 11,232 vpd and a 2016 daily traffic volume of 2,066.

(ITE 210 Single Family Homes – 35 DUs)

Planned Unit Development (PUD)

Application For Rezoning To (

Planning and Development Department Info

Ordinance # 2017-0416 **Staff Sign-Off/Date** SCK / 05/22/2017

Filing Date 06/13/2017 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 07/25/2017 **Planning Commission** 07/20/2017

Land Use & Zoning 08/01/2017 **2nd City Council** 08/08/2017

Neighborhood Association THE EDEN GROUP INC.; M & M DAIRY INC.; BAM SERVICES

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 1469

Application Status PENDING

Date Started 05/22/2017

Date Submitted 05/22/2017

General Information On Applicant

Last Name	First Name	Middle Name
HART	CURTIS	L
Company Name		
HART RESOURCES LLC		
Mailing Address		
8051 TARA LANE		
City	State	Zip Code
JACKSONVILLE	FL	32216
Phone	Fax	Email
9049935008		CURTISHART1972@ATT.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
ACOSTA	LUIS	
Company/Trust Name		
SUE ANNIE BARDIN ACOSTA LIFE ESTATE		
Mailing Address		
724 GROVE PARK BLVD		
City	State	Zip Code
JACKSONVILLE	FL	32216
Phone	Fax	Email
9042688500		

Last Name	First Name	Middle Name
ARMBRUSTER	CEDAR	ACOSTA
Company/Trust Name		
SUE ANNIE BARDIN ACOSTA LIFE ESTATE		
Mailing Address		
724 GROVE PARK BLVD.		

City	State	Zip Code
JACKSONVILLE	FL	32216
Phone	Fax	Email
9042688500		

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	108453 0000	2	6	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)

Justification For Rezoning Application

PROVIDES A MIX OF HOUSING TYPES APPEALING TO FIRST TIME HOME BUYERS

Location Of Property

General Location

SOUTH OF DUNN CREEK ROAD, FRONTING ON BARDIN ROAD

House #	Street Name, Type and Direction	Zip Code
0	BARDIN RD	32218

Between Streets

DUNN CREEK and LEONARDO LANE

Required Attachments For Formal, Complete application

The following items must be attached to each 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 for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

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

- One copy of the Deeds to indicate proof of property ownership.

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 by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
8.33 Acres @ \$10.00 /acre: \$90.00
- 3) Plus Notification Costs Per Addressee**
61 Notifications @ \$7.00 /each: \$427.00
- 4) Total Rezoning Application Cost:** \$2,517.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

