

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

August 3, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-689**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

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

Planning and Development Department Recommendation: **Approve**

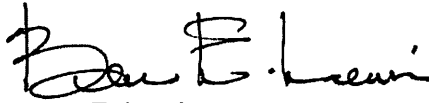
Planning Commission Recommendation: **Approve with conditions**

Planning Commission Commentary: There were numerous speakers in opposition citing traffic and compatibility concerns. The Commissioners debated extensively but ultimately felt that the numerous conditions made this development appropriate at this location.

Planning Commission Vote:	5-1
Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Nay
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Absent
Jason Porter	Aye

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

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-0689 TO

PLANNED UNIT DEVELOPMENT

MAY 20, 2021

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 **2020-0689** to Planned Unit Development.

Location: 0 Broward Road

Real Estate Numbers: 022108-0000, 022155-0000

Current Zoning Districts: Residential Low Density-90 (RLD-90)
Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)
Medium Density Residential (MDR)

Planning District: North, District 6

Applicant/Agent: Curtis Hart
Hart Resources, LLC
8051 Tara Lane
Jacksonville, FL 32216

Owner: Julia Cunkle, et al.
2337 Beachcomber Trail
Atlantic Beach, FL 32233

Staff Recommendation: **APPROVE W/ CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2020-0689** seeks to rezone approximately 113.47± acres of land from Residential Low Density-90 (RLD-90)/ Residential Medium Density-A (RMD-A) to Planned Unit Development (PUD). The rezoning to PUD is being sought in order to develop the property as a residential community of up to 243 single family homes.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

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

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) and 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 proposed PUD request is to allow for single-family residential development. 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.

According to the Category Descriptions for the Urban Development Areas of the FLUE, the LDR land use category is intended to provide for low density residential development. Single-family development will be the predominant development typology in this category. The maximum gross density in the Urban Area shall be seven (7) units per acre when full urban services are available to the site. The PUD states that water and sewer services will be provided by JEA.

MDR in the Urban Area is intended to provide compact medium density residential development. Multi-family and single-family developments are the predominant development typologies in this category. The maximum gross density in the Urban Area shall be 20 units per acre and the minimum gross density shall be greater than seven (7) units per acre. However, 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.

The proposed PUD seeks to develop 243 single-family lots, which is consistent with the maximum allowable density for the areas designated as LDR (approximately 375 acres and 156 lots proposed) and MDR (approximately 60 acres and 87 lots proposed).

The subject site borders the Trout River and includes an inlet that separates the Broward Road key from the remainder of the parcel. Small areas of the site are within the Coastal High Hazard (CHHA) and Adaptation Action Area (AAA). Further, at least half of the site is within the AE flood zone or 0.2 percent annual chance flood hazard area. Lastly, approximately 75 percent of the site contains wetlands. These site conditions are discussed in more detail below.

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

Yes. The proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained herein, including:

Policy 1.2.9

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

The proposed site is located within the Urban Development Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

Objective 3.1

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

The proposed rezoning at the subject site would directly address the projected growth for the surrounding area by providing for a greater variety of housing options for local citizens.

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.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Industrial Zones

The subject property is located within the “Industrial Situational Compatibility” Zone. “Industrial Sanctuary” and “Industrial Situational Compatibility” Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located within an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, the subject site is located in an “unacceptable” zone. This means that development may occur if the development is proposed at a level of one slip for every 100 feet of shoreline owned or controlled by the applicant. Permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

(C) 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 categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Medium Density Residential (MDR).

(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. The City Development Number is # 104672.0: Broward Key Subdivision was approved/fee assessed on 10/22/2020 by the Concurrency & Mobility Management System Office. It is reserved for 243 single family lots and the Mobility Fee is \$513,407, and it will need to be paid in full or on a permit by permit basis prior to permit sign off by our office (CMMSO) for each lot.

A CRC application is also required to be submitted before plan submittal with the City of Jacksonville in order to obtain a City Development Number and for a Concurrency Reservation

Certificate for the 243 lots.

This development is subject to mobility fee review.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for a residential development. Moreover, 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. An evaluation of the internal compatibility of a proposal Planned Unit Development shall be based on the following factors:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The PUD will provide recreation/common area as required by Section 656.420 of the Zoning Code. Recreation/open space requirements will be met by providing 435 square feet of active recreation area per dwelling unit. Pursuant to 2030 Comprehensive Plan Policy 2.2.3 A residential subdivision development of 100 lots or more shall provide at least one acre of use able uplands for every 100 lots (and any fraction thereof), or 5% of the total use able uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation.

A total of 9 retention ponds will be constructed throughout the development. The project will additionally include boat trailer parking and a boat ramp.

The use of existing and proposed landscaping: Landscaping will meet the requirements of Part 12 Landscape Regulations of the Zoning Code. A 50' (fifty) foot buffer and an 8' (eight) foot privacy fence as shown on the site plan shall be provided.

The treatment of pedestrian ways: Sidewalks will be constructed as required by the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Broward Road.

Main Street (U.S 17), from Tallulah Avenue (State Route 111) to Heckscher Drive (State Route 105), is the directly accessed functionally classified roadway in the vicinity. Main Street is a 4-lane divided arterial in the vicinity and is currently operating at 38.69% of capacity. This Main Street segment has a maximum daily capacity of 39,800 vpd and a 2018 daily traffic volume of 15,397 vpd.

This application is for 243 dwelling units of ITE Code 210 Single Family Detached Housing, which would generate 2,294 vpd.

The use and variety of building setback lines, separations, and buffering: The applicant proposes the same development standards for the single-family dwellings for conventional zoning districts outlined in Section 656.305 of the Zoning code with the exception of maximum lot coverage will be allowed up to 65%. Additionally a 50' (fifty) foot wide buffer will be located along Broward Road to separate the new development from the existing homes.

