

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-018

TO PLANNED UNIT DEVELOPMENT

FEBRUARY 13, 2014

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2014-018 to Planned Unit Development.

<i>Location:</i>	2200 Mayport Road; on the west side of Mayport Road, south of Assisi Lane and north of Dutton Road
<i>Real Estate Number(s):</i>	169408-0000
<i>Current Zoning District:</i>	Planned Unit Development (PUD) (Ord. 2004-0136-E)
<i>Proposed Zoning District:</i>	Planned Unit Development (PUD)
<i>Current Land Use Category:</i>	Medium Density Residential (MDR)
<i>Planning District:</i>	Greater Arlington/Beaches - 2
<i>City Council District:</i>	The Honorable Ray Holt, District 11
<i>Applicant/Agent:</i>	Paul Harden, Esquire 501 Riverside Avenue, Suite 901 Jacksonville, Florida 32202
<i>Owner(s):</i>	Derrick Bloom Ocean Village, LLC 3423 Piedmont Road Atlanta, Georgia 30305
<i>Staff Recommendation:</i>	APPROVE WITH CONDITIONS

GENERAL INFORMATION

Application for Planned Unit Development 2014-018 seeks to rezone approximately 23.96± acres of property from PUD to PUD. The purpose of the new PUD rezoning is to permit an alternative development for a 108 lot single-family detached residential subdivision. The uses approved in 2004-136-E will remain in place and continue to be permitted. This PUD Written

Description will only amend the existing PUD to allow for this additional (alternative) use. The proposed changes are generally intended to allow for the development option of a small subdivision with flexibility in the location, type and size of the homes built.

The subject property is located on the west side of Mayport Road, south of Assisi Lane and north of Dutton Road. The rezoning to PUD is being sought to permit development of the subject property as a 108 lot single family residential subdivision, with a minimum lot width of 40 feet and area of 4,000 sq. feet. The property is currently subject to the provisions of PUD Ordinance 2004-136-E, which allows for 400 multi-family units. Access to the site will be accomplished through Fairway Villas Drive, a signalized intersection, allowing for direct access to Mayport Road.

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 Medium Density Residential (MDR) 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 MDR functional land use category is intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. In the Suburban Area it's intended to provide compact low to medium density mixed use development. Principal uses are multi-family dwellings; and single-family dwellings when the predominant surrounding development typology within the MDR category is single-family. The maximum gross density in the Suburban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre; except in the absence of the availability of centralized water and sewer, the gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services. There shall be no minimum density for single family dwellings when the predominant surrounding development typology within the MDR category is single family or when single-family dwellings are permitted as a secondary use.

This PUD proposes a gross density of 4.5 dwelling units to the acre and plans to have full urban services available to the site. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

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

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 categories as identified in the Future Land Use Map series (FLUMs): Medium Density Residential (MDR). 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 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 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, state and federal regulations.

FLUE Policy 1.1.12 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 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 allows for a residential community development option of up to 400 multi-family dwellings or up to 108 single-family dwellings.

(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 one acre recreation/common area for the community. In addition, ponds and wetlands will comprise a total approximately 3.0 acres, providing additional passive open space.

Traffic and pedestrian circulation patterns: The PUD proposes one access point off of Mayport 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 and FDOT.

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 RMD-A (SF option) and RMD-B (MF option) zoning districts, but contains smaller 40' wide lots. This is ten feet smaller than the 50' wide/5,000 sq. ft. in area lots permitted in the RMD-A zoning district.

Staff recommends that minimum lot size shall be 50 feet in width and 5,000 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 Fairway Villas residential community to the east across Mayport Road contains a mix of lot sizes, with the smallest being 50' wide; and the Cypress Cove community to the west contains a mix of lots ranging from roughly 40' wide to over 80' wide.

Signage: The applicant proposes up to two (2), single faced identity signs at each side of the entrance; or one (1) permanent, double faced sign in the median of the entry road to the development on Fairway Villas Drive/Mayport Road. The signs may be located within the entrance 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.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any use within the proposed Planned Unit Development: The property is located in an existing diverse residential area on the westside of Mayport Road and was once a mobile home park. The aesthetic and design guidelines contained in the PUD will positively contribute to the residential developments in the general area.

(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 development dominates the area. The project area is suburban in nature and this new development option will aid growth in this community. 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:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR	CCG-2	Admiral's Walk Mobile Home community
South	MDR	RMD-D	Mayport Trace Apartments community
East	CGC	CCG-2	Retail stores/commercial uses
West	MDR	CCG-2	Admiral's Walk Mobile Home community

(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 4.5 dwelling units to the acre and over 3 acres of recreational and passive open space, and differs from the usual application of the Zoning Code because it contains an option of a multi-family or single-family residential community in keeping with the area's pattern of development.

The availability and location of utility services and public facilities and services: This property is not in the JEA water and sewer service territory. The owner must contact Atlantic Beach Public Works for water and sewer availability. 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 1.0 acres in size. In addition, ponds and wetlands will comprise a total approximately 3.0 acres, providing additional passive open space.

(8) Impact on wetlands

Surveying of a 2004 Geographical Information Systems shape file 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 is required as the project is less than the 50-acre threshold.

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

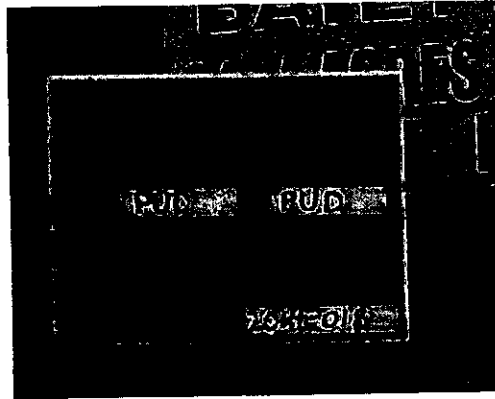
The written description indicated the site will be developed in accordance with Part 6 of the Zoning Code. However the lack of storage space in local homes is universally acknowledged, as many residents use their garage for storage and it is important that automobiles have an adequate hard surface to park without encroaching into the sidewalks or roadways.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