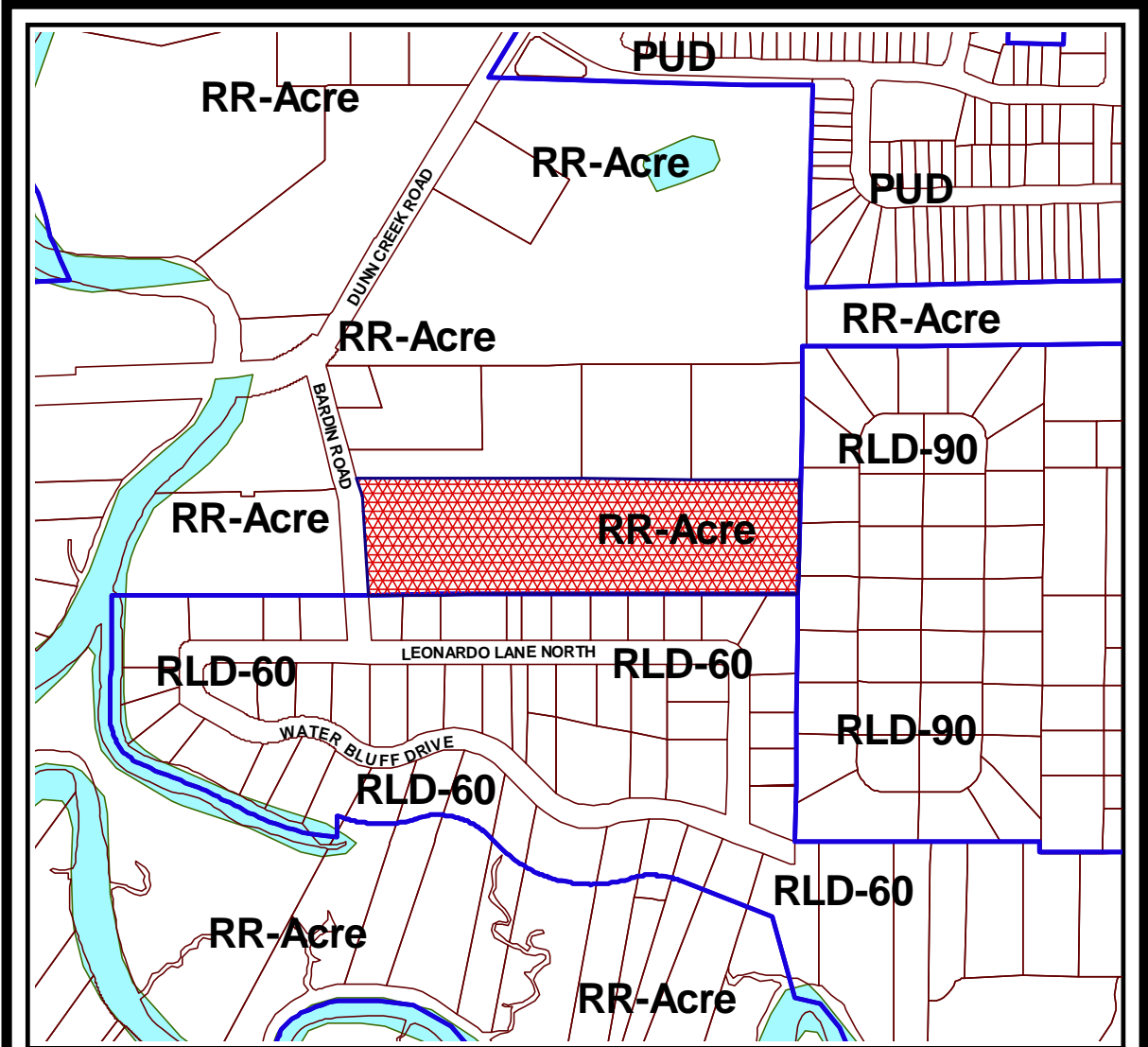
Exhibit 1

LEGAL DESCRIPTION

That certain place, parcel or tract of land situate, lying and being a part of Government Lot 1, Section 3, Township 1 South, Range 27 East, City of Jacksonville, Duval County, Florida, and being a part of those certain lands described in deed recorded in Deed Book 1531, Page 252, of the Current Public Records of said County, and all being more particularly described as follows: Beginning at the Northwesterly corner of Lot 15, Block 3, as shown on the Plat of Water Bluff Shores Unit No. 1, as recorded in Plat Book 29, Page 7, of the Current Public Records of said County, said point being situate in the Easterly right of way line of Bardin Road (a 60-foot right of way as now established); thence North $3^{\circ}12'30''$ West, along said Easterly Right of way line, 251.27 feet to an angle point in said right of way line; thence North $13^{\circ}57'00''$ West and continuing along said Easterly right of way line of Bardin Road, 56.85 feet; thence North $89^{\circ}45'55''$ East, 1197.44 feet to the Westerly line of said lands described in Deed Book 1531, Page 252; thence South $0^{\circ}28'10''$ West, along said Westerly line, 310.00 feet to the Northerly line of said Block 3 of the Plat of Water Bluff Shores Unit No. 1; thence South $89^{\circ}57'00''$ West, along the Northerly line of said Block 3, and along the Southerly line of Deed Book 1531, Page 252, a distance of 1167.12 feet to the Point of Beginning.

Parcel Number: 108453-0000

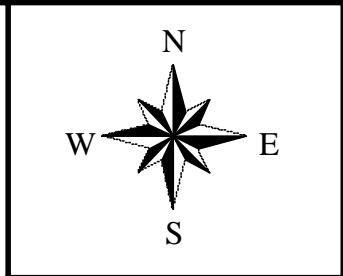
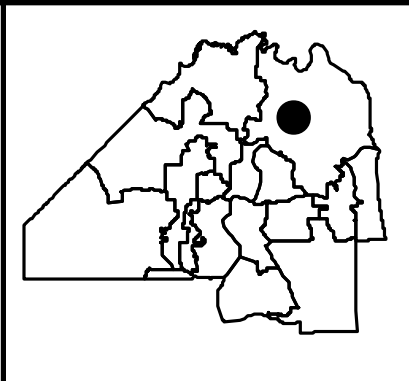
Containing 8.83 acres.