The variety and design of dwelling types: The proposed residential parcel will contain a maximum of 243 single-family dwelling units—which will include seven (90' lots), nine (75' lots) and two hundred twenty-seven (50' lots) with a minimum area of 6,000 square feet. A minimum of 90' foot lots will be required when abutting existing homes in Broward Cove Unit One. A minimum of 75' foot lots will be required across the creek from River Edge Place.

(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 locate west of Main Street North and east of I-95 Expressway South. To the south is Broward Pointe Subdivision consisting of single family dwellings located in zoning district RLD-90 ranging from a minimum of 90 foot wide lots to 150+. Further north along Main Street North is properties zoned Industrial Light/Heavy used as an open storage of used cars. Portions of the development will be located just north of Trout River.

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	LI	IL	Open Storage
South	LDR	RLD-90	Single Family Dwellings
East	PBF	PBF-2	Church
West	CGC	CO	Vacant

(6) Intensity of Development

The proposed development is consistent with the LDR/MDR functional land use categories and will be developed with a maximum of 243 units, a total gross density of 2.1 units per acre and a net density of 2.9 lots per acre. The PUD is appropriate at this location because it will provide for a greater variety of housing options for local citizens.

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

The subject site will be serviced by JEA for city water by existing eight in water main within Broward Rd right-of-way and sewer connection from an existing gravity manhole at the intersection of Parker Ave and Zoo Parkway. Additionally, in a memo provided by JEA dated November 17, 2020, JEA Availability Number 2020-3101 issued 09/22/2020 for 85,050 gpd for the proposed development. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

School Capacity:

Based on the Development Standards for impact assessment, the 113± acre proposed PUD rezoning has a development potential of 243 single-family units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

School Impact Analysis
PUD 2020-0689

Development Potential: 243 Single-Family Units

School Type	CSA	2019-2020 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats	Available Seats - Adjacent CSA ES 1&8 MS (2&7) HS (1&8)
Elementary	7	2,938	82%	40	84%	226	7,873
Middle	1	8,454	87%	17	90%	-85	245
High	7	2,168	98%	22	89%	90	3,209
Total New Students				79			

Total Student Generation Yield: 0.333

Elementary: 0.167

Middle: 0.073

High: 0.093

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

Public School Facilities Element

Policy 2.3.2

The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3

The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2

Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long-range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1

The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED (Rounded)	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2020/2021)	% OCCUPIED	4 YEAR PROJECTION
San Mateo ES #218	7	40	667	559	84%	89%

Oceanway MS #62	1	17	1,009	1052	104%	83%
First Coast HS #265	7	22	2,212	2,168	98%	103%

- Does not include ESE & room exclusions
- Analysis based on a maximum 243 dwelling units – 2020-0689

(7) Usable open spaces plazas, recreation areas.

The project will be developed, in regards to recreation and open space, in accordance with Section 656.420 of the Zoning Code.

(8) Impact on wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city’s geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Flood Zones

Approximately half of the subject site is located within the 0.2 Percent Annual Chance Flood Hazard and the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 Percent Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.



Wetlands Characteristics:

Approximate Size: 90.23 acres

General Location(s): The entire northern portion of the site, north of the inlet, and the southern portion of the site south of the inlet.

Quality/Functional Value: A portion of the wetland (approximately 1/2 of an acre) is an isolated cypress swamp and is considered to have a high functional value due to its water filtration attenuation and flood water storage capacity.

A portion of the wetland (approximately 1.33 acres) is a salt marsh which has an extremely high functional value due to its water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms.

The remaining wetland area has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City's waterways.

Soil Types/
Characteristics:

Evergreen-Wesconnett complex (22) – consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Leon fine sand (32) – consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are in flatwoods and tidal marshes. The soils are slowly permeable to moderately rapidly permeable. In areas in flatwoods, the high water table generally is at a depth of 6 to 18 inches. In tidal areas, the high water table generally is at or near the surface and the areas are flooded twice daily by fluctuating tides for very brief periods.

Lynn Haven fine sand (35) – consists of nearly level and gently sloping, very poorly drained, sandy soils. These soils formed in thick beds of sandy marine sediments. They are on flats and in seep areas on side slopes. The soils are moderately permeable and moderately rapidly permeable. Generally, the high water table is at or near the surface.

Pottsburg fine sand (58) – consists of nearly level and gently sloping, poorly drained and somewhat poorly drained, sandy soils. These soils formed in thick sandy marine sediments. They are in flatwoods, on rises, and on knolls. The soils are moderately permeable. Generally, the high water table is at a depth of 6 to 24 inches.

Sapelo fine sand (63) – consists of nearly level, poorly drained soils. These soils formed in thick loamy and sandy sediments. They are in flatwoods.

The soils are moderately slowly permeable. Generally, the high water table is at a depth of 6 to 18 inches.

Wetland Category:

Category I and II

Consistency of Permitted Uses:

Uses permitted within Category I and II wetlands are extremely limited as identified in CCME Policy 4.1.5 (below). Conservation, residential, and water dependent/water related uses are permitted.

Environmental Resource Permit (ERP):

Not provided by the applicant

Wetlands Impact:

Based on the site plan provided with the PUD, the site appears to develop a significant portion of the wetlands.

