

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-17 TO

PLANNED UNIT DEVELOPMENT

FEBRUARY 5, 2015

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2015-17** to Planned Unit Development.

Location: South/west side of State Rout A1A between Schooners Bay Drive and Haywood Estates Lane

Real Estate Number(s): 168374-0300

Current Zoning District: Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning Commissioner: Anthony Robbins

Planning District: Greater Arlington/Beaches, District 2

City Council District: The Honorable Ray Holt, District 11

Applicant/Agent: City of Jacksonville
St. James Building
117 West Duval Street
Jacksonville, Florida 32202

Owner: Donna Rex
Beaches Habitat for Humanity, Inc.
797 Mayport Road
Atlantic Beach, Florida 32233

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-17** seeks to rezone approximately 1.34 acres of land from CCG-1 to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of six duplexes for a total of twelve residential units. This project will be a companion to the existing Haywood Estates.

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 Community General Commercial (CGC) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2014C-014 (Ordinance 2015-16) that seeks to amend the portion of the site that is within the CGC land use category to Medium Density Residential (MDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land use Map Series 2014C-14 be approved. 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.

Medium Density Residential (MDR) is a category 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. Development within the category should be compact and connected and should support multi-modal transportation.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor.

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

Principal Uses: Multi-family dwellings; Single-family dwellings when the predominant

surrounding development typology within the MDR category is single-family; 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 or TOD.

Secondary Uses: Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition, the following secondary uses may also be permitted: Single-family dwellings; Nursing homes; Emergency shelter homes; Foster care homes; Rooming houses; Residential treatment facilities; Private clubs; 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.

The maximum gross density in the Suburban Area shall be 20 units/acre and the minimum gross density shall be 10 units/acre; except as provided herein. 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.

(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): Community General Commercial (CGC). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-14 (Ordinance 2015-16) that seeks to amend the portion of land that is within the CGC land use category to 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:

F.L.U.E. Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

F.L.U.E. 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 the complementary land uses, and innovations in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

F.L.U.E. 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.

(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 multi-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 site plan shows the buildings surrounding a large open courtyard. This courtyard will provide more separation between the duplexes than a conventional design. There will also be two dry pond areas which will provide open space.

The use of existing and proposed landscaping: The site plan attempts to preserve large existing trees which will increase the aesthetic value of the development.

Traffic and pedestrian circulation patterns: The site will have access to Mayport Road through Haywood Estates Lane, a public right-of-way. The proposed access is before any existing dwellings on Haywood Estates.

The variety and design of dwelling types: The proposed site plan shows six duplex structures which will provide variety to the existing multi-family developments in the 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 development is a companion to the adjacent Haywood Estates development. This development will have access to Mayport Road through Haywood Estates Lane. Multi-family development at this location complements the existing residential and commercial uses by increasing the housing options in 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	MDR	RMD-C	Multi-family dwellings
South	MDR	RMD-C	Multi-family dwellings
East	CGC	PUD (04-47)	Single family dwellings
West	MDR	RMD-C	Multi-family dwellings

(6) Intensity of Development

The proposed development is consistent with the MDR functional land use category and as a multi-family development, which is not to exceed 12 dwelling units. The PUD is appropriate at this location because it will support the existing residential, commercial and service establishments in the area.

(7) Usable open spaces plazas, recreation areas.

Due to the number of residential units, no recreation area will be provided. There is a large open courtyard in the center of the development which may allow for unstructured recreation.

(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.

There will be a total of 29 parking spaces. Nine units will have 2 side by side spaces, Two units will have a tandem space for 2 vehicles. One unit will have one space to save an existing tree. There will be 6 spaces for guests.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