REQUEST:

FROM: RR-Acre

TO: PUD



COUNCIL DISTRICT:

02

ORDINANCE NUMBER:

ORD-2017-0416

TRACKING NUMBER:

T-2017-1469

Page 1 of 1

EXHIBIT A - Property Ownership Affidavit

Date: 2/10/17

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

Re: Property Owner Affidavit for the following site location:
11847 Bardin Rd; Jacksonville FL 32218

To Whom it May Concern:

I Cedar Acosta Armbruster hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for REZONING submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By Cedar Acosta Armbruster
Print Name: Cedar Acosta Armbruster

By _____
Print Name: _____
Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA WASHINGTON
COUNTY OF DUVAL KING

Sworn to and subscribed and acknowledged before me this 10th day of February 2017, by CEGAR ACOSTA ARMBRUSTER, who is personally known to me or who has produced US Passport # 466048946 as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

RICHARD LEE REHM
(Printed name of NOTARY PUBLIC)

WASHINGTON
State of ~~Florida~~ at Large.
My commission expires: 09.30.2019

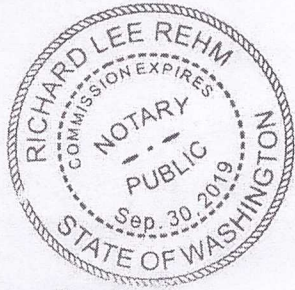


EXHIBIT A - Property Ownership Affidavit

Date: 2/10/17

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

Re: Property Owner Affidavit for the following site location:
11847 Bardin Rd., Jacksonville, 32218

To Whom it May Concern:

I Luis Acosta hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By [Signature]
Print Name: Luis Acosta

By _____
Print Name: _____
Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA DISTRICT OF COLUMBIA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 10 day of FEBRUARY 2017, by LUIS MIGUEL ACOSTA, who is personally known to me or who has produced MARYLAND LIC as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

MAGDA L. REDING
(Printed name of NOTARY PUBLIC)

DC
State of Florida at Large.
My commission expires: 01/01/2019

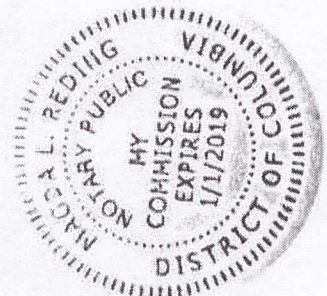


EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 2/10/17

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

Re: Agent Authorization for the following site location: 11847 Bardin Rd; Jacksonville FL
32218

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers CURTIS HART Re zoning to act as agent to file application(s) 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.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By Cedar Acosta Ambruster

By _____

Print Name: Cedar Acosta Ambruster

Print Name: _____

Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA ~~WASHINGTON~~
COUNTY OF DUVAL ~~KING~~

Sworn to and subscribed and acknowledged before me this 10th day of February ²⁰¹⁷ ~~2014~~, by CEDAR Acosta Ambruster, who is personally known to me or who has produced US Passport # 466048446 as identification and who took an oath.

[Signature]

(Signature of NOTARY PUBLIC)

RICHARD LEE REHM

(Printed name of NOTARY PUBLIC)

^{WASHINGTON}
State of ~~Florida~~ at Large.

My commission expires: 09.30.2019

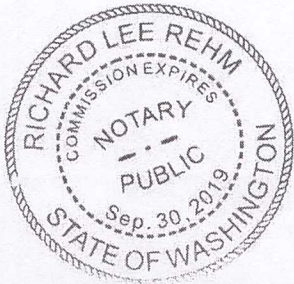


EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 2/10/17

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

Re: Agent Authorization for the following site location: 11847 Bardin Rd, Jacksonville
32218

To Whom it May Concern:

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

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By [Signature]
Print Name: Luis Acosta

By _____
Print Name: _____
Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA DISTRICT
COUNTY OF DUVAL OF COLUMBIA

Sworn to and subscribed and acknowledged before me this 10 day of FEBRUARY 2017 by LUIS MIGUEL ACOSTA, who is personally known to me or who has produced MARYLAND LIC as identification and who took an oath.