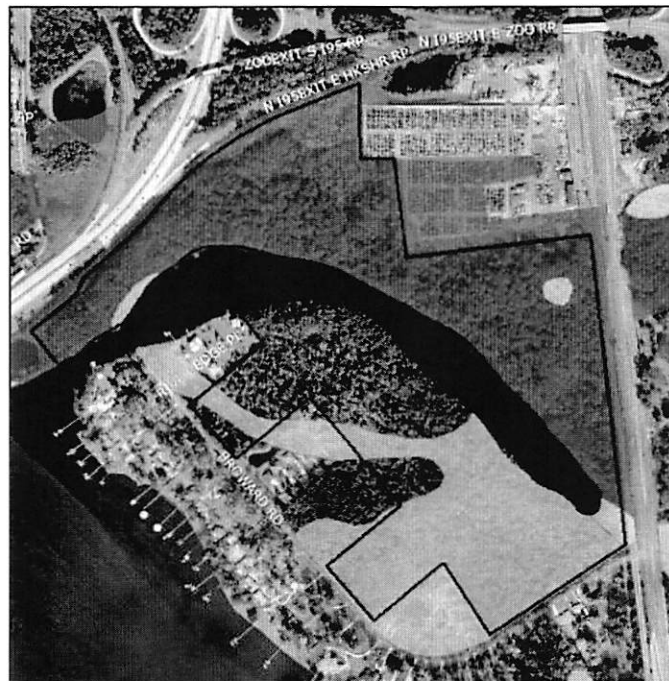
Associated Impacts:

Associated with flood zones – AE and 0.2 percent annual chance flood hazard area.

Relevant Policies:

CCME Policies 4.1.3 and 4.1.5

For more information regarding Conservation/Coastal Management Element, please see the attached memo from Community Planning Division.



(9) Listed species regulations

The project is greater than the 50-acre threshold. A combined vegetative, wildlife, wetland survey conducted by Mr. Michael Glover was provided with the application. Based the assessment as well as observations in the field, there are no threatened, endangered, or species of special concern on the subject parcel and the likelihood of any occurring in the future is low.

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

The site will be developed in accordance with Part 6 of the Zoning Code more particularly a minimum of (2) two parking spaces shall be provided for each unit.

(11) Sidewalks, trails, and bikeways

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

Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 17, 2020** by the Planning and Development Department, the Notice of Public Hearing signs **were not** posted. The applicant promptly placed the notice signs on the property and provided visual evidence on November 18, 2020.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0689 be **APPROVED with the following exhibits:**

1. The original legal description dated October 27, 2020
2. The original written description dated April 29, 2021
3. The original site plan dated April 27, 2021

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2020-0689 be **APPROVED WITH THE FOLLOWING CONDITION.**

1. A traffic study shall be submitted at the time of verification of substantial compliance to determine if any improvements are needed to the Main Street/Broward Road intersection or to the existing rail road crossing on Broward Road. Main Street is an FDOT right of way; any improvements needed in that right of way shall be reviewed and approved by FDOT.



Aerial View

Source: JaxGIS



View of Subject Properties from Main Street North

Source: Planning & Development Dept.

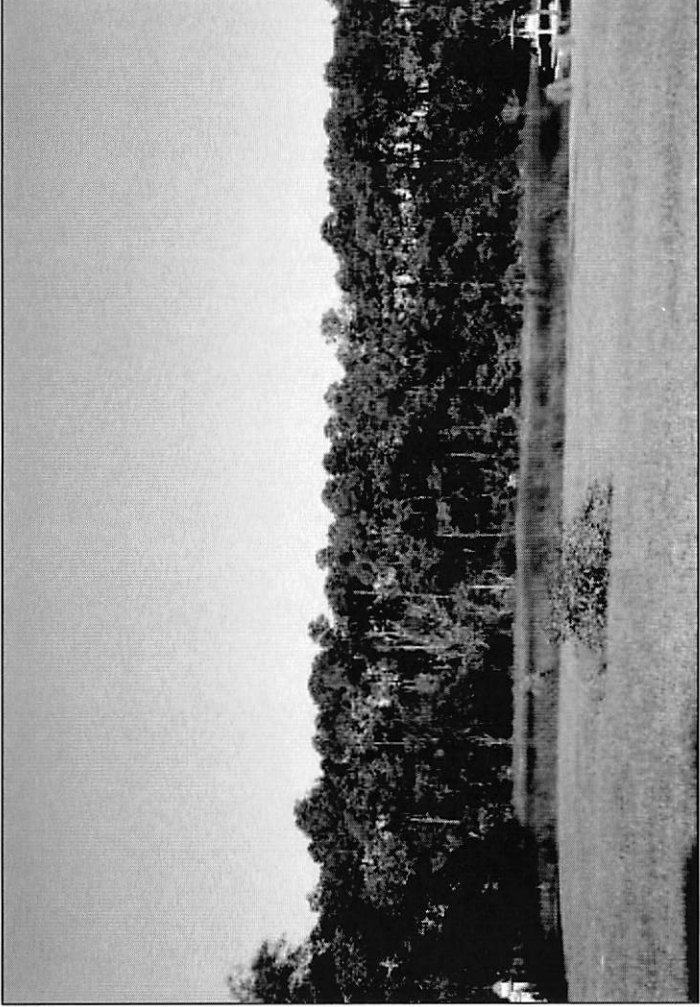
Date: November 17, 2020



View of Property along Broward Road

Source: Planning & Development Dept.