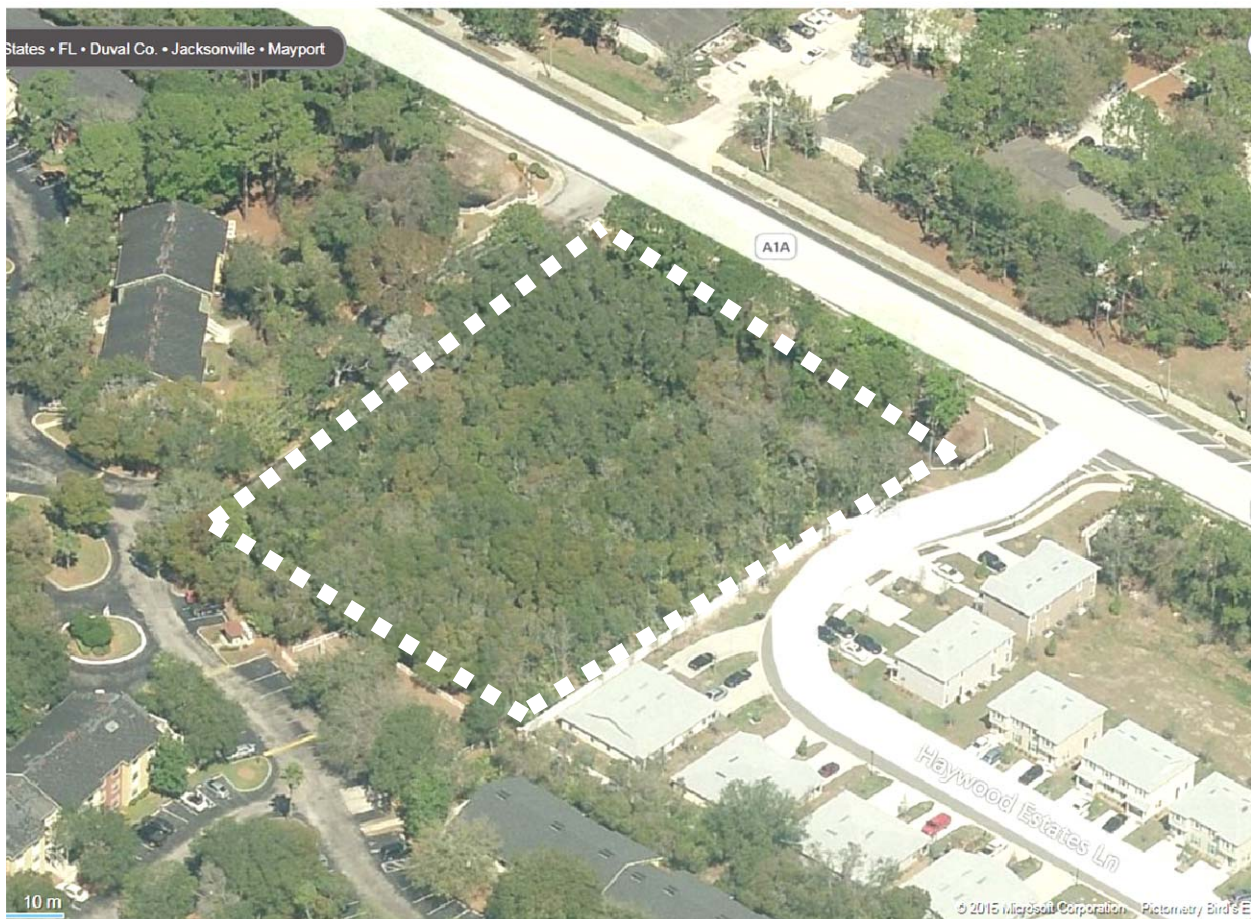
Upon visual inspection of the subject property on January 21, 2015, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2015-17 be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated October 24, 2014.
2. The subject property shall be developed in accordance with the original written description dated November 24, 2014
3. The subject property shall be developed in accordance with the original site plan dated October 24, 2014.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated January 21, 2015 or as otherwise approved by the Planning and Development Department.



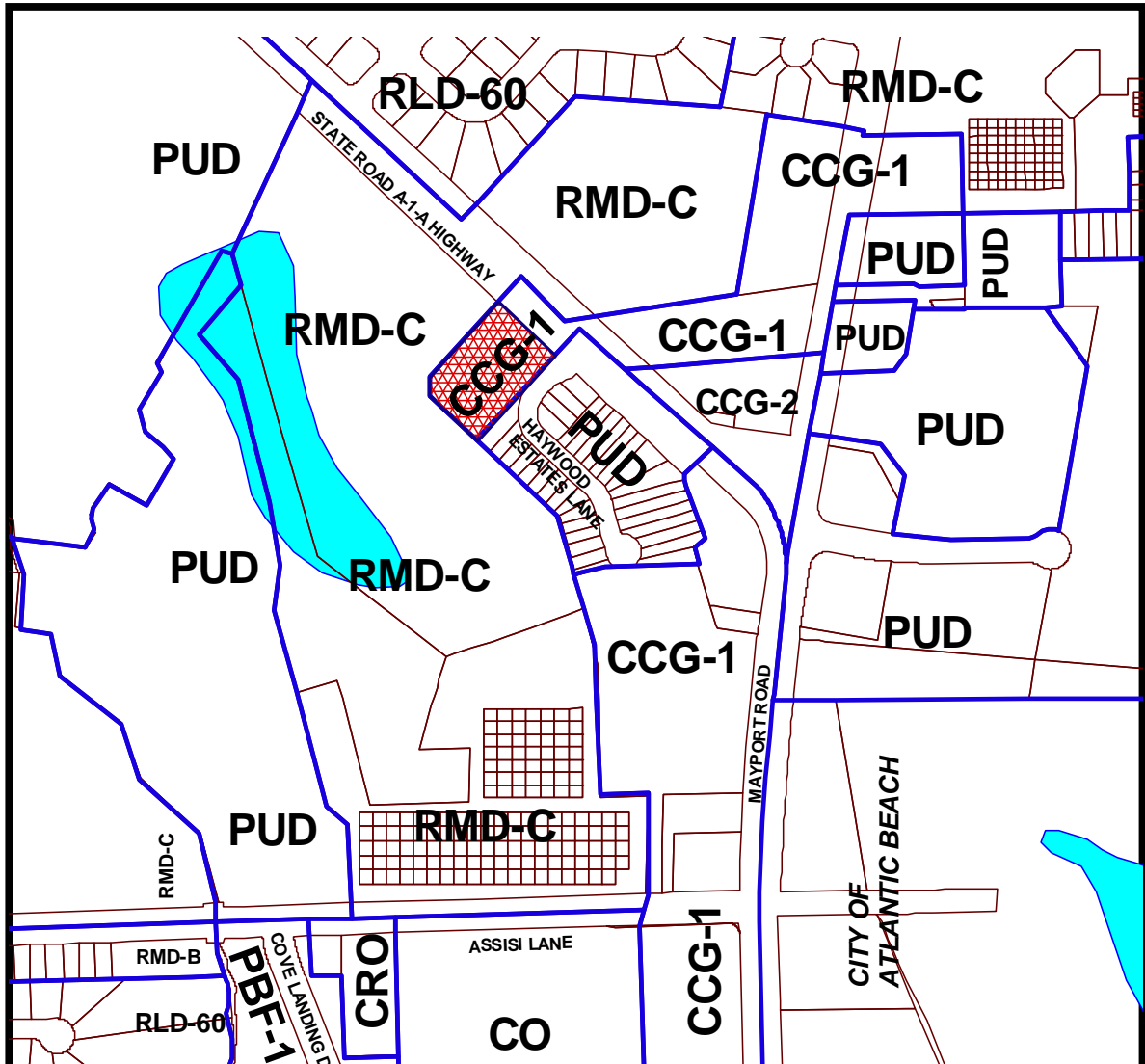
Aerial view of site.