[Signature]

(Signature of NOTARY PUBLIC)

MAGDA L. REDING

(Printed name of NOTARY PUBLIC)

DC
State of Florida at Large.
My commission expires: 01/01/2019

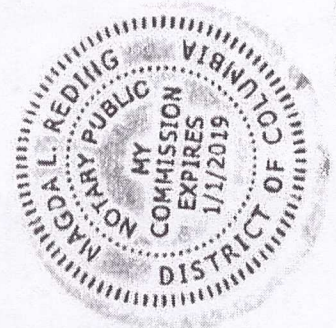


EXHIBIT C

Binding Letter

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: 11847 BARDEN ROAD, JACKSONVILLE

Ladies and Gentleman;

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

Sincerely,

By: Cedar Acosta Armbruster
Cedar Acosta Armbruster

Its: _____

EXHIBIT C

Binding Letter


City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: 11947 Bardin Road, Jacksonville

Ladies and Gentleman;

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

Sincerely,

By: 
Luis Acosta

Its: _____

WRITTEN DESCRIPTION

BARDIN ROAD PUD

September 28, 2017

I. PROJECT DESCRIPTION

- A. Curtis Hart/Hart Resources, LLC (the "Applicant") proposes to rezone approximately +/- 8.28 acres of property (the "Property") from RR-Acre to a Planned Unit Development ("PUD") to permit development of the subject property as a 29-lot single family residential subdivision. The subject property is located south of Dunn Creek Road on Bardin Road. The Property is owned by Acosta Annie Sue Bardin Life Estate. The subject property is in close proximity to shopping, mass transportation and schools.
- B. Project Architect/Planner: North Florida Engineering
- C. Project Engineer: Mike Light, PE
- D. Project Developer: Bardin Options LLC
- 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. Existing Land Use Category: Low Density Residential (LDR)
- I. Real Estate Number: 108453-0000

II. QUANTITATIVE DATA

- A. Total acreage: +/- 8.32
- B. Maximum number of dwelling units: 29 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 or pay into the City Recreation Fund.
- E. Total amount of open space +/- .71 acres

- F. Total amount of public/private rights of way +/- 1.37 acres
- G. Total amount of land coverage of all buildings and structures: 50%
- H. Schedule of construction: one phase start date: 1st quarter 2018
completion date: 4th quarter 2018

III. STATEMENTS

- A. This proposed PUD differs from the usual application of the Zoning Code because it requires and provides a mixture of single family uses with 70' wide home sites. It restricts some lots from development with a two story structure, and provides buffers.
- B. A Homeowners' Association for the development shall be responsible for the maintenance of the common areas. 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),(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 one (1) 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 lots.

- E. Lots 14,15,20,21,22,24 and 25, as depicted on the Site Plan dated September 28, 2017, shall allow only one (1) story homes. A note depicting this restriction shall be placed on the plat and shall also be noted in the private governance documents for the Homeowners Association..

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: 7,000 square feet
- Minimum lot width: 70 feet. For corner, lots the minimum lot width shall be increased by 5' to 75'
- (2) Maximum lot coverage: 50%
- (3) Minimum front yard: 20 feet. On corner lots one of the front yards may be reduced to 10 feet.
- (4) Minimum side yard: 5 feet
- (5) 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.
- (6) Maximum height of structures: 35 feet
- (7) Minimum frontage of each lot: Equal to 80% of its required lot width provided however, that the lot frontage may be reduced to 35' 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 Bardin Road. 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 entrance off of Bardin Road and one (1) permanent, 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, Buffers and Fence

Landscaping will meet the requirements of Part 12 Landscape Regulations of the Zoning Code. In addition, the North and South boundaries shall have a Minimum 10 (ten) foot undisturbed landscape buffer, and the East boundary shall have a fifteen (15) foot undisturbed landscape buffer, as noted on the Site Plan Exhibit "4" and dated September 28th, 2017. A 20 (twenty foot) Landscape Buffer will be provided on the entrance abutting Bardin Road.

The North, East and South property lines will be fenced with a six (6) foot Vinyl fence. The fence will be installed after site preparation and prior to construction of any homes.

E. Recreation, Open Space and Lakes and Ponds

A very large Regional Park is located approximately four miles northeast of the development, therefore we will pay into the City Recreation Fund for each lot.

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. There are no wetlands on the site.

VI. DEVELOPMENT PLAN APPROVAL

With the 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.