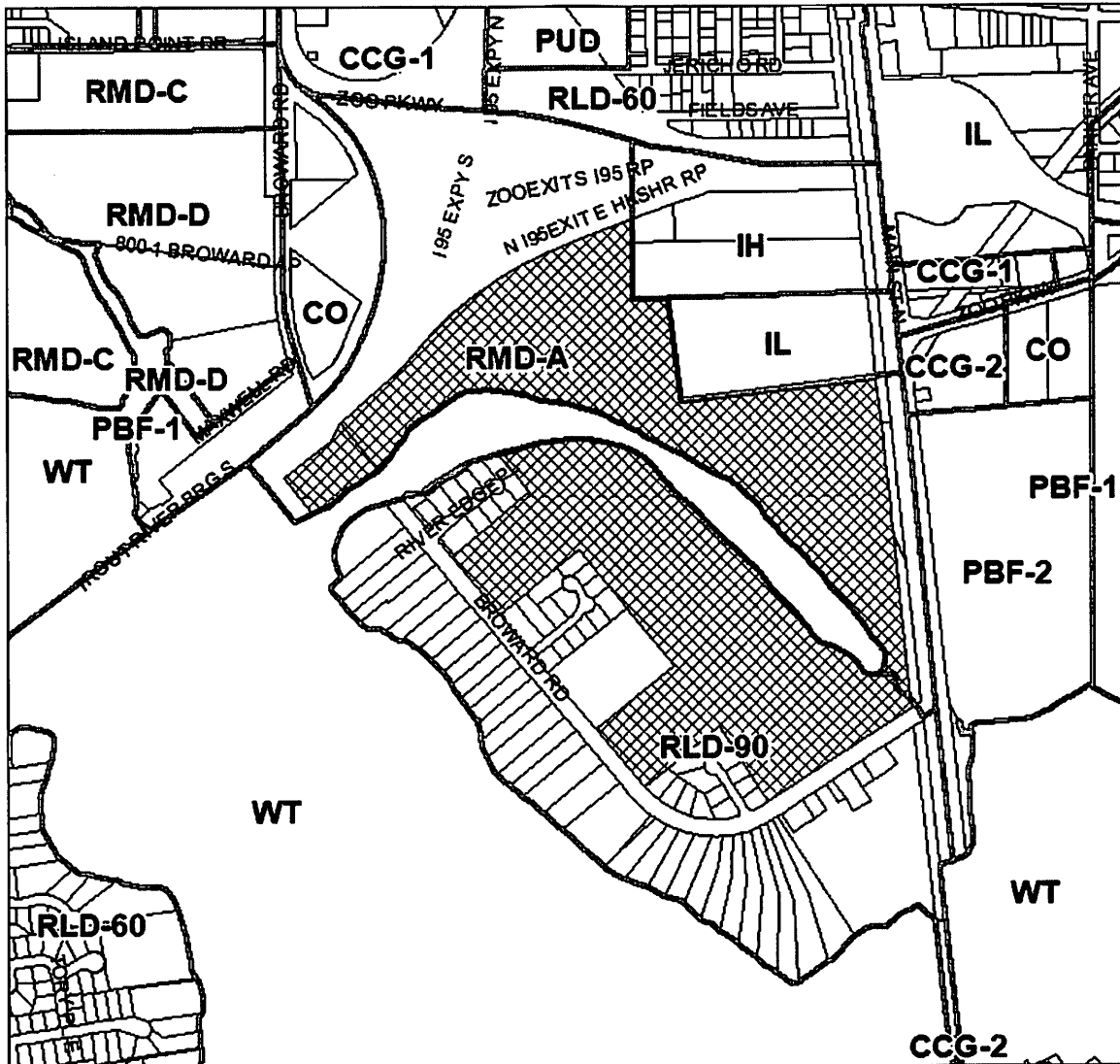
Date: November 17, 2020

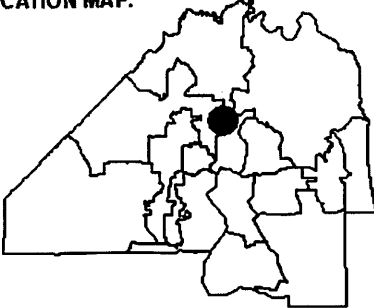



View of Subject Property and proposed boat ramp

Source: Planning & Development Dept.

Date: November 17, 2020



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A & RLD-90</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 310 620 1,240</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>8</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0689</p>	<p>TRACKING NUMBER</p> <p>T-2020-3117</p>	<p>EXHIBIT 3</p> <p>PAGE 1 OF 1</p>



Planning and Development Department

Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

MEMORANDUM

TO: Erin Abney
Current Planning Division

FROM: Susan Kelly
Community Planning Division

RE: 2020-0689; Broward Key PUD

DATE: November 9, 2020

The following review is based on the information provided by the Current Planning Division staff

Description of Proposed Rezoning Application

Current Land Use: LDR and MDR	Proposed Land Use: N/A	
Current Zoning: RLD-90 and RMD-A	Proposed Zoning: PUD	Acres: 113.47
Land Development Area: Urban Development Area		

Comprehensive Land Use Policy Analysis

Is the proposed rezoning district consistent with the functional land use category identified in the 2030 Comprehensive Plan?

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>

ZONING REQUEST:

The request is to amend the zoning district from RLD-90 and RMD-A to PUD to allow for single-family residential development.

LAND USE CATEGORY CONSISTENCY REVIEW:

The subject site is located west of Main Street and just south of I-95, including the key on Broward Road. Main Street is classified as a major arterial road at this location, and Broward Road is a local road. The site is located in Council District 8, Planning District 6, and within the boundaries of the North Jacksonville Vision Plan. The site is located within the LDR and MDR land use categories, within the Urban Development Area (UA).

According to the Category Descriptions for the Urban Development Areas of the FLUE, the LDR land use category is intended to provide for low density residential development. Single-family development will be the predominant development typology in this category. The maximum gross density in the Urban Area shall be seven (7) units per acre when full urban services are available to the site. The PUD states that water and sewer services will be provided by JEA.

MDR in the Urban Area is intended to provide compact medium density residential development. Multi-family and single-family developments are the predominant development typologies in this category. The maximum gross density in the Urban Area shall be 20 units per acre and the minimum gross density shall be greater than seven (7) units per acre. However, 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.

The proposed PUD seeks to develop 243 single-family lots, which is consistent with the maximum allowable density for the areas designated as LDR (approximately 375 acres and 156 lots proposed) and MDR (approximately 60 acres and 87 lots proposed).

The subject site borders the Trout River and includes an inlet that separates the Broward Road key from the remainder of the parcel. Small areas of the site are within the Coastal High Hazard (CHHA) and Adaptation Action Area (AAA). Further, at least half of the site is within the AE flood zone or 0.2 percent annual chance flood hazard area. Lastly, approximately 75 percent of the site contains wetlands. These site conditions are discussed in more detail below.