Proposed development will access Haywood Estates Lane through fence.



Large culvert on A1A.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>		<p>N W E S</p> <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 11</p> <p>ORDINANCE -2015-0017</p> <p>FILE COPY</p>
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DEVELOPMENT SERVICES



January 21, 2015

MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Beaches Habitat for Humanity PUD
R-2015-17**

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

1. Written Description cites access from A1A, but no access is shown on Site Plan. A1A is a FDOT maintained roadway. FDOT has access control.
2. For lots to be subdivided they are required to have frontage on a public or approved private street. Roadway shall meet City design standards of Section 3 of the Land Development Procedures Manual.
3. If proposed to be public roadways, then there shall be no angled parking along roadway. If private roadway, ensure that backup area meets City requirement for angled parking Section 656.607 (k) and shown in Figure A (diagram located at the end of Section 656.609) of the current Zoning Code.
4. Provide sidewalks per the 2030 Comprehensive Plan and Land Development Procedures Manual Section 2.
5. Any proposed signs, fence, wall and landscaping shall be located so that they do not obstruct horizontal line of sight as outlined in FDOT Index 546.

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

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2015-0017 **Staff Sign-Off/Date** BEL / 11/24/2014

Filing Date 12/08/2014 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 02/10/2015 **Planning Commission** 02/05/2015

Land Use & Zoning 02/18/2015 **2nd City Council** N/A

Neighborhood Association CYPRESS COVE

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 740

Application Status PENDING

Date Started 11/13/2014

Date Submitted 11/13/2014

General Information On Applicant

Last Name	First Name	Middle Name
JACKSONVILLE	CITY OF	
Company Name		
CITY OF JACKSONVILLE		
Mailing Address		
214 NORTH HOGAN STREET, SUITE 300		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email
9042557800	9042557882	COMMUNITYPLANNING@COJ.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
REX	DONNA	K
Company/Trust Name		
BEACHES HABITAT FOR HUMANITY, INC.		
Mailing Address		
797 MAYPORT ROAD		
City	State	Zip Code
ATLANTIC BEACH	FL	32233
Phone	Fax	Email
9045955791		

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 168374 0300	11	2	CCG-1	PUD

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

Existing Land Use Category

Land Use Category Proposed?
If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre)
Development Number
Proposed PUD Name
Justification For Rezoning Application

TO ALLOW FOR CONSTRUCTION OF DUPLEXES.

Location Of Property
General Location

House #	Street Name, Type and Direction	Zip Code
<input type="text" value="0"/>	<input type="text" value="SR A1A HY"/>	<input type="text"/>

<input type="text" value="0"/>	<input type="text" value="SR A1A HY"/>	<input type="text"/>
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Between Streets
 and
Required Attachments For Formal, Complete application

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

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

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

application

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

Public Hearings And Posting Of Signs

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

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

Application Certification

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

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
1.34 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
32 Notifications @ \$7.00 /each: \$224.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$0.01