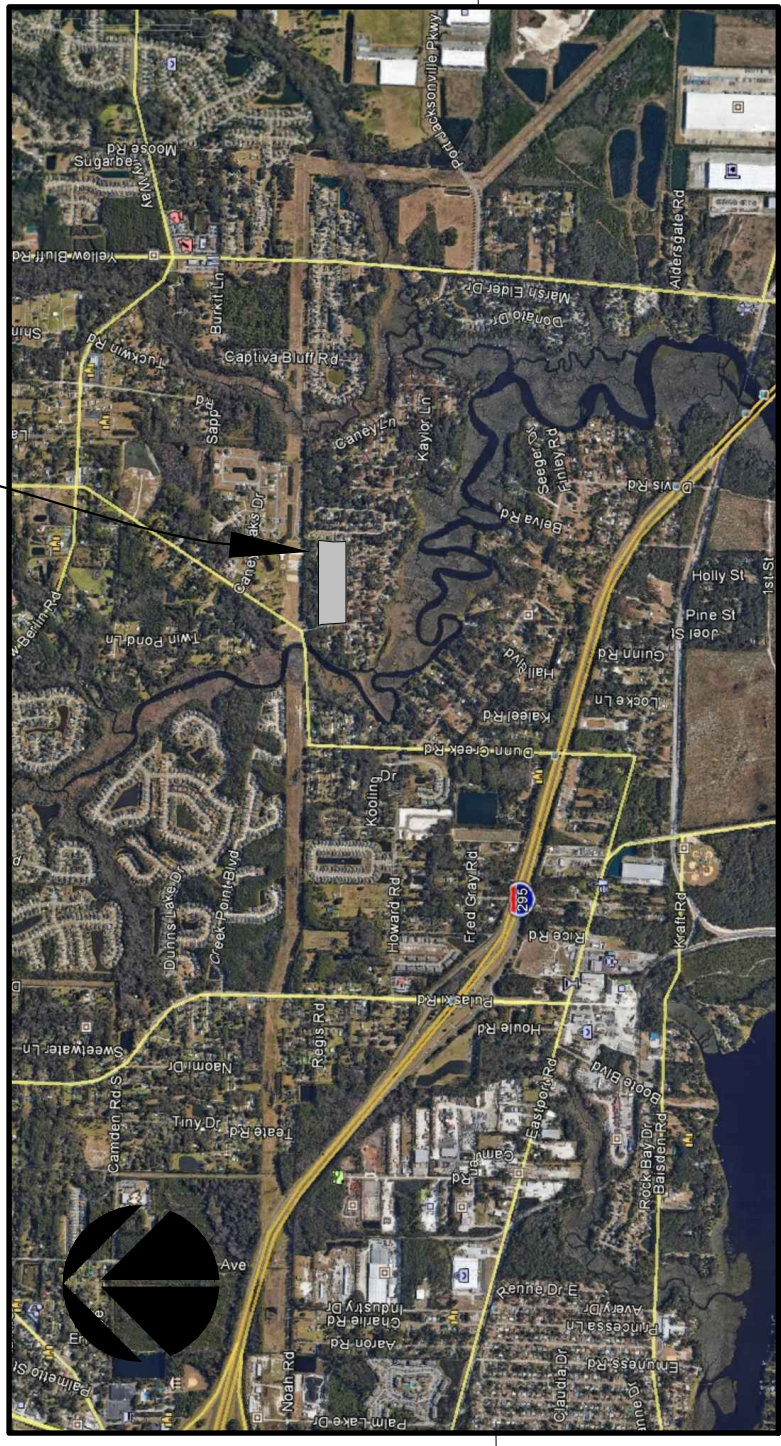
VII. PUD REVIEW CRITERIA

- 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 Bardin Road and the connection to Dunn Creek 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 as required by Part 656.420 of the Zoning Code or pay into the City recreation Fund. In addition, public and private right-of-way provides approximately 1.37 acres.
- 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: A listed species study for the Property is not required since it is less than 50 acres in size.

- 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 1/2 acres (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.

GC-#1159204-v3-Bardin_Rd__Written_Description_Rev_9-27-17_Ferraro.docx

SITE



SITE MAP

DEVELOPER/AGENT
BARDIN OPTIONS, LLC
3840 CROWN POINT RD, SUITE "C"
JACKSONVILLE, FL 32257
CONTACT: ASHLEY COLLINS
TELE: (904) 288-2511