To ensure compliance with the provisions of the Comprehensive Plan, zoning staff should analyze the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan. This analysis should be included within the staff report for the zoning application.

Future Land Use Element:

- 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.

- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
 - A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides for sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

- 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.

- Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

- Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.
- Policy 1.4.4 The City shall require all development within the 100 year flood plain to be in strict conformance with all applicable federal, state, regional and local development regulations.
- Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.
- Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.
- 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 rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Industrial Zones

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located within an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, the subject site is

located in an “unacceptable” zone. This means that development may occur if the development is proposed at a level of one slip for every 100 feet of shoreline owned or controlled by the applicant. Permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

Conservation Coastal Management Element

Policy 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, as well as any Vision Plan, and any other special study or plan adopted by the City, such as the Boat Facilities Siting Plan located in the MPP.

Coastal High Hazard Area (CHHA) / Adaptation Action Area (AAA)

A small portion of the subject site (mostly on the northern portion) is located within a CHHA and AAA, as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The map in Attachment D shows the portion of the property within the CHHA/AAA.

Conservation/Coastal Management Element

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.

Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

Policy 11.5.1 The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Flood Zones

Approximately half of the subject site is located within the 0.2 Percent Annual Chance Flood Hazard and the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 Percent Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

- Policy 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.
- Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.
- Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
 - A. Land acquisition or conservation easement acquisition;
 - B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
 - C. Incentives, including tax benefits and transfer of development rights.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment should be reviewed for consistency with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

- Approximate Size: 90.23 acres
- General Location(s): The entire northern portion of the site, north of the inlet, and the southern portion of the site south of the inlet.
- Quality/Functional Value:
 - A portion of the wetland (approximately ½ of an acre) is an isolated cypress swamp and is considered to have a high functional value due to its water filtration attenuation and flood water storage capacity.
 - A portion of the wetland (approximately 1.33 acres) is a salt marsh which has an extremely high functional value due to its water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms.
 - The remaining wetland area has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City's waterways.
- Soil Types/ Characteristics:
 - Evergreen-Wesconnett complex (22) – consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.
 - Leon fine sand (32) – consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are in

flatwoods and tidal marshes. The soils are slowly permeable to moderately rapidly permeable. In areas in flatwoods, the high water table generally is at a depth of 6 to 18 inches. In tidal areas, the high water table generally is at or near the surface and the areas are flooded twice daily by fluctuating tides for very brief periods.

Lynn Haven fine sand (35) – consists of nearly level and gently sloping, very poorly drained, sandy soils. These soils formed in thick beds of sandy marine sediments. They are on flats and in seep areas on side slopes. The soils are moderately permeable and moderately rapidly permeable. Generally, the high water table is at or near the surface.

Pottsburg fine sand (58) – consists of nearly level and gently sloping, poorly drained and somewhat poorly drained, sandy soils. These soils formed in thick sandy marine sediments. They are in flatwoods, on rises, and on knolls. The soils are moderately permeable. Generally, the high water table is at a depth of 6 to 24 inches.

Sapelo fine sand (63) – consists of nearly level, poorly drained soils. These soils formed in thick loamy and sandy sediments. They are in flatwoods. The soils are moderately slowly permeable. Generally, the high water table is at a depth of 6 to 18 inches.

Wetland Category: Category I and II

Consistency of Permitted Uses: Uses permitted within Category I and II wetlands are extremely limited as identified in CCME Policy 4.1.5 (below). Conservation, residential, and water dependent/water related uses are permitted.

Environmental Resource Permit (ERP): Not provided.

Wetlands Impact: Based on the site plan provided with the PUD, the site appears to develop a significant portion of the wetlands.

Associated Impacts: Associated with flood zones – AE and 0.2 percent annual chance flood hazard area

Relevant Policies:

Conservation / Coastal Management Element

Policy 4.1.3

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

(a) Encroachment
Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i the habitat of fish, wildlife and threatened or endangered species,
- ii the abundance and diversity of fish, wildlife and threatened or endangered species,
- iii the food sources of fish and wildlife including those which are threatened or endangered,
- iv the water quality of the wetland, and
- v the flood storage and flood conveyance capabilities of the wetland; and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
- ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(e) Septic tanks

Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Policy 4.1.5

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

(1) Conservation uses, provided the following standards are met:

(a) Dredge and fill

Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

- i density shall not exceed one (1) dwelling unit per five (5) acres; and
- ii buildings shall be clustered together to the maximum extent practicable; and
- iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(3) Water-dependent and water-related uses, provided the following standards are met:

(a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

(4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

PLANNING AND DEVELOPMENT DEPARTMENT



MEMORANDUM

DATE: 11/18/2020

TO: Erin Abney
City Planner II

FROM: Soliman Peter Salem
City Planner Supervisor

SUBJECT: TRANSPORTATION REVIEW OF 2020-0689 BROWARD ROAD PUD

Main Street (U.S 17), from Tallulah Avenue (State Route 111) to Heckscher Drive (State Route 105), is the directly accessed functionally classified roadway in the vicinity. Main Street is a 4-lane divided arterial in the vicinity and is currently operating at 38.69% of capacity. This Main Street segment has a maximum daily capacity of 39,800 vpd and a 2018 daily traffic volume of 15,397 vpd.

This application is for 243 dwelling units of ITE Code 210 Single Family Detached Housing, which would generate 2,294 vpd.

Transportation Planning Division comments to be included in staff report:

This development is subject to mobility fee review. Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be

PLANNING AND DEVELOPMENT DEPARTMENT



consistent with the requirements outlined in Part 6 of the Zoning Code. All comments or conditions made by Transportation Planning Division or Traffic Engineering Division are to be included in the staff report unless otherwise waived in writing by the Chief of Transportation Planning Division or waived by Planning Commission, LUZ Committee, or City Council.