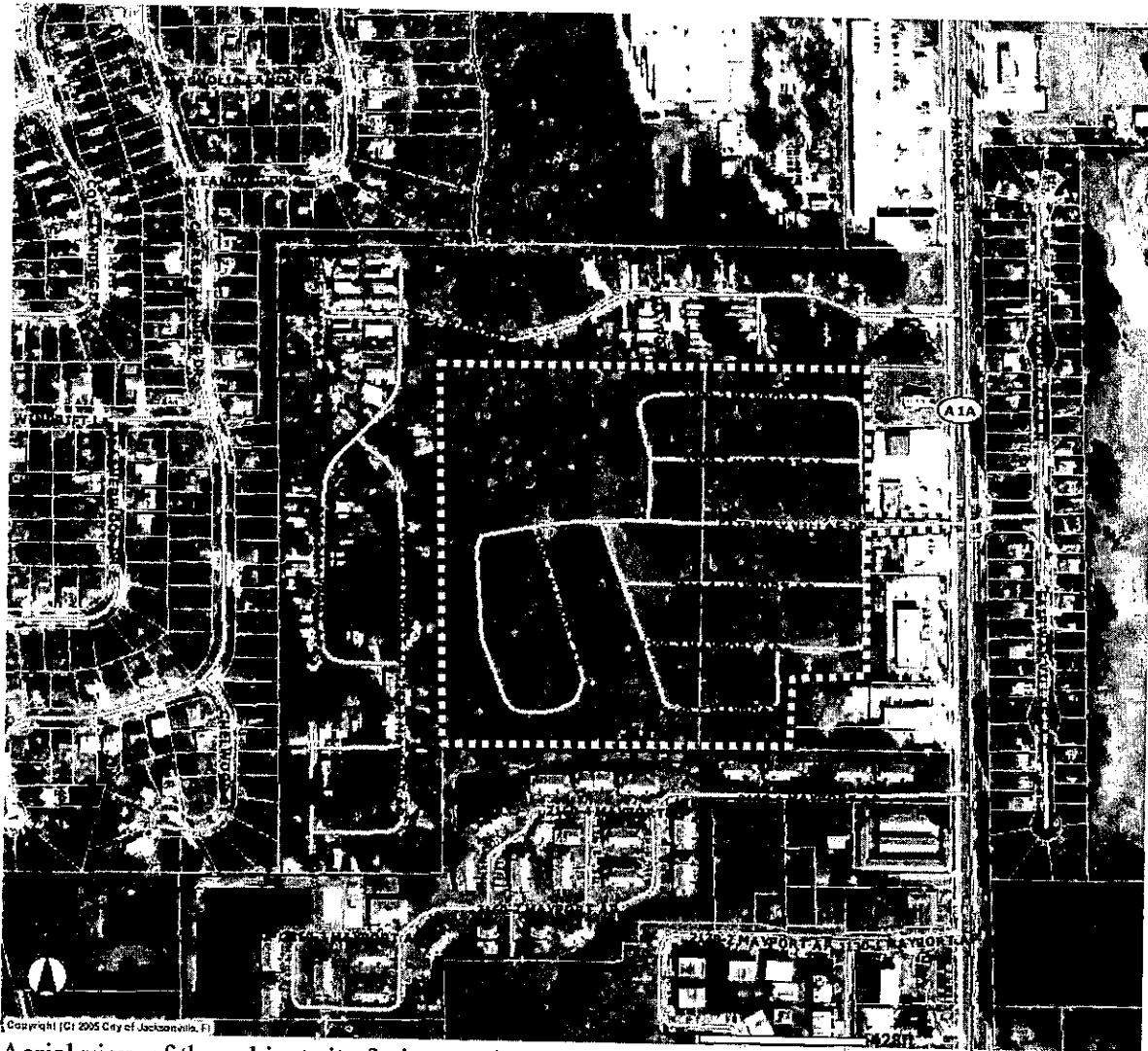
Upon visual inspection of the subject property on February 3, 2014, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-018 be **APPROVED** with the following conditions:

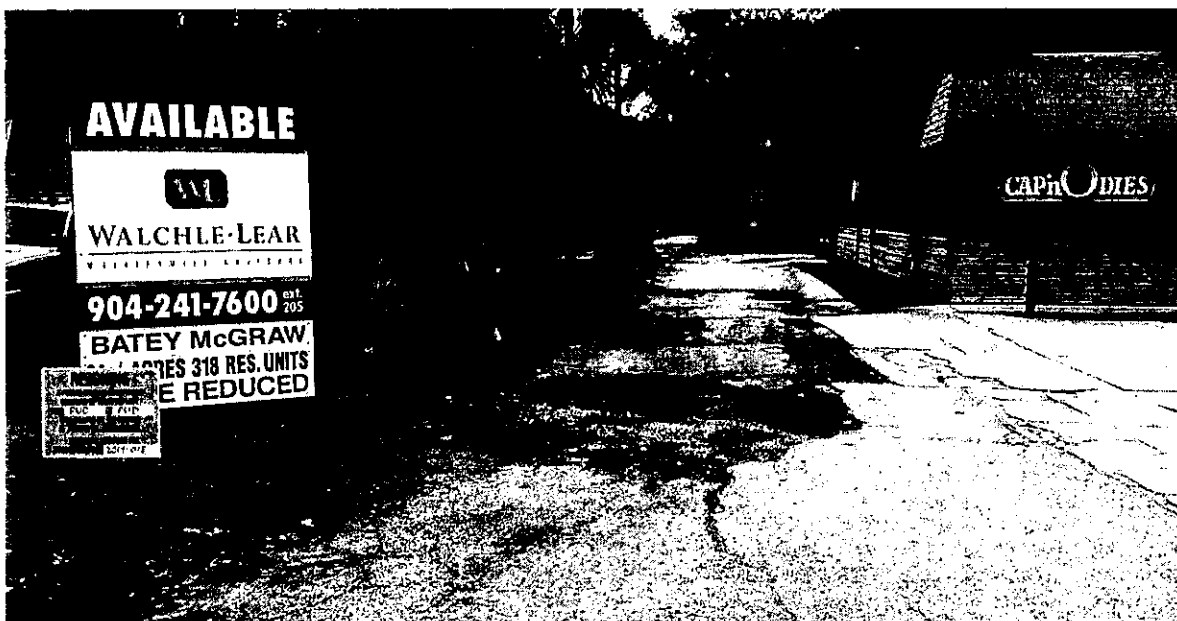
1. The subject property is legally described in the original legal description dated October 29, 2013.
2. The subject property shall be developed in accordance with the original written description dated October 11, 2013.
3. The subject property shall be developed in accordance with the original site plan dated October 14, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated January 21, 2014 or as otherwise approved by the Planning and Development Department.
5. The subject property shall be developed with minimum lot sizes of 50 feet in width and 5,000 square feet in area.