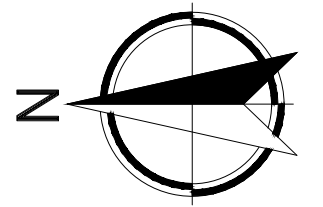
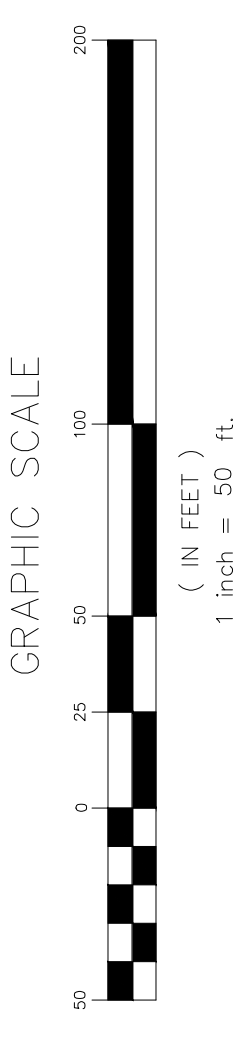
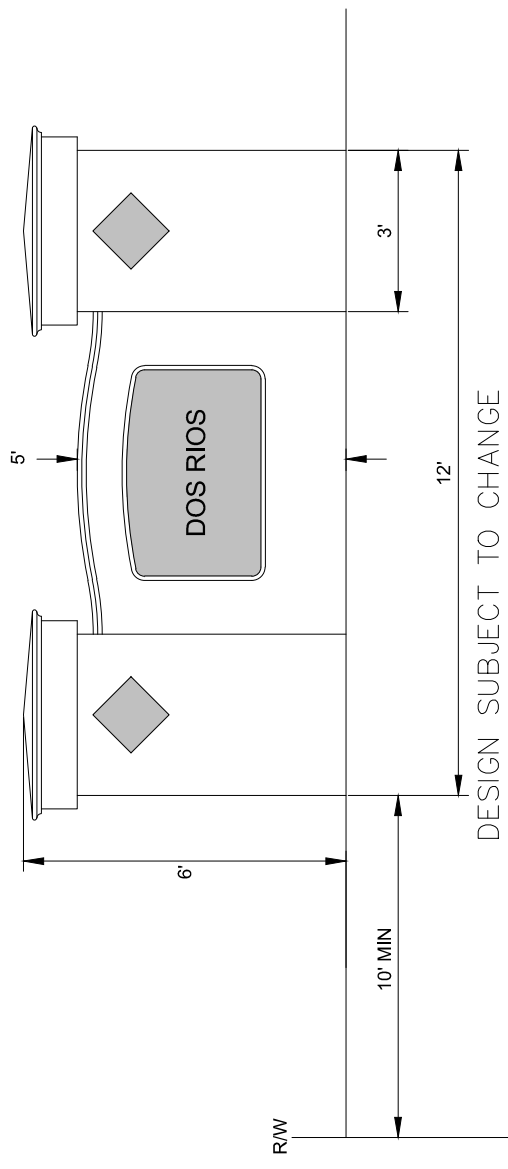
ENGINEER
NORTH FLORIDA ENGINEERING SERVICES
9432 BAYMEADOWS ROAD, SUITE 280
JACKSONVILLE, FLORIDA 32216
CONTACT: CHRIS FAVRE
TELE: (904) 737-0971

SURVEYOR
PERRET AND ASSOCIATES
5627 ATLANTIC BLVD, SUITE 6
JACKSONVILLE, FL 32207
CONTACT: NAITE PERRET
TELE: (904) 805-0030

DATA SUMMARY

- TOTAL OF ANTICIPATED PHASES/UNITS - 1
- TOTAL SITE AREA - 8.33 ACRES
- TOTAL ACRES PROVIDED FOR RECREATION AREA - 0.00 AC.
- NUMBER OF LOTS AND DWELLING UNITS - 29 LOTS
- NUMBER OF BUILDINGS WITH SQUARE FOOTAGE - N/A
- EXISTING AND PROPOSED ZONING IS RR/PUD
- NUMBER OF PARKING SPACES PER SECTION 656.604 - N/A
- MINIMUM YARD REQUIREMENTS:
FRONT - 20' FEET
SIDES - 5 FEET
REAR - 10 FEET
- POTABLE WATER/WASTEWATER - JEA
- FIRE PROTECTION IS CURRENTLY PROVIDED BY - JEA
- WE SEEK APPROVAL CONDITIONAL UPON COMPLIANCE OF THE TREE ORDINANCE AND MITIGATION PLAN.