*Transportation Planning Division CONDITIONS the following for approval:

Provide a traffic study to determine if any improvements are needed to the Main Street/Broward Road intersection or to the existing rail road crossing on Broward Road. Main Street is an FDOT right of way; any improvements needed in that right of way shall be reviewed and approved by FDOT. The roads internal to the subdivision shall meet the requirements given in the City of Jacksonville Code of Regulations Chapter 654. The existing Broward point monument identification sign will either conflict with the proposed entrance road or will be a sight obstruction for vehicles exiting the subdivision. A decision must be made whether to relocate the proposed entrance road or remove the existing sign.

Application Review Request: COJ PDD: Baseline Checklist Review
Proposed Name: Ord 2020-0689 Broward Key PUD
Requested By: Erin Abney
Reviewed By: Shalene B. Estes
Due: 11/18/2020

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED (Rounded)	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2020/21)	% OCCUPIED	4 YEAR PROJECTION
San Mateo ES #218	7	40	667	559	84%	89%
Oceanway MS #62	1	17	1009	1052	104%	83%
First Coast HS #265	7	22	2212	2168	98%	103%
		79				

* Does not include ESE & room exclusions
 * Analysis based on maximum dwelling units: 243

Application Review Request:	COJ PDD:	School Impact Analysis					
	Proposed Name:	Ord 2020-0689 Broward Key PUD					
	Requested By:	Erin Abney					
	Reviewed By:	Shalene B. Estes					
	Due:	11/18/2020					
Development Potential:	243	Residential units					
School Type	CSA	2020-21 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats - CSA	Available Seats - Adjacent CSA ES 1&8 MS (2&7) HS (1&8)
Elementary	7	2,938	82%	40	84%	226	7,873
Middle	1	8,454	87%	17	90%	-85	245
High	7	2,168	98%	22	89%	90	3,209
Total New Students				79			
<i>Total Student Generation Yield:</i>	<i>0.333</i>						
<i>Elementary:</i>	<i>0.167</i>						
<i>Middle:</i>	<i>0.073</i>						
<i>High:</i>	<i>0.093</i>						



21 West Church Street
Jacksonville, Florida 32202-3139

November 17, 2020

MEMORANDUM

To: Planning and Development Department

From: Susan R. West, PE
JEA

Subject: PUD Zoning Application
Broward Key PUD
ORD 2020-0689

PUD application for a residential development. JEA Availability Letter 2020-3101 was issued on 09/22/2020 for 85,050 gpd. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

Additional service and design elements will be addressed following applicant's construction plan review submittal. If you have any questions, please call or email me directly at 904-665-7980 or westsr@jea.com.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

KEVIN J. THIBAUT, P.E.
SECRETARY

November 16, 2020

Erin L. Abney
City Planner II
Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

RE: Broward Key PUD

Introduction

Broward Key PUD is a proposed rezoning on 113.47 acres to Planned Unit Development (PUD). The subject property is located on the west side of US-17, north of Broward Road. The rezoning to PUD is being sought to allow for a single-family residential development with 243 single-family dwelling units.

Accessibility

Access to the site is via one access point on Broward Road. There is no direct access to a State facility.

Bicycle and Pedestrian Facilities

There are no bicycle or pedestrian facilities on Broward Road. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

Programmed Improvements

There are no FDOT programmed capacity improvements in the vicinity of the project area.

Trip Generation

Table 1 shows the trip generation based on the plan of development using ITE's *Trip Generation Manual, 10th Edition*.

Table 1

Land Use	ITE Code	Size	Units	Daily Trips	AM Peak Trips	PM Peak Trips
Single Family Residential	210	243	Dwelling Units	2,353	177	238

Roadway Capacity

Table 2 shows the maximum level of service and peak hour volume for US-17 according to FDOT's *Florida State Highway System Level of Service Report*, dated September 2019.

Table 2

County	Road	Segment ID	Segment	FDOT LOS Standard	Maximum Service Volume	2020 Peak Hour Volume	2020 Peak LOS
Duval	US-17	5466	SR-111 to Heckscher Dr	D	2,920	1,452	D

The segment mentioned in Table 2 has sufficient capacity to accommodate the trips generated from the development, and FDOT does not identify any potential adverse impacts on US-17.

If you have any questions, please do not hesitate to contact me by email: scott.clem@dot.state.fl.us or call: (904) 360-5681.

Sincerely,



Scott A. Clem, AICP
FDOT D2 Growth Management Coordinator

Abney, Erin

From: Kolczynski, John
Sent: Monday, November 9, 2020 11:24 AM
To: Abney, Erin
Subject: RE: PUD Review and Comments Request (2020-0689)

Erin,

My comments for this PUD are given below:

- The existing Broward Point monument identification sign will either conflict with the proposed entrance road or will be a sight obstruction for vehicles exiting the subdivision. A decision must be made whether to relocate the proposed entrance road or remove the existing sign.
- Provide a traffic study to determine if any improvements are needed to the Main Street/Broward Road Intersection or to the existing rail road crossing on Broward Road. Main Street is an FDOT Right of way, so any improvements needed in that right of way shall be reviewed and approved by FDOT.
- The roads internal to the subdivision shall meet the requirements given in the City of Jacksonville Code of Regulations Chapter 654.

John Kolczynski E.I.

Traffic Technician Senior

City of Jacksonville | Planning and Development Department
214 N. Hogan Street, Suite 2100
Jacksonville, Florida 32202
(904) 255-8583
www.coj.net

From: Abney, Erin <EAbney@coj.net>
Sent: Monday, November 9, 2020 10:31 AM
To: Salem, Soliman <Soliman@coj.net>; Dickerson, Christopher <CDickerson@coj.net>; Parola, Helena <HParola@coj.net>; McDaniel, Jody <JodyM@coj.net>; McCoy, Tanja <TMcCoy@coj.net>; Kolczynski, John <JohnFK@coj.net>; Warnock, Blaine <Warnock@coj.net>; Namey, Joe <Namey@coj.net>; Hubsch, Charles <CHUBSCH@coj.net>; pricml@jea.com; westsr@jea.com; macktd@jea.com; Estes, Shalene B. <EstesS@duvalschools.org>; growthmanagement.d2@dot.state.fl.us; Clem, Scott <Scott.Clem@dot.state.fl.us>; Austin, Brian <Brian.Austin@dot.state.fl.us>
Subject: PUD Review and Comments Request (2020-0689)

Good Morning,

The Current Planning Division of the Planning and Development Department would appreciate any comments or recommendations that your agency/department may have on the proposed development: **Broward Key PUD**. Please review the attached files and e-mail your comments or recommendations to this office no later than **Wednesday November 18th**.

Please let me know if you have any questions and thank you for your assistance.

Erin L. Abney

City Planner II
Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202



ONE CITY. ONE JACKSONVILLE.

Abney, Erin

From: Warnock, Blaine
Sent: Monday, November 9, 2020 10:45 AM
To: Abney, Erin
Subject: FW: PUD Review and Comments Request (2020-0689)
Attachments: 2020-0689 Compiled APP.pdf; T-2020-3117.jpg; Baseline Review.pdf

Erin,

Good morning.

Mobility # 104672.0: Broward Key Subdivision was approved/fee assessed on 10/22/2020.

The Mobility fee is \$513,407 for 243 single family lots and must be paid prior to permitting.

A CRC application is also required to be submitted before plan submittal with the City of Jacksonville in order to obtain a City Development Number and for a Concurrency Reservation Certificate for the 243 lots.

Regards,
Blaine

Blaine Warnock
City Planner III
City of Jacksonville / Concurrency & Mobility Management System Office
Ed Ball Building
214 N. Hogan Street, 2nd Floor
Jacksonville, Florida 32202
Phone (904) 255-8321
www.coj.net

From: Abney, Erin <EAbney@coj.net>
Sent: Monday, November 9, 2020 10:31 AM
To: Salem, Soliman <Soliman@coj.net>; Dickerson, Christopher <CDickerson@coj.net>; Parola, Helena <HParola@coj.net>; McDaniel, Jody <JodyM@coj.net>; McCoy, Tanja <TMcCoy@coj.net>; Kolczynski, John <JohnFK@coj.net>; Warnock, Blaine <Warnock@coj.net>; Namey, Joe <Namey@coj.net>; Hubsch, Charles <CHUBSCH@coj.net>; pricml@jea.com; westsr@jea.com; macktd@jea.com; Estes, Shalene B. <EstesS@duvalschools.org>; growthmanagement.d2@dot.state.fl.us; Clem, Scott <Scott.Clem@dot.state.fl.us>; Austin, Brian <Brian.Austin@dot.state.fl.us>
Subject: PUD Review and Comments Request (2020-0689)

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Please let me know if you have any questions and thank you for your assistance.

Erin L. Abney

City Planner II
Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202



ONE CITY. ONE JACKSONVILLE.

Abney, Erin

From: Namey, Joe
Sent: Monday, November 9, 2020 10:50 AM
To: Abney, Erin
Subject: RE: PUD Review and Comments Request (2020-0689)

No Comment.

From: Abney, Erin <EAbney@coj.net>
Sent: Monday, November 9, 2020 10:31 AM
To: Salem, Soliman <Soliman@coj.net>; Dickerson, Christopher <CDickerson@coj.net>; Parola, Helena <HParola@coj.net>; McDaniel, Jody <JodyM@coj.net>; McCoy, Tanja <TMcCoy@coj.net>; Kolczynski, John <JohnFK@coj.net>; Warnock, Blaine <Warnock@coj.net>; Namey, Joe <Namey@coj.net>; Hubsch, Charles <CHUBSCH@coj.net>; pricml@jea.com; westsr@jea.com; macktd@jea.com; Estes, Shalene B. <EstesS@duvalschools.org>; growthmanagement.d2@dot.state.fl.us; Clem, Scott <Scott.Clem@dot.state.fl.us>; Austin, Brian <Brian.Austin@dot.state.fl.us>
Subject: PUD Review and Comments Request (2020-0689)

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The Current Planning Division of the Planning and Development Department would appreciate any comments or recommendations that your agency/department may have on the proposed development: **Broward Key PUD**. Please review the attached files and e-mail your comments or recommendations to this office no later than **Wednesday, November 18th**.

Please let me know if you have any questions and thank you for your assistance.

Erin L. Abney

City Planner II
Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202



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Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2020-0689 **Staff Sign-Off/Date** ELA / 11/10/2020
Filing Date 11/10/2020 **Number of Signs to Post** N/A
Hearing Dates:
1st City Council 05/25/2021 **Planning Commission** 05/20/2021
Land Use & Zoning 06/01/2021 **2nd City Council** N/A
Neighborhood Association NORTH SHORE NHD ASSO, TROUT RIVER JAX, M & M DAIRY INC, THE EDEN GROUP INC., NORTHSIDE BUSINESS LEADERS CLUB
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3117 **Application Status** FILED COMPLETE
Date Started 09/08/2020 **Date Submitted** 09/21/2020

General Information On Applicant

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

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name CUNKLE **First Name** JULIA **Middle Name** H
Company/Trust Name
Mailing Address 2337 BEACHCOMBER TRAIL
City ATLANTIC BEACH **State** FL **Zip Code** 32233
Phone **Fax** **Email**

Last Name MCKNIGHT **First Name** GERTRUDE **Middle Name** B
Company/Trust Name
Mailing Address 314 BROWARD ROAD
City JACKSONVILLE **State** FL **Zip Code** 32218

Phone Fax Email

Last Name First Name Middle Name
BROWARD KIMBERLY B

Company/Trust Name
KIMBERLY BROWARD TRUST

Mailing Address
2337 BEACHCOMBER TRAIL

City State Zip Code
ATLANTIC BEACH FL 32233

Phone Fax Email

Last Name First Name Middle Name
DELUCA KAREN B

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City State Zip Code
ATLANTIC BEACH FL 32233

Phone Fax Email

Last Name First Name Middle Name
HURY THOMAS BROWARD

Company/Trust Name
THOMAS BROWARD HURY TRUST

Mailing Address
2337 BEACHCOMBER TRAIL

City State Zip Code
ATLANTIC BEACH FL 32233

Phone Fax Email

Last Name First Name Middle Name
HUTCHINSON MELANIE B

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City State Zip Code
ATLANTIC BEACH FL 32233

Phone Fax Email

Last Name **First Name** **Middle Name**
MCCALLISTER KATHRYN H

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City **State** **Zip Code**
ATLANTIC BEACH FL 32233

Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
BROWARD CHARLES M

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City **State** **Zip Code**
ATLANTIC BEACH FL 32233

Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
BROWARD GEORGE S

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City **State** **Zip Code**
ATLANTIC BEACH FL 32233

Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
SMITH KIMBERLY

Company/Trust Name

Mailing Address
2337 BEACHCOMBER TRAIL

City **State** **Zip Code**
ATLANTIC BEACH FL 32233

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	022108 0000	8	6	RLD-90	PUD
Map	022108 0000	8	6	RMD-A	PUD
Map	022155 0000	8	6	RMD-A	PUD

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 113.47

Development Number

Proposed PUD Name BROWARD KEY

Justification For Rezoning Application

PROJECT IS SURROUNDED BY LDR WITH CITY WATER AND CITY SEWER.

Location Of Property

General Location

WEST OF MAIN STREET N.

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

Between Streets

ZOO PARKWAY and BROWARD ROAD

Required Attachments For Formal, Complete application

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

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

Supplemental Information

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

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

Public Hearings And Posting Of Signs

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

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

Application Certification

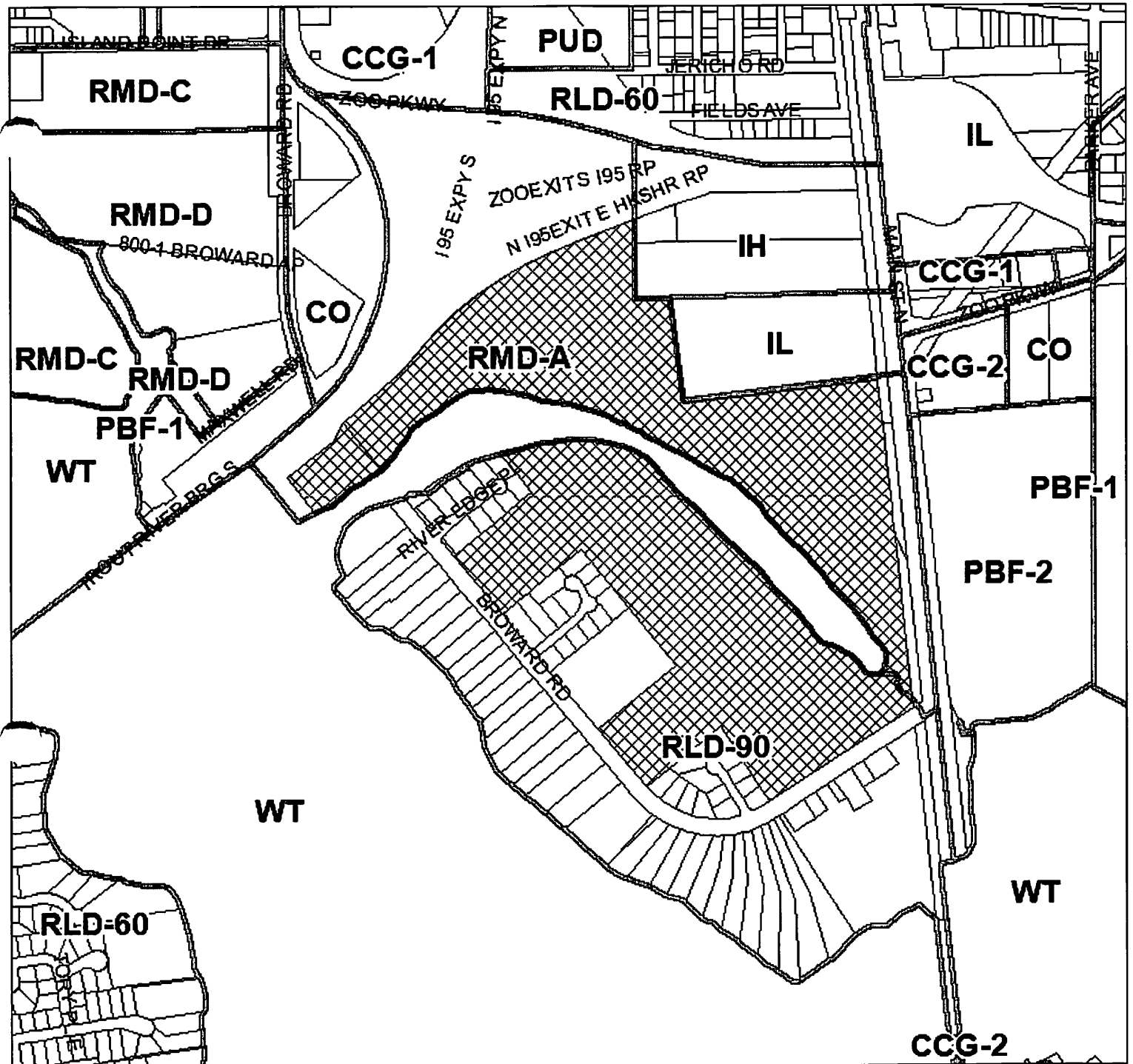
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my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

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,269.00
- 2) Plus