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

October 24, 2014

BEACHES HABITAT FOR HUMANITY

A portion of Lot 1, Division 4, Andrew Dewees Grant, Section 37, Township 2 South, Range 29 East, Duval County, Florida, being more particularly described as follows: COMMENCE at the Southwest corner of Section 5, Township 2 South, Range 29 East, Duval County, Florida; thence North 01°52'56" West, 436.92 feet, along the West line of said Section 5 to the South line of said Section 37, of the Andrew Dewees Grant; thence South 85°32'54" East, 432.31 feet along said South line to the Southwest corner of said Lot 1, Division 4, Andrew Dewees Grant; thence continue South 85°32'54" East, 425.03 feet along the South line of said Lot 1; thence North 17°05'00" West, 852.14 feet; thence South 88°53'09" West, 188.10 feet to the West line of said Lot 1; thence North 01°06'51" West, 541.32 feet along said West line and the West line of Lot 2, Division 4, of the Andrew Dewees Grant; thence North 02°19'55" West, 370.82 feet continuing along said West line; thence North 00°36'55" West, 50.00 feet along the West line of Lot 3, Division 4, of the Andrew Dewees Grant; thence North 05°19'54" West, 503.75 feet along said West line to the Southwesterly right of way line of State Road A-1-A (according to S.R.D. right of way map Section 7224-301, dated 05-04-53); thence South 47°22'25" East, 2327.85 feet along said Southwesterly right of way line to the POINT OF BEGINNING; from the Point of Beginning thus described, thence South 47°22'25" East, continuing along said Southwesterly right of way line, 200.00 feet to the most Northerly corner of Haywood Estates as recorded in Plat Book 64, Pages 199, 200 and 201 of the Current Public Records of said County; thence South 42°37'35" West along the Northwesterly line of said plat and the Northwesterly right of way line of Haywood Estates Lane as shown on said plat, 103.00 feet to the most Northerly corner of Lot 16B as shown on said plat of Haywood Estates; thence continue South 42°37'35" West along the Northwesterly line of said Lot 16B, a distance of 192.00 feet to the most Westerly corner thereof and a point situate on the Northerly line of the lands described in Official Records Volume 6057, Page 2020, of the Current Public Records of said County; thence North 47°22'25" West, along said Northeasterly line, 168.18 feet; thence North 02°22'25" West, continuing along said line, 45.00 feet to the Southeasterly line of said lands; thence North 42°37'35" East, along said Southeasterly line, 263.18 feet to the Southwesterly line of said State Road A-1-A and the POINT OF BEGINNING.

20 FOOT X 20 FOOT SIGN EASEMENT:

A portion of Lot 1, Division 4, Andrew Dewees Grant, Section 37, Township 2 South, Range 29 East, Duval County, Florida, being more particularly described as follows: COMMENCE at the Southwest corner of Section 5, Township 2 South, Range 29 East, Duval County, Florida; thence North 01°52'56" West, 436.92 feet, along the West line of said Section 5 to the South line of said Section 37, of the Andrew Dewees Grant; thence South 85°32'54" East, 432.31 feet along said South line to the Southwest corner of said Lot 1, Division 4, Andrew Dewees Grant; thence continue South 85°32'54" East, 425.03 feet along the South line of said Lot 1; thence North 17°05'00" West, 852.14 feet; thence South 88°53'09" West, 188.10 feet to the West line of said Lot 1; thence North 01°06'51" West, 541.32 feet along said West line and the West line of Lot 2, Division 4, of the Andrew Dewees Grant; thence North 02°19'55" West, 370.82 feet continuing along said West line; thence North 00°36'55" West, 50.00 feet along the West line of Lot 3, Division 4, of the Andrew Dewees Grant; thence North 05°19'54" West, 503.75 feet along said West line to the Southwesterly right of way line of State Road A-1-A (according to S.R.D. right of way map Section 7224-301, dated 05-04-53); thence South 47°22'25" East, 2327.85 feet along said Southwesterly right of way line to the POINT OF BEGINNING; from the Point of Beginning thus described, thence South 47°22'25" East, continuing along said Southwesterly right of way line, 20.00 feet; thence South 42°37'35" West, departing said Southwesterly right of way line, 20.00 feet; thence North 47°22'25" West, 20.00 feet; thence North 42°37'35" East, 20.00 feet, to the Southwesterly right of way line of said State Road A-1-A and the POINT OF BEGINNING.

ORDINANCE

Legal Description

October 24, 2014

44 FOOT WIDE AREA FOR 30 FOOT INGRESS AND EGRESS EASEMENT:

A portion of Lot 1, Division 4, Andrew Dewees Grant, Section 37, Township 2 South, Range 29 East, Duval County, Florida, being more particularly described as follows: COMMENCE at the Southwest corner of Section 5, Township 2 South, Range 29 East, Duval County, Florida; thence North 01°52'56" West, 436.92 feet, along the West line of said Section 5 to the South line of said Section 37, of the Andrew Dewees Grant; thence South 85°32'54" East, 432.31 feet along said South line to the Southwest corner of said Lot 1, Division 4, Andrew Dewees Grant; thence continue South 85°32'54" East, 425.03 feet along the South line of said Lot 1; thence North 17°05'00" West, 852.14 feet; thence South 88°53'09" West, 188.10 feet to the West line of said Lot 1; thence North 01°06'51" West, 541.32 feet along said West line and the West line of Lot 2, Division 4, of the Andrew Dewees Grant; thence North 02°19'55" West, 370.82 feet continuing along said West line; thence North 00°36'55" West, 50.00 feet along the West line of Lot 3, Division 4, of the Andrew Dewees Grant; thence North 05°19'54" West, 503.75 feet along said West line to the Southwesterly right of way line of State Road A-1-A (according to S.R.D. right of way map Section 7224-301, dated 05-04-53); thence South 47°22'25" East, 2327.85 feet; thence run south 42°37'35" West, 85.00 feet to the POINT OF BEGINNING; from the Point of Beginning thus described, thence South 47°22'25" East, 200.00 feet; thence South 42°37'35" West, 44.00 feet; thence North 47°22'25" West, 200.00 feet; thence North 42°37'35" East, 44.00 feet to the POINT OF BEGINNING.