CONCEPTUAL ENTRY FEATURE



NO.	REVISIONS	DATE

EXHIBIT "F" PUD PLAN

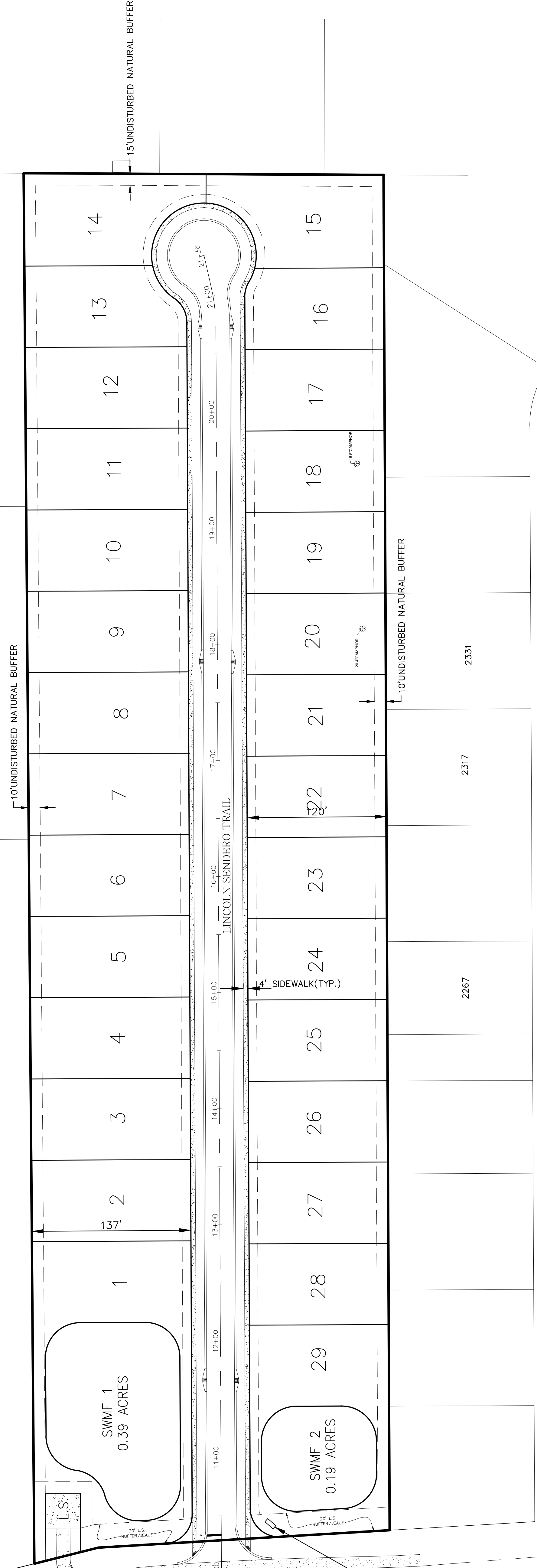
DOS RIOS

NORTH FLORIDA ENGINEERING SERVICES, INC.
CERTIFICATION # 26086
9432 Baymeadows Road, Jacksonville, FL 32256 //ph (904) 737-0971
//fax (904) 396-5372 //email info@nfes.net //web www.nfes.net
P.E. MICHAEL R. LIGHT
P.L. 70690

DATE: 09/28/2017
JOB NUMBER: 16-067
SCALE: 1" = 50'

* SHEET NUMBER *

1



LEONARDO LANE NORTH

EXHIBIT "F"

September 28, 2017
Exhibit 4
Page 1 of 1



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Mark Knowles
Collins Builders Group, LLC
3840 Crown Point Rd, Ste C
Jacksonville, Florida, 32257

January 03, 2017

Project Name: Bardin Rd
Availability#: 2016-2056

Dear Mr/Mrs Mark Knowles,

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#: 2016-2056
Request Received On: 12/23/2016
Availability Response: 1/3/2017
Prepared by: Mollie Price

Project Information

Name: Bardin Rd
Type: Single Family
Requested Flow: 14,000 gpd
Location: 0 Bardin Road, Jacksonville, FL 32218 between Dunn Creek Rd and Leonardo La N.
Parcel ID No.: 108453-0000
Description: Proposed 40 lot residential subdivision

Potable Water Connection

Water Treatment Grid: NORTH GRID
Connection Point #1: Existing 12-in water line on the east side of Dunn Creek Rd, approx. 250-ft south of Caney Oaks Dr
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: DISTRICT 2
Connection Point #1: Existing 6-in forcemain on the west side of Dunn Creek Rd, approx. 200-ft south of Caney Oaks Dr
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.). Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

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.

Return to and this instrument was prepared by:
R. Kellen Bryant, Esquire
6620 S. Southpoint Dr., Ste. 601
Jacksonville, FL 32216

Parcel ID Number: 108453-0000

WARRANTY DEED

(Enhanced Life Estate)

THIS INDENTURE, made this 22nd day of March, A.D. 2016, between

Annie Sue Bardin Acosta, a single woman, whose post office address is 724 Grove Park Boulevard, Jacksonville, Florida 32216 ("Grantor"), in favor of **Annie Sue Bardin Acosta, a single woman**, for a life estate, without any liability for waste, and with full power and authority in said life tenant to sell, revert, convey, mortgage, lease or otherwise manage and dispose of the property described herein, in fee simple, with or without consideration, without joinder of the remaindermen, and with full power and authority to retain any and all proceeds generated thereby, and upon the death of the life tenant, the remainder, if any, to **Luis Acosta**, whose post office address is 3910 Montrose Drive, Chevy Chase, MD 20815, and **Cedar Acosta Armbruster**, whose post office address is 5207 12th Avenue SE, Seattle, WA 98105 (Grantees").