Aerial view of the subject site facing north



The entrance drive to the subject site facing east



The entrance drive to the subject site facing east



Facing east into the subject site



The subject site facing southwest



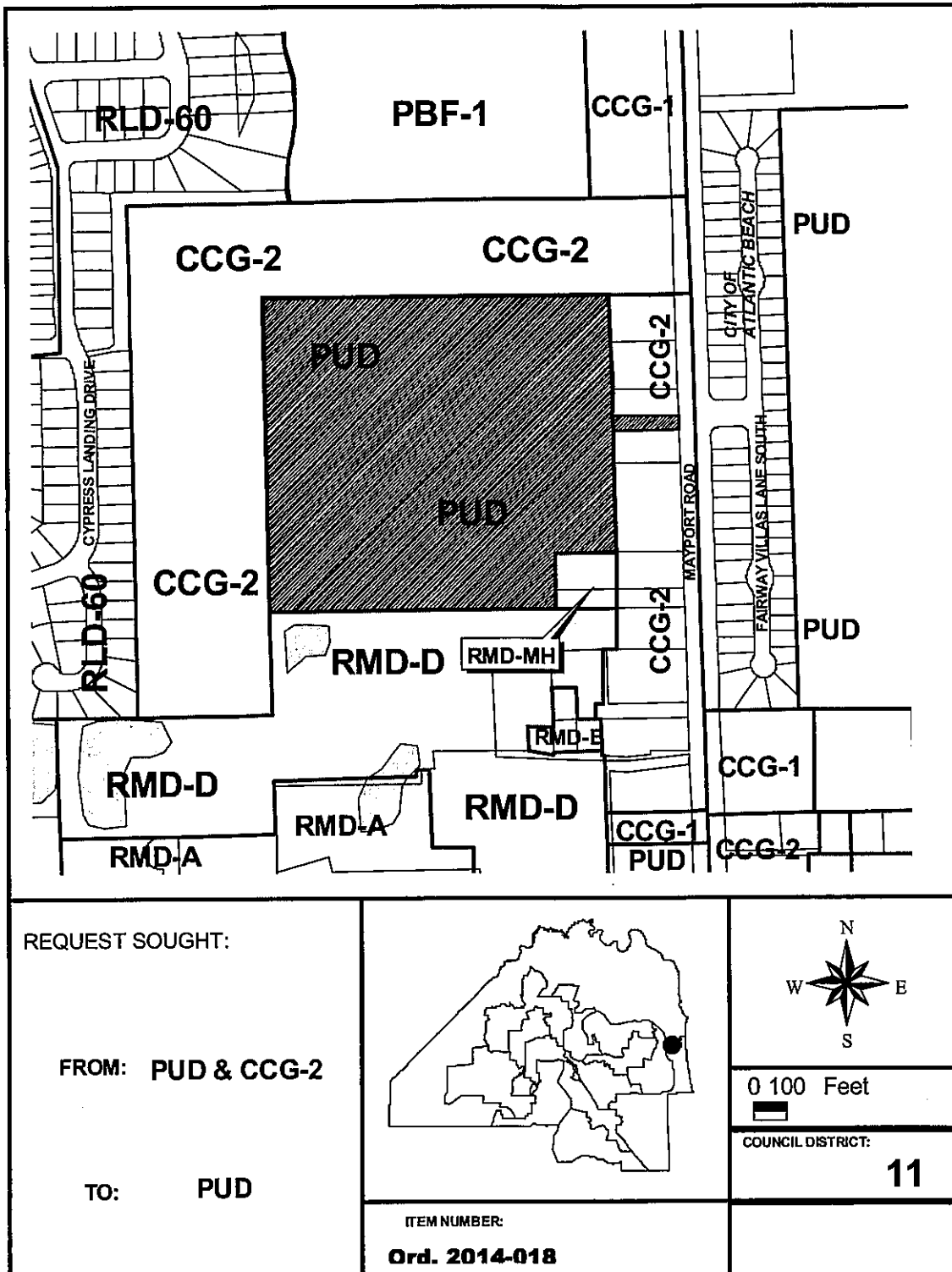
Facing northwest towards the property's boundary with the adjacent mobile home park



Facing southwest within the subject site



Facing east towards Mayport Rd. from within the subject site





January 21, 2014

MEMORANDUM

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

FROM: Lisa King, Traffic Technician Senior

Subject: **Maypoort PUD**
PUD R-2014-018 fka R-2004-136

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

1. This portion of Mayport Road is FDOT maintained. Number, design & location of any accesses to Mayport Road require FDOT review & permit.
2. Provide sidewalks per Section 2.2.1 if the Land Development Procedures Manual.
3. Roadways shall meet design standards of Section 3 of the Land Development Procedures Manual.
4. Signs, fences, walls and landscaping shall be located so that the horizontal line of sight at intersections is not obstructed.

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

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2014-018 Staff Sign-Off/Date AH / 01/08/2014

Filing Date 01/14/2014 Number of Signs to Post 2

Hearing Dates:

1st City Council 02/11/2014 Planning Commission 02/13/2014

Land Use & Zoning 02/19/2014 2nd City Council N/A

Neighborhood Association CYPRESS COVE

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 502

Application Status PENDING

Date Started 10/31/2013

Date Submitted 10/31/2013

General Information On Applicant

Last Name First Name Middle Name

HARDEN

PAUL

M.

Company Name

LAW OFFICE OF PAUL M. HARDEN

Mailing Address

501 RIVERSIDE AVENUE, SUITE 901

City

JACKSONVILLE

State

FL

Zip Code 32202

Phone

9043965731

Fax

9043995461

Email

PAUL_HARDEN@BELLSOUTH.NET

General Information On Owner(s)

☐ Check to fill first Owner with Applicant Info

Last Name First Name Middle Name

BLOOM

DERRICK

Company/Trust Name

OCEAN VILLIAGE, LLC

Mailing Address

3423 PIEDMONT ROAD

City

ATLANTA

State

GA

Zip Code

30305

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 169408 0000	11	2	PUD	PUD

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

Land Use Category Proposed? <input type="checkbox"/>	
If Yes, State Land Use Application #	Land Use Category
	MDR
Total Land Area (Nearest 1/100th of an Acre)	23.96
Development Number	
Proposed PUD Name	2200 MAYPORT ROAD PUD

Justification For Rezoning Application
SEE EXHIBIT D (WRITTEN DESCRIPTION)

Location Of Property		
General Location		
WEST SIDE OF MAYPORT ROAD, SOUTH OF ASSISI LANE, NORTH OF DUTTON ROAD		
House #	Street Name, Type and Direction	Zip Code
2200	MAYPORT RD	32233
Between Streets		
ASSISI LANE	and	DUTTON ROAD

Required Attachments For Formal, Complete application	
The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.	
Exhibit 1	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/> Property Ownership Affidavit – Notarized Letter(s).
Exhibit B	<input checked="" type="checkbox"/> Agent Authorization - Notarized letter(s) designating the agent.
Exhibit C	<input checked="" type="checkbox"/> Binding Letter.
Exhibit D	<input checked="" type="checkbox"/> Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
Exhibit E	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/> Land Use Table
Exhibit G	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/> Aerial Photograph.
Exhibit I	<input type="checkbox"/> Listed Species Survey (If the proposed site is greater than fifty acres).
Exhibit J	Other Information as required by the Department

<input type="checkbox"/> (i.e.-*building elevations, *signage details, traffic analysis, etc.).
Exhibit K <input checked="" type="checkbox"/> Site Location Map.

Public Hearings And Posting Of Signs

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

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

Application Certification

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

☒ Agreed to and submitted

Filing Fee Information

- | | |
|--|--|
| 1) Rezoning Application's General Base Fee: | \$2,000.00 |
| 2) Plus Cost Per Acre or Portion Thereof | |
| | 23.96 Acres @ \$10.00 /acre: \$240.00 |
| 3) Plus Notification Costs Per Addressee | |
| | 45 Notifications @ \$7.00 /each: \$315.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,555.00 |

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

EXHIBIT "A"

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE COUNTY OF DUVAL AND STATE OF FLORIDA, KNOWN AND DESCRIBED AS:

A PORTION OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, THENCE SOUTH $1^{\circ}04'20''$ EAST 990.02 FEET; THENCE NORTH $89^{\circ}19'35''$ EAST, 892.05 FEET; THENCE NORTH $0^{\circ}36'45''$ WEST 175 FEET; THENCE NORTH $89^{\circ}19'35''$ EAST 190.98 FEET; THENCE NORTH $1^{\circ}52'25''$ WEST 815.18 FEET; THENCE SOUTH $89^{\circ}19'35''$ WEST, 1,073.03 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

A PORTION OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE AFOREMENTIONED LOT 11 WITH THE WEST LINE OF MAYPORT ROAD, STATE ROAD NO. 560, AS NOW ESTABLISHED FOR A WIDTH OF 100 FEET; THENCE RUN SOUTH $1^{\circ}52'25''$ EAST, ALONG SAID WEST LINE, 386.08 FEET TO THE PLACE AND POINT OF BEGINNING; THENCE RUN SOUTH $89^{\circ}19'35''$ WEST, 200.0 FEET; THENCE SOUTH $1^{\circ}52'25''$ EAST, 45.0 FEET; THENCE RUN NORTH $89^{\circ}19'35''$ EAST, 200.0 FEET TO THE AFOREMENTIONED WEST LINE OF MAYPORT ROAD; THENCE NORTH $1^{\circ}52'25''$ WEST, 45.0 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

Property Ownership Affidavit

Date: 10-29-13

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

Re: Ownership Certification

Gentleman:

I, Derrick Bloom, Managing Member, Ocean Village, LLC, 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 PUD Rezoning, submitted to the Jacksonville Planning
and Development Department.

Derrick Bloom
(Owner's Signature)

STATE OF FLORIDA GEORGIA
COUNTY OF DUVAL FULTON

The foregoing affidavit was sworn and subscribed before me this 29th day of October
(month), 2013 (year) by DERRICK BLOOM who is personally
known to me or has produced DRIVER LICENSE as identification.

Valerie A. Copeland
(Notary Signature)

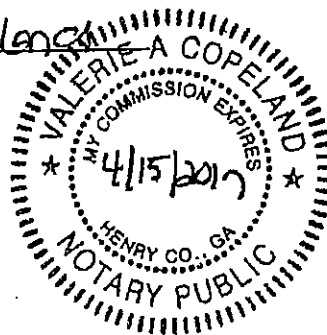


EXHIBIT B

Agent Authorization

Date: 10-29-13

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

Re: Agent Authorization for the following site location:

Gentleman:

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

OCEAN VILLAGE, LLC

By: Darrell Bloom
Its: Managing Director

STATE OF FLORIDA ~~GEORGIA~~
COUNTY OF DUVAL Fulton

The foregoing affidavit was sworn and subscribed before me this 29th day of October (month), 2013 (year) by Darrell Bloom, who is personally known to me or has produced Drivers License as identification.

Valerie Copeland
(Notary Signature)

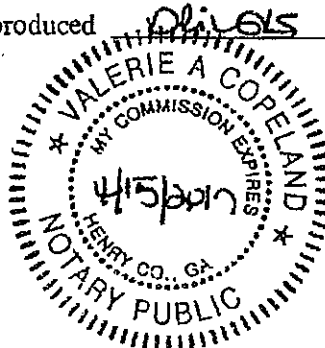


EXHIBIT C

Binding Letter

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: 2200 Mayport Road PUD

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,

OCEAN VILLAGE, LLC

By: Wendy Bloom

Its: Managing Director

EXHIBIT D

PUD Written Description

2200 Mayport Road PUD

Date October 11, 2013

Current Zoning District: PUD

Current Land Use Designation: MDR

Proposed Zoning District: PUD

RE #: 169408-0000

I. PROJECT DESCRIPTION

It is the purpose and intent of this PUD to provide flexibility in planning, design and development; to provide a development compatible with surrounding land use; to encourage the preservation of the natural site features; thereby promoting the public health, safety, morals, order, comfort, convenience, appearance, prosperity, and the general welfare of the community. The PUD will create a unified development plan incorporating a similar design theme and other development criteria. The creation of a master planned development affords an efficient use of the land.

The PUD is located on the west side of Mayport Road, south of Assisi Lane and north of Dutton Road. The 2030 Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property is Medium Density Residential (MDR). The property is currently zoned Planned Unit Development (PUD) which was adopted by Ordinance 2004-136-E which permitted a multi-family residential community.

As depicted on the site plan of PUD Ordinance 2004-136-E, the property currently may be developed as a multi-family residential community. The Applicant proposes to rezone the 23.96 acres of property from PUD to PUD. The purpose of the new PUD to PUD rezoning is to permit an alternative development program for a single-family detached residential subdivision as described in this Written Description. The uses approved in 2004-136-E will remain in place and continue to be permitted. This PUD Written Description will only amend the existing PUD to allow for an additional (alternative) use.

The property is currently owned by Ocean Village, LLC, and is more particularly described in the legal description attached as Exhibit 1. As depicted on the attached alternative use site plan, the property may be developed as a single-family residential use. A detailed description of the residencies that will be allowed within the PUD and the use restrictions are contained herein.

The property is currently vacant having previously been used as a mobile home park. Surrounding uses include: developed MDR/CCG-2 land to the west and north (mobile homes); developed MDR/RMD-D and RMD-MH to the south (multi-family) and developed CGC/CCG-2 to the east (commercial). This PUD District will differ from conventional zoning districts by providing a unique design not found in the conventional residential districts. This PUD provides a site plan and is specific as to maximum amount of dwelling units, vehicular circulation and recreation areas.

- A. **Project Agent:** Paul M. Harden
- B. **Project Architect:** N/A
- C. **Project Engineer:** Prosser Hallock, Inc.
- D. **Project Developer:** To be Determined
- E. **Quantitative Data Summary (Single-Family Alternative):**
1. **Total Area:** ±24.0 ac.
 2. **Total number of dwelling units:** 108
 3. **Total amount of non-residential floor area:** None
 4. **Total amount of recreation and/or open space:** ±4.06 ac.
 5. **Total amount of passive open space:** ±2.99 ac.
 6. **Total amount of public/private rights of way:** ±3.90 ac.
 7. **Total amount of land coverage of all buildings and structures:** ±280,000 S.F.(approx.)

II. **USES AND RESTRICTIONS**

A. **Permitted Uses and Structures.**

1. Multi-family residential dwellings four-hundred (400) dwelling units maximum
2. Single-family dwellings
3. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4
4. Home occupations meeting the performance standards and development criteria set forth in Part 4.

B. **Permissible Uses by Exception.**

1. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards and development criteria

set forth in Part 4

2. Home occupations meeting the performance standards and development criteria set forth in Part 4.

C Permitted Accessory Use and Structures.

1. In accordance with section 656.403 (Accessory Uses and Structures).

III. DESIGN GUIDELINES

A. Multi-Family Residential Uses. Minimum lot requirements and building requirements shall be in accordance with the requirements provided herein.

- (1) Minimum lot area: 6,000 square feet
- (2) Minimum lot width: 60 feet
- (3) Maximum lot coverage: 35 percent
- (4) Minimum front yard: 20 feet
- (5) Minimum side yard: 20 feet
- (6) Minimum rear yard: 20 feet
- (7) Maximum height of structures: 35 feet; provided, however that height may be unlimited where all required yards are increased by one foot for each three feet of building height or fraction thereof in excess of thirty-five (35) feet.

B. Single-Family Residential Uses. Minimum lot requirements and building requirements shall be in accordance with the requirements provided herein.

- (1) Minimum lot area: 4,000 square feet
- (2) Minimum lot width: 40 feet
- (3) Maximum lot coverage: 65 percent
- (4) Minimum front yard: 20 feet
- (5) Minimum side yard: 5 feet
- (6) Minimum rear yard: 10 feet

- (7) Maximum height of structures: 35 feet

C. 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 Fairway Villas Drive off Mayport Road, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.
 - b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.
- (3) *Pedestrian Access.*
- a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan or as approved by the City of Jacksonville Planning and Development Department.

D. Signage

One (1) double-faced or two (2) single-faced signs not to exceed twenty-four (24) square feet in area and twelve (12) feet in height is permitted. Signs may be internally or externally illuminated. Directional signs not exceeding a maximum of four (4) square feet in area. Other signs shall meet be in accordance with Part 13 of the Zoning Code.

E. Landscaping

The Property will be developed in accordance with Part 12 of the Zoning Code. The site shall contain at a minimum the landscaping requirements of the Ordinance Code, 656. Part 12 of the same.

F. Recreation and Open Space Single-Family Residential Use

A minimum of one (1) acre of recreation area shall be provided per every 100 lots.

G. Utilities

All utilities and improvements, as well as any other public works/engineering related issues will be designed and constructed in accordance with the standards and specifications of the City of Jacksonville, Public Works Department and JEA.

- (1) Water will be provided by JEA.
- (2) Sanitary sewer will be provided by JEA.
- (3) Electric will be provided by JEA.

H. Wetlands

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

I. Phasing

The development will be developed in one phase or as the market demands. Phasing plan is not complete and is subject to change, and is currently estimated at six (6) months after entitlements are attained plus one (1) year to begin construction.

J. Site Plan and Modifications

The site plan approved as part of this PUD is a conceptual. Final design is subject to change through final site planning, engineering design, permitting and other regulatory approvals. Amendments to the approved PUD may be accomplished by administrative deviation, by minor modification or by filing a rezoning. Any use not specifically listed, but similar to or associated with the listed uses, in the alternative, may be permitted by administrative deviation or minor modification. PUD amendments, including administrative deviations, minor modifications or rezonings, may be sought for individual parcels or access points within the PUD. All development improvements are subject to appropriate local, State and Federal permitting agencies.

IV. DEVELOPMENT PLAN APPROVAL

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

V. JUSTIFICATION FOR THE PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed project is compatible with the City of Jacksonville's 2030 Comprehensive Plan. The proposed development will be beneficial to the surrounding neighborhood and community. The design and layout of the PUD accomplishes the following:

- A. Creative in its approach through the use of existing land use designation;
- B. Provide a more desirable development than would be possible through the strict application of the requirements of the Zoning Code;
- C. More efficient use of land resulting in lower development costs;
- D. Provide a development that will improve the characteristics of the surrounding area;
- E. Enhance the appearance of the area through development criteria;
- F. Supportive of the property values and a substantial improvement of the quality of development on the property as of the date hereof; and,
- G. Proposes land uses and intensities which will meet applicable planning goals.

VI. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* The Property is designated Medium Density Residential (MDR) according to the Future Land Use Map (FLUM) of the 2030 Comprehensive Plan. The uses proposed herein are consistent with the FLUM designation.
- B. *Consistency with the Concurrency Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency and Mobility Management System Office (CMMSO).
- C. *Allocation of Residential Land Use.* The proposed PUD allows for a development program of up to 400 multi-family dwellings or an alternate development program of up to 108 single-family dwellings as herein described.
- D. *Internal Compatibility/Vehicular Access.* The proposed PUD contains limitations on the uses permitted on the Property as well as a common development scheme that contains provisions for signage, landscaping, sidewalks, recreation and open space and other requirements relating to common areas and vehicular and

pedestrian traffic. The Property has direct access to Mayport Road. The final design and engineering plans shall be subject to the review and approval of the City Traffic Engineer.

- E. *External Compatibility/Intensity of Development.* The Property is located in an existing diverse residential area on the westside of Mayport Road. The aesthetic and design guidelines contained in the PUD will positively contribute to the residential developments in the general area.
- F. *Recreation/Open Space.* A minimum of one (1) acre of recreation area shall be provided.
- G. *Impact of Wetlands.* The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District, the Department of Environmental Protection and the U.S. Army Corps of Engineers.
- H. *Listed Species Regulations.* The Property is less than fifty (50) acres; therefore, a listed species survey is not required.
- I. *Off-Street Parking and Load Requirements.* The Property will comply with Part 6 of the Zoning Code or as otherwise approved by the Planning and Development Department.
- J. *Sidewalks, Trails, and Bikeways.* Sidewalks will be constructed consistent with the 2030 Comprehensive Plan.
- K. *Stormwater Retention.* Retention shall meet the requirements of the City of Jacksonville and all other state and local agencies with jurisdiction including the St. Johns River Water Management District.
- L. *Utilities.* JEA will provide electric, sewer and water services to the Property.

VII. SUCCESSORS IN TITLE

All successors in title to the Property or any portion of the Property shall be bound to all development standards and conditions of the PUD, as contained herein and in the Ordinance approving the same.

VIII. STATEMENTS

- A. **How does the proposed PUD differ from the usual application of the Zoning Code?**
Allows for creative use of MDR zoning category with limitations on uses as accessory and uses by exception to provide compatible development.

B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

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

SITE DATA TABLE

NUMBER OF DWELLING UNITS:	108 LOTS(MAX.)
TYPICAL LOT DIMENSIONS:	40'x100'(MIN.)
TOTAL AREA:	23.96 Ac.
PHASES:	1
ACTIVE RECREATION:	4.06 Ac.
EXISTING ZONING:	PUD 2004-0136
PROPOSED ZONING:	PUD
PARKING:	PER ZONING CODE
LOT COVERAGE:	85 PERCENT(MAX.)

FAIRWAY VILLAS DRIVE
(80' ROW)

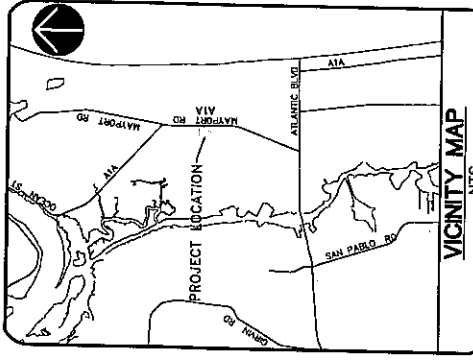


EXHIBIT E PUD SITE PLAN OCTOBER 14, 2013

Prosser Hallock

1901 South First Street, Suite 200
Jacksonville, Florida 32204-0029
P: 904.726.1000 F: 904.726.1001 E: info@prosserhallock.com
File Certificate of Authorization No.: 00004650

PROJECT NAME: 2200 MAYPORT ROAD PUD
OWNER/DEVELOPER: ATLANTIC BEACH RESERVE
ENGINEER/LANDSCAPE: PROSSER HALLOCK, INC.
1301 SUTTON PARK DRIVE SOUTH
SUITE 200
JACKSONVILLE, FL 32224

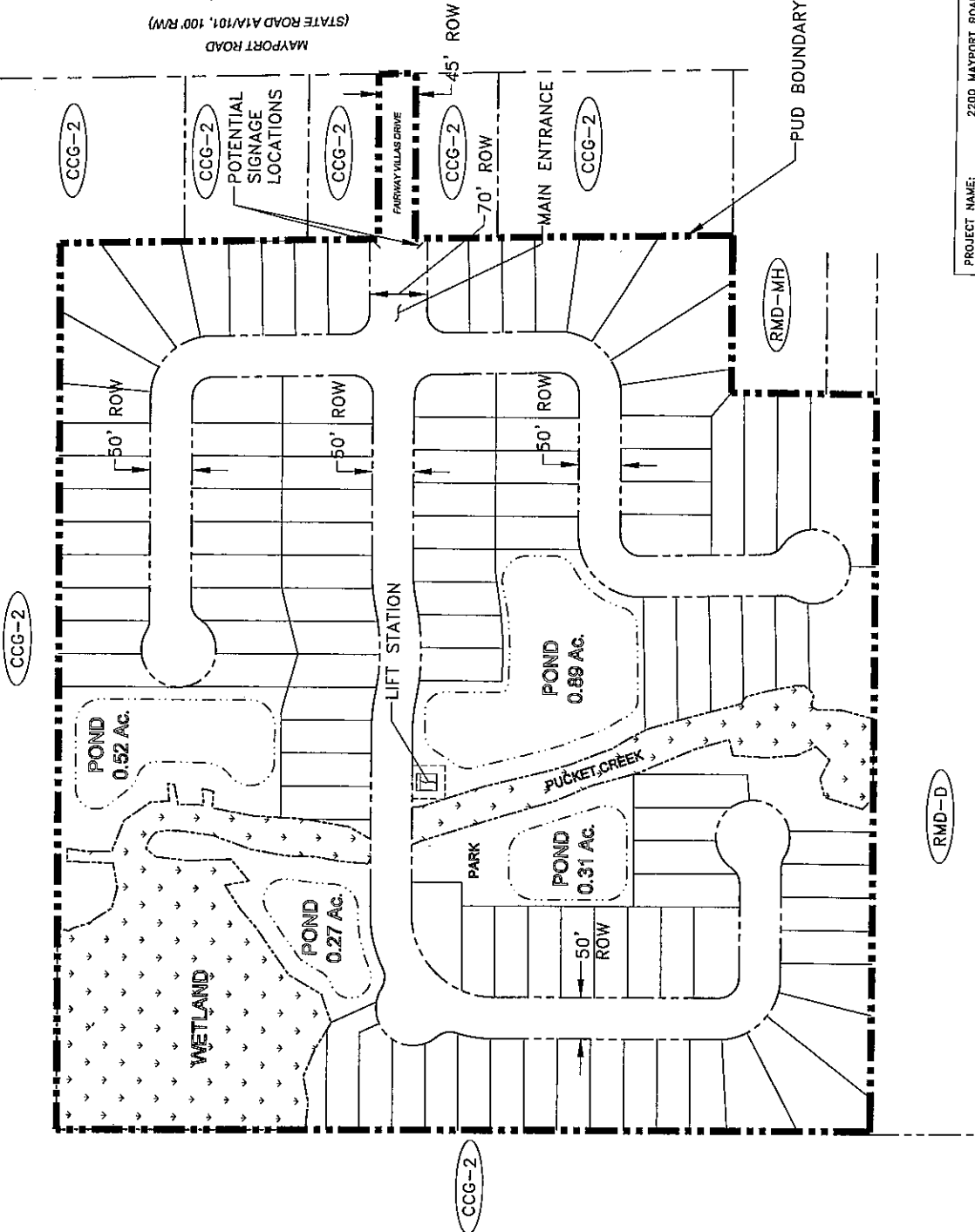


EXHIBIT F

PUD Name

2200 Mayport Road PUD

Land Use Table

Total gross acreage	23.96	Acres	100.0%
Amount of each different land use by acreage			
Single family	12.94	Acres	54 %
Total number of dwelling units	108	D.U.	
Multiple family		Acres	%
Total number of dwelling units		D.U.	
Commercial		Acres	%
Industrial		Acres	%
Other land use	0.04	Acres	0.2 %
Active recreation and/or open space	4.06	Acres	17 %
Passive open space	2.99	Acres	12.5 %
Public and private right-of-way	3.9	Acres	16.3 %
Maximum coverage of buildings and structures	280,000	Sq. Ft.	27 %

After recording return to:
Calloway Title & Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 285
Atlanta, Georgia 30319

4-05079

When recorded, return to:
Ron Ben-Moshe, Esq.
McClure & Kornheiser, LLC
6400 Powers Ferry Road
Suite 150
Atlanta, Georgia 30339

Parcel ID # 169408-0000
169408-0500

SPECIAL WARRANTY DEED

THE STATE OF FLORIDA)
) KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF DUVAL:)

BUCCANEER MOBILE HOME PARK ASSOCIATES, LTD., a Florida limited partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto OCEAN VILLAGE, LLC, a Georgia limited liability company ("Grantee"), whose address is 3423 Piedmont Road, Suite 325, Atlanta, Georgia 30305, all of that certain lot, tract or parcel of land situated in Duval County, Florida, and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

TOGETHER WITH, all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise appertaining thereto and with all improvements located thereon belonging to Grantor (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "Property").

For the same consideration recited above, Grantor hereby BARGAINS, SELLS and TRANSFERS, without warranty, express or implied, all interest, if any, of Grantor in any land lying

in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting the Property.

This conveyance is made subject to the exceptions ("Permitted Exceptions") described in Exhibit "B" attached hereto and incorporated herein by reference for all purposes.

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions as aforesaid, unto Grantee, and Grantee's successors and assigns, forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the Property, subject to the Permitted Exceptions, unto Grantee, and Grantee's successors and assigns, against every person claiming by, through or under Grantor, but not otherwise.

EXECUTED under seal as of the 7th day of December, 2007.

WITNESSES:

D. Todd Stanley
Name: D. Todd Stanley
Print or Type Name

April L. Johnson
Name: April L. Johnson
Print or Type Name

GRANTOR:

BUCCANEER MOBILE HOME PARK
ASSOCIATES, LTD., a Florida limited
partnership

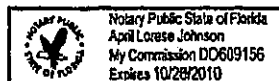
By: Property Planning, INC., a Florida
corporation, its General Partner

By: [Signature]
Kenneth Drummond, Vice President

[CORPORATE SEAL]

ADDRESS OF GRANTOR:
5001 Phillips Highway
#7B
Jacksonville, Florida 32207

This instrument was acknowledged before me on this the 6th day of December, 2007, by Kenneth Drummond, as the Vice President of Property Planning, Inc., the general partner of Buccaneer Mobile Home Park Associates, Ltd. He is personally known to me or produced Florida license as identification.



April L. Johnson
Notary Public in and for the State of Florida

April L. Johnson
Printed Name of Notary Public
My Commission Expires: 10/28/2010

EXHIBIT "A"

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE COUNTY OF DUVAL AND STATE OF FLORIDA, KNOWN AND DESCRIBED AS:

A PORTION OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, THENCE SOUTH $1^{\circ}04'20''$ EAST 990.02 FEET; THENCE NORTH $89^{\circ}19'35''$ EAST, 892.05 FEET; THENCE NORTH $0^{\circ}36'45''$ WEST 175 FEET; THENCE NORTH $89^{\circ}19'35''$ EAST 190.98 FEET; THENCE NORTH $1^{\circ}52'25''$ WEST 815.18 FEET; THENCE SOUTH $89^{\circ}19'35''$ WEST, 1,073.03 FEET TO THE POINT OF BEGINNING.

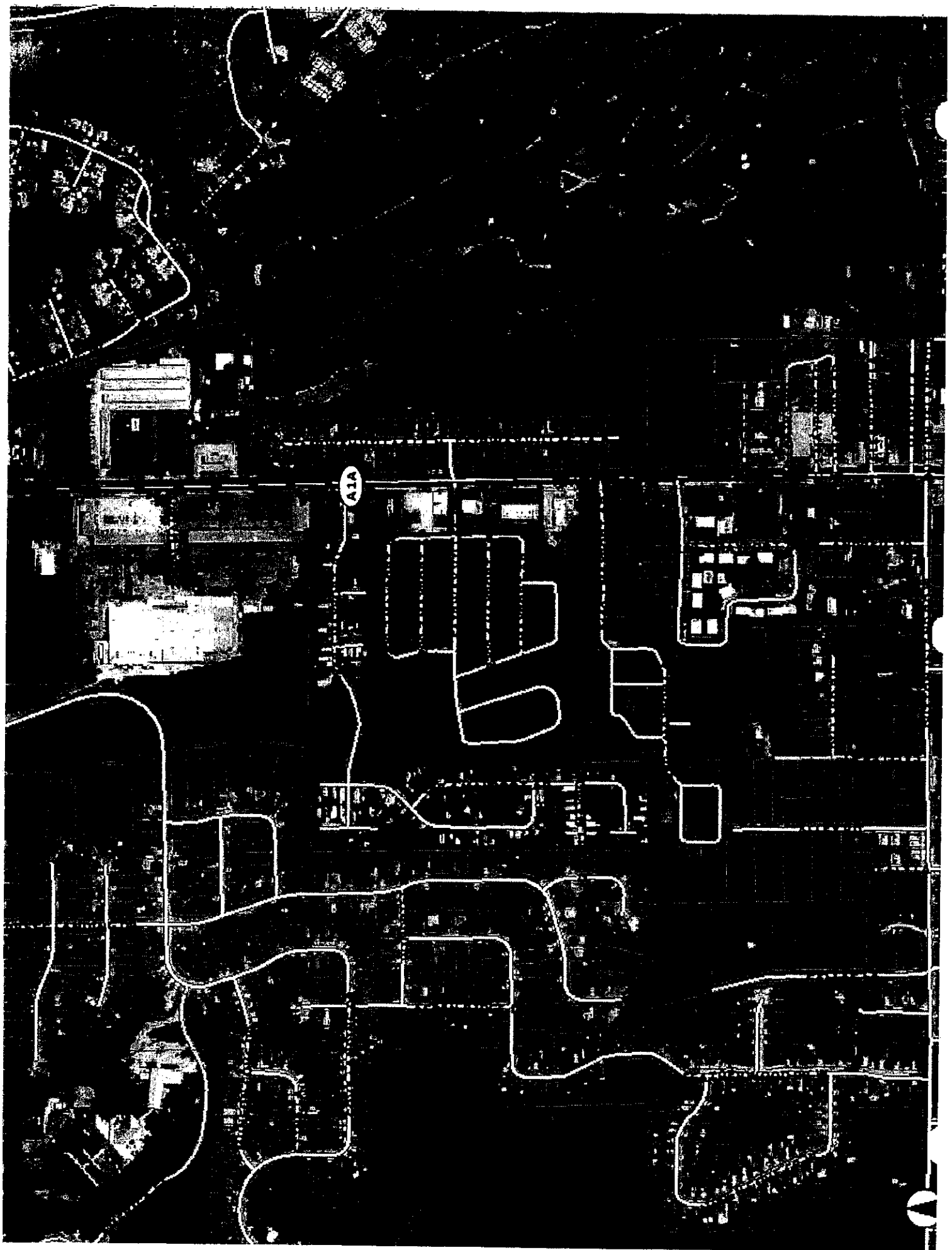
TOGETHER WITH

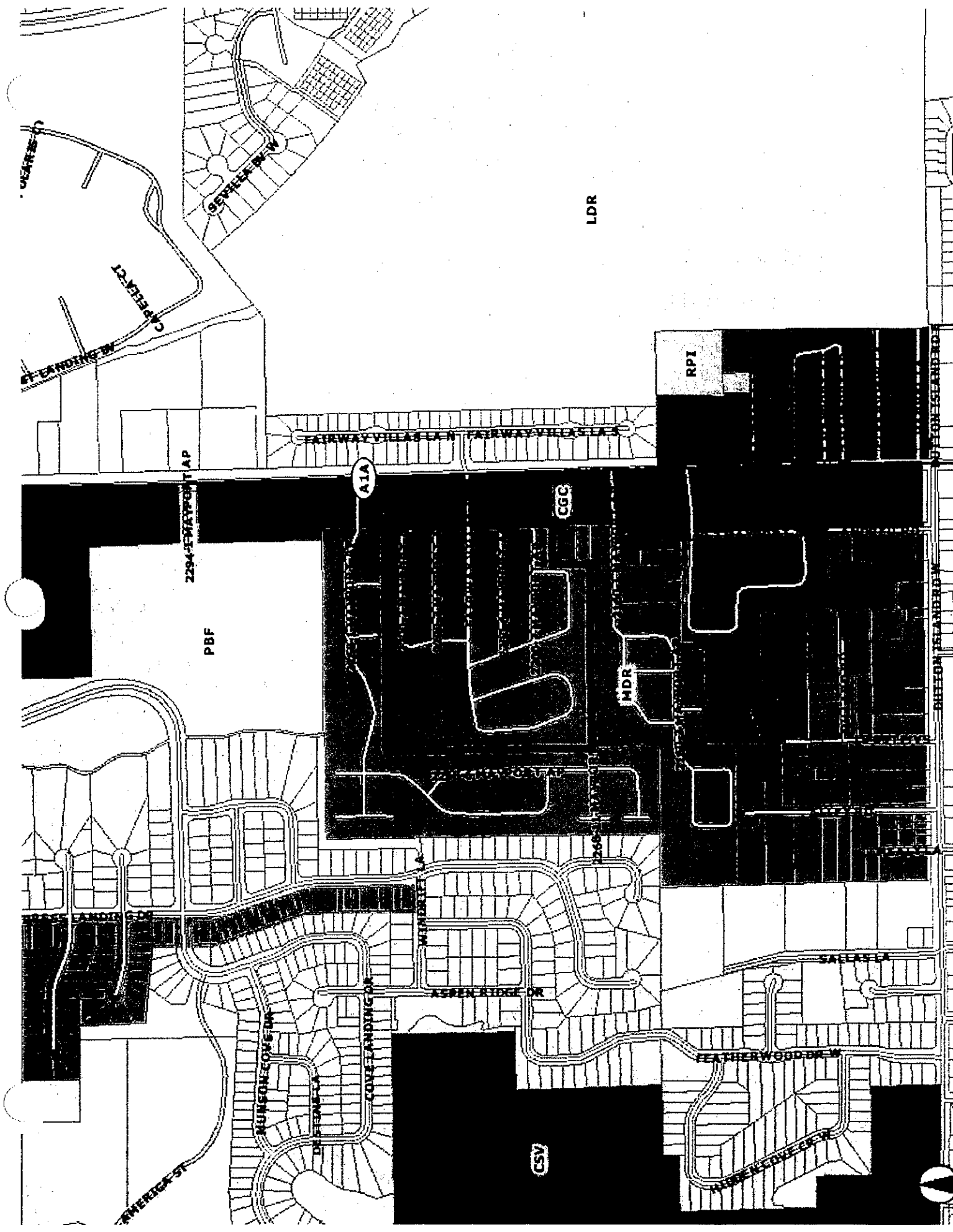
A PORTION OF GOVERNMENT LOT 11, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE AFOREMENTIONED LOT 11 WITH THE WEST LINE OF MAYPORT ROAD, STATE ROAD NO. 560, AS NOW ESTABLISHED FOR A WIDTH OF 100 FEET; THENCE RUN SOUTH $1^{\circ}52'25''$ EAST, ALONG SAID WEST LINE, 386.08 FEET TO THE PLACE AND POINT OF BEGINNING; THENCE RUN SOUTH $89^{\circ}19'35''$ WEST, 200.0 FEET; THENCE SOUTH $1^{\circ}52'25''$ EAST, 45.0 FEET; THENCE RUN NORTH $89^{\circ}19'35''$ EAST, 200.0 FEET TO THE AFOREMENTIONED WEST LINE OF MAYPORT ROAD; THENCE NORTH $1^{\circ}52'25''$ WEST, 45.0 FEET TO THE POINT OF BEGINNING.

Warranty legal

EXHIBIT "B"
Permitted Title Exceptions

1. Reservations as contained in Deed Book No. 3831 dated July 28, 1914, from the Board of Education of the State of Florida to Atlantic Beach Corporation.
2. Easement for ingress and egress for foot and vehicular traffic over part of subject lands as set forth in Deed recorded in Official Records Book 2487, Page 324, of the Public Records of Duval County, Florida.
3. Easement for ingress and egress for foot and vehicular traffic over part of subject lands as set forth in instrument recorded in Official Records Book 3098, Page 772, of the Public Records of Duval County, Florida.
4. Easement for ingress and egress for foot and vehicular traffic over part of subject lands as set forth in Deed recorded in Official Records Book 6793, Page 610, of the Public Records of Duval County, Florida.
5. Grant of Easement to City of Atlantic Beach recorded in Official Records Book 7374, Page 1055, of the Public Records of Duval County, Florida.
6. Grant of Easement to City of Atlantic Beach recorded in Official Records Book 7374, Page 1057, of the Public Records of Duval County, Florida.
7. Grant of Easement to Mediaone of Greater Florida, Inc. (Mediaone) recorded in Official Records Book 9584, Page 2317, of the Public Records of Duval County, Florida.
8. Perpetual Easement to the State of Florida Department of Transportation recorded in Official Records Book 13813, Page 1887, Public Records of Duval County, Florida.
9. Drainage Ditch to the State of Florida for Lateral Ditch Left of Station 90+63.35 recorded in Official Records Book 1666, Page 7, Public Records of Duval County, Florida.





CURRENT PLANNING DIVISION



Date: December 10, 2013

To: Folks Huxford, Chief

From: Andy Hetzel, Senior Planner

RE: 2200 Mayport Road PUD

Waiver of Section 656.341(c)(2)(i) PUD Site Plan Requirements

The Site Plan, dated October 18, 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description and Exhibit F Land Use Table. The items of required information that have not been depicted on the Site Plan may be excused for good cause because they are provided in the Written Description and Land Use Table or they will not impact the review of the application.

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

This information is provided in the Project Description of the Written Description.

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

The required information is included in a separate Table F and the Written Description.

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

The Site Plan does show points of ingress and egress, pedestrian circulation, but rights-of-way, median openings and driveways within 660 feet of the property are not shown. Those items are not a factor when reviewing the application and the lack of the items will not create any adverse impacts to the surrounding neighborhood. Mayport Road (A1A) is a FDOT maintained roadway and access points are subject to the approval of that agency. The pavement widths are reviewed and approved by the Development Services Division Land Development Procedures Manual. It is the department's opinion this level of detail is not required.

PLANNING AND DEVELOPMENT DEPARTMENT