EXHIBIT A

Property Ownership Affidavit

Date: November 4, 2014

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, Donna Rex as President of Beaches Habitat for Humanity hereby certify that I am the Owner of the property described in the attached legal description, **Exhibit 1** in connection with filing application(s) for Rezoning to Planned Unit Development, submitted to the Jacksonville Planning and Development Department.

Beaches Habitat for Humanity, Inc.

Donna K. Rex
by: _____ (Owner's Signature)
Donna K. Rex, President & CEO.

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 4th day of November (month), 2014 (year) by Donna Rex who is personally known to me or has produced _____ as identification.

[Signature]
(Notary Signature)



EXHIBIT B

Agent Authorization

Date: November 4, 2014

City of Jacksonville

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

Re: Agent Authorization for the following site location:

RE# 168374-0300

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 Law office of Paul Harden to act as agent to file application(s) for Rezoning to Planned Unit Development. for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Beaches Habitat for Humanity, Inc.

Donna K. Rex

by: Donna K. Rex, President & CEO
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 4th day of November (month), 2014 (year) by Donna K. Rex, who is personally known to me or has produced _____ as identification.

[Signature]
(Notary Signature)



EXHIBIT C

Binding Letter

Date: November 4, 2014

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: RE# 168374 0300 Beaches Habitat for Humanity PUD

Ladies and Gentlemen:

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

Sincerely,

Beaches Habitat for Humanity, Inc.

By: Donna K. Rex
(Owner's Signature)

Its: Donna K. Rex
President & CEO

Exhibit D

WRITTEN DESCRIPTION

Beaches Habitat for Humanity

November 24, 2014

I. PROJECT DESCRIPTION

- A. The parcel is currently wooded and undeveloped. There are no watercourses or wetlands identified. The parcel is accessed from Haywood Estates Lane which contains a similar duplex development.
- B. Project Architect/Planner: Genesis, Inc.
- C. Project Engineer: Genesis, Inc.
- D. Project Developer: Beaches Habitat for Humanity, Inc.
- E. Current Land Use Category: Community General Commercial (CGC)
- F. Current Zoning District: Commercial Community General-1 (CCG-1)
- G. Requested Land Use Category: Medium Density Residential (MDR)
- H. Requested Zoning District: Planned Unit Development (PUD)
- I. Real Estate Number(s): 168374-0300

II. QUANTITATIVE DATA

Total Gross Acreage	<input type="text" value="1.34"/>	acres	100	%
Amount of each different land use by acreage				
Single family	<input type="text" value="0"/>	acres	<input type="text" value="0"/>	%
Total number of units	<input type="text" value="0"/>	d.u.		
Multiple Family	<input type="text" value="0.75"/>	acres	<input type="text" value="56"/>	%
Total number of units	<input type="text" value="12"/>	d.u.		
Commercial	<input type="text" value="0"/>	acres	<input type="text" value="0"/>	%

Industrial	<input type="text" value="0"/>	acres	<input type="text" value="0"/>	%
Other land use	<input type="text" value="0"/>	acres	<input type="text" value="0"/>	%
Total amount of non-residential floor area	<input type="text" value="0"/>	sq. ft.	<input type="text" value="0"/>	%
Active recreation and/or open space	<input type="text" value="0"/>	acres	<input type="text" value="0"/>	%
Passive open space, wetlands, ponds	<input type="text" value="0.3"/>	acres	<input type="text" value="22"/>	%
Public and private right-of-way	<input type="text" value="0.29"/>	acres	<input type="text" value="22"/>	%
Maximum coverage of buildings and structures	<input type="text" value="12,000"/>	sq. ft.	<input type="text" value="21"/>	%

III. STATEMENTS

A. How does the proposed PUD differ from the usual application of the Zoning Code?

The PUD allows the flexibility to construct single family or duplex residential dwellings in a single zoning district.

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.

All lands will be operated and maintained by a fee title owner, except common areas which shall be maintained by a homeowners or property owners association.

C. Justification for the rezoning.

Allows for residential development on a small unused and undevelopable commercially zoned parcel.

D. Phase schedule of construction (include initiation dates and completion dates).

Construction is expected to take approximately one year - Spring 2014 to Spring 2015

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Single family dwellings
2. Duplex (2 family) dwellings
3. Home occupations meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

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

C. Limitations on Permitted or Permissible Uses by Exception:

1. Cemeteries and mausoleums but not funeral home or mortuaries.
2. Schools meeting the performance standards and development criteria set forth in the Part 4.
3. Borrow pits subject to the regulations contained in Part 9.
4. Bed and breakfast establishments meeting the performance standards and development criteria set forth in Part 4.
5. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
6. Day care centers meeting the performance standards and development criteria set forth in Part 4.
7. Nursing homes.
8. Residential treatment facilities.
9. Private clubs.
10. Commercial Neighborhood Retail Sales and Service or Professional Office structurally integrated with a multi-family use, not exceeding 25% of the structure which it is a part.
11. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
12. Home occupations meeting the performance standards and development criteria set forth in Part 4.
13. Emergency shelter homes.
14. Community residential homes of seven to 14 residents meeting the performance standards and development criteria set forth in Part 4.
15. Golf driving ranges.
16. Boarding houses
17. Group care homes.

D. Permitted Accessory Uses and Structures:

1. See Section 656.403
2. Community mail shelter and community pavilion
3. HVAC must be in the rear or side of each structure. There will be a zero side yard setback and 10 foot rear yard setback.

V. DESIGN GUIDELINES

A. Lot Requirements Single Family:

1. *Minimum lot area: 3,700 square feet*
2. *Minimum lot width: 50 feet*
3. *Maximum lot coverage: 50%*
4. *Minimum front yard: 12 feet*
5. *Minimum side yard: 5 feet each side or Zero lot line, provided 10 feet on one side between buildings.*
6. *Minimum rear yard: 10 feet*
7. *Maximum height of structures: 35 feet*

B. Lot Requirements Duplex:

1. *Minimum lot area: 4,500 square feet (comprising one duplex)*
2. *Minimum lot width: 50 feet*
3. *Maximum lot coverage by all buildings: 50%*
4. *Minimum front yard: 12 feet*
5. *Minimum side yard: 5 feet / 0 feet between units*
6. *Minimum rear yard: 20 feet*
7. *Maximum height of structures: 35 feet*

C. Ingress, Egress and Circulation:

(1) *Parking Requirements.* Nine units shall have two (2) 9 ft. x 18 ft. parking spaces. Two units shall have a 12 ft. x 36 ft. tandem parking space to accommodate two spaces. One unit will have one parking space in order to save a large existing tree. There will be six (6) additional spaces for guests .

(2) *Vehicular Access.*

a. Vehicular access to the Property shall be by way of Haywood Estates Lane and State Road A1A, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.

(3) *Pedestrian Access.*

a. Pedestrian access shall be provided by sidewalks installed in accordance with the

2030 Comprehensive Plan.

D. Signs:

No sign is requested. There is an existing sign for Haywood Estates on A1A.

E. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

F. Recreation and Open Space:

Pursuant to Section 656.420, Zoning Code, no recreation area will be provided.

G. Utilities

Water will be provided by JEA.
Sanitary sewer will be provided by JEA.
Electric will be provided by JEA.

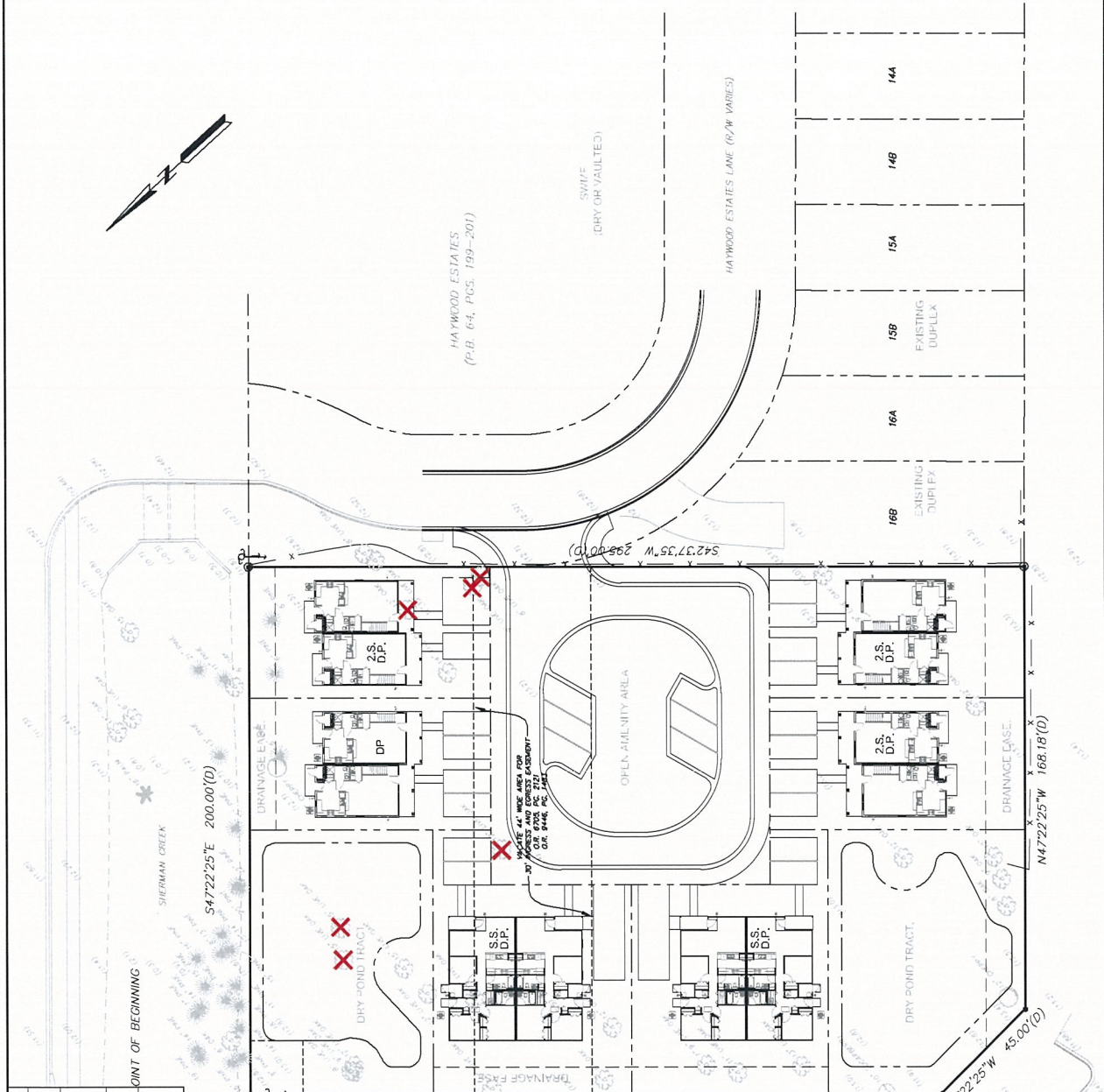
H. Wetlands

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

VI. 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.

SITE PLAN



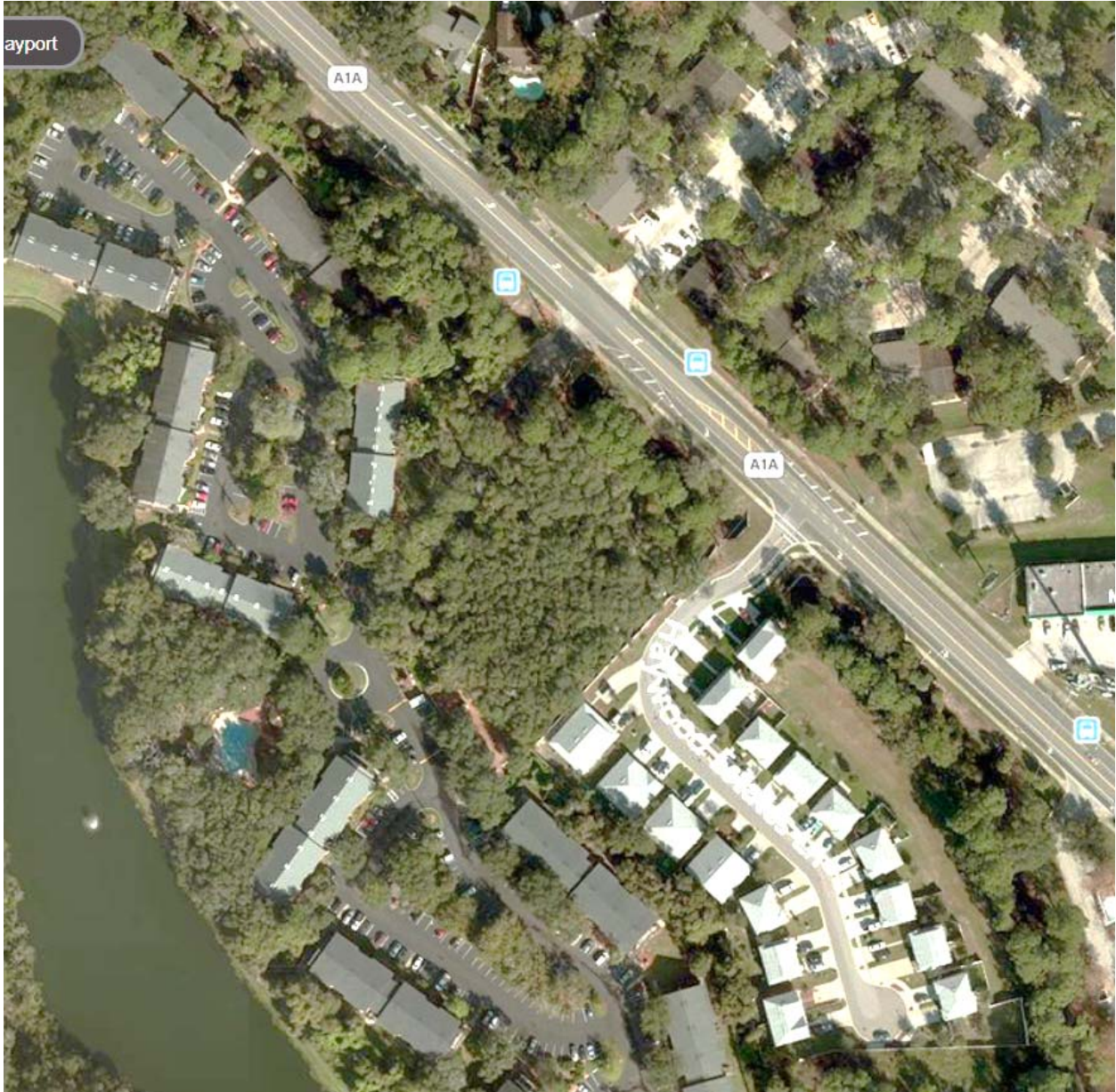
Total gross acreage.	134 AC.	100%
Amount of different land use by acreage.	Residential 134 AC.	100%
Total number and type of dwelling units by each type of same.	8 Single Story 4 Two Story 4 Duplex Units	N/A
Total amount of open space. (Dry Pond tract)	0.30 AC.	22% POINT OF BEGINNING
Maximum coverage of buildings and structures at ground level.	12,000 SF	2%

O.R. 6097, PC. 2020
O.R. 16992, PC. 2226

October 24, 2014

Exhibit 3
Page 1 of 1

EXHIBIT H
Aerial photograph



Prepared by:

David M Brown
Warranty Title Solutions, LLC
12331 Towne Lake Drive, Suite 7
Fort Myers, Florida 33913

as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it

File No:130184

SPECIAL WARRANTY DEED

THIS INDENTURE, made this **7th day of August, 2014**, by **CAPREIT LOMA Limited Partnership**, a Florida limited partnership, whose post office address is: **11200 Rockville Pike, Suite 100, Rockville, Maryland 20852**, hereinafter called the Grantor,

to **Beaches Habitat for Humanity, Inc.**, a Florida not-for-profit corporation, whose post office address is: **797 Mayport Rd., Atlantic Beach, Florida 32233-3425**, hereinafter called the Grantee,

WITNESSETH: That said Grantor, for and in consideration of the sum of \$60,000.00 Dollars and other valuable considerations, the receipt and sufficiency which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain land situate in **Duval** County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Parcel Identification Number: **168374-0300**

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

TO HAVE AND TO HOLD, the same in fee simple forever.

GRANTOR WILL WARRANT and forever defend the right and title to the above-described real property unto the Grantee against the claims of all persons, claiming by, through or under Grantor, but not otherwise.

(Wherever used herein the terms "Grantor" and "Grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

Witness: [Signature]
Print Name: Boris G. Gorkovskiy

CAPREIT LOMA Limited Partnership, a Florida limited partnership

By: CAPREIT LOMA Corporation, a Maryland corporation, its general partner

Witness: Alexa Becker
Print Name: Alexa Becker

By: Rick A. Band
Name: Rick Band
Title: SVP

ACKNOWLEDGMENT

STATE OF MARYLAND
COUNTY OF MONTGOMERY

The foregoing instrument was acknowledged before me this 5th day of August, 2014 by Rick A. Band as the Senior Vice President CAPREIT LOMA Corporation, a Maryland corporation, as the sole general partner of CAPREIT LOMA Limited Partnership, a Florida limited partnership, duly authorized and on behalf of the corporation and partnership. He/she is personally known to me or _____ who has produced _____ as identification.

My Commission Expires:

[Signature]
Printed Name:
Notary Public
Serial Number

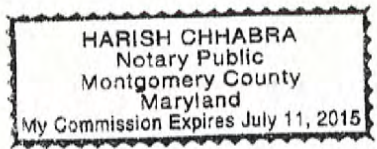


EXHIBIT "A"

A portion of Lot 1, Division 4, Andrew Dewees Grant, Section 37, Township 2 South, Range 29 East, Duval County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 5, Township 2 South, Range 29 East, Duval County, Florida; thence North $01^{\circ} 52' 56''$ West, 436.92 feet, along the West line of said Section 5, to the South line of said Section 37, of the Andrew Dewees Grant; thence South $85^{\circ} 32' 54''$ East, 432.31 feet along said South line to the Southwest corner of said Lot 1, Division 4, Andrew Dewees Grant; thence continue South $85^{\circ} 32' 54''$ East, 425.03 feet along the South line of said Lot 1; thence North $17^{\circ} 05' 00''$ West, 852.14 feet; thence South $88^{\circ} 53' 09''$ West, 188.10 feet to the West line of said Lot 1; thence North $01^{\circ} 06' 51''$ West, 541.32 feet along said West line and the West line of Lot 2, Division 4, of the Andrew Dewees Grant; thence North $02^{\circ} 19' 55''$ West, 370.82 feet continuing along said West line; thence North $00^{\circ} 36' 55''$ West, 50.00 feet along the West line of Lot 3, Division 4, of the Andrew Dewees Grant; thence North $05^{\circ} 19' 54''$ West, 503.75 feet along said West line to the Southwesterly right-of-way line of State Road A-1-A (according to S.R.D. right-of-way map Section No. 7224-301, dated 05-04-53); thence South $47^{\circ} 22' 25''$ East, 2327.85 feet along said Southwesterly right-of-way line to the Point of Beginning.

From the Point of Beginning thus described, thence South $47^{\circ} 22' 25''$ East, continuing along said Southwesterly right-of-way line, 200.00 feet; thence South $42^{\circ} 37' 35''$ West, departing said Southwesterly right-of-way line, 295.00 feet to the Northeasterly line of the lands described in Official Records Volume 6057, Page 2020, of the Current Public Records of said County; thence North $47^{\circ} 22' 25''$ West, along said Northeasterly line, 168.18 feet; thence North $02^{\circ} 22' 25''$ West, continuing along said line, 45.00 feet to the Southeasterly line of said lands; thence North $42^{\circ} 37' 35''$ East, along said Southeasterly line, 263.18 feet, to the Southwesterly right-of-way line of said State Road A-1-A and the Point of Beginning.