Additionally, Grantor reserves the right to cancel this deed by re-conveyance and reverting the property to herself (or himself or themselves) without the necessity for any consideration being paid or joinder of the remaindermen and by doing so to thus terminate any interest that might otherwise have accrued to the remainder persons or their creditors, heirs, assigns or successors in interest.

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 (ten) dollars and other valuable consideration, to them in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, their successors and assigns forever, the following described land, situate in Duval County, Florida, to wit:

See attached at Exhibit "A"

SUBJECT to encumbrances, covenants, conditions, reservations, easements and restrictions of record, if any, however, reference herein shall not act to re-impose same; and taxes and assessments accruing subsequent to December 31, 2015.

This instrument has been prepared without benefit of a title search, title examination or attorney's opinion of title and no title insurance is being issued to or insuring any party hereto. Preparer is making no representations or warranties whatsoever regarding title marketability or condition of the property. Parties hereto agree to hold harmless and indemnify preparer regarding any liability arising from this conveyance as it affects the parties involved in this conveyance or anyone claiming title or any interest in the property under the parties to this conveyance.

Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

This is not homestead real property of the Grantor. Grantor retains beneficial title in equity for purposes of continued homestead tax exemption as to subject property, and further confirms this is a conveyance which is not pursuant to a sale and, therefore, only minimum documentary stamps are affixed hereto.

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

Signed, sealed and delivered by Grantor in the presence of:

[Signature]
#1 Witness Signature

[Signature]
Signature
Annie Sue Bardin Acosta, by Luis Acosta
her Agent

NOVIA RUSSELL
Printed Name of #1 Witness

[Signature]
#2 Witness Signature

ANTONIA ZYLES
Printed Name of #2 Witness

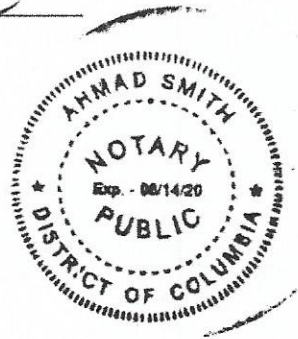
State of Washington, D.C.)
County of District of Columbia

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Luis Acosta as Agent for Annie Sue Bardin Acosta** known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that they/he/she executed the same, and an oath was not taken.

Witness my hand and official seal in the County and State
last aforesaid this 22nd day of March 2016.

[Signature]
Notary Public

AHMAD SMITH
District of Columbia Notary Public
My Commission Expires August 14, 2020



Said person(s) is/are personally known to me or
Said person(s) provided the following type of identification: Driver's License

Exhibit "A"

That certain piece, parcel or tract of land situate, lying and being a part of Government Lot 1, Section 3, Township 1 South, Range 27 East, City of Jacksonville, Duval County, Florida, and being a part of those certain lands described in deed recorded in Deed Book 1531, page 252 of the Current Public Records of said County and all being more particularly described as follows: Beginning at the Northwesterly corner of Lot 15, Block 3, as shown on the Plat of Water Bluff Shores Unit No. 1, as recorded in Plat Book 29, page 7 of the Current Public Records of said County, said point being situate in the Easterly right of way line of Bardin Road (a 60 foot right of way as now established); thence North $3^{\circ}12'30''$ West, along said Easterly right of way line, 251.27 feet to an angle point in said right of way line; thence North $13^{\circ}57'00''$ West and continuing along said Easterly right of way line of Bardin Road, 56.85 feet; thence North $89^{\circ}45'55''$ East, 1197.44 feet to the Westerly line of said lands described in Deed Book 1531, page 252; thence South $0^{\circ}28'10''$ West, along said Westerly line, 310.00 feet to the Northerly line of said Block 3 of the Plat of Water Bluff Shores Unit No. 1; thence South $89^{\circ}57'00''$ West, along the Northerly line of said Block 3, and along the Southerly line of Lands described in Deed Book 1531, page 252, a distance of 1167.12 feet to the point of Beginning.

Property Appraiser Identification Number: 108453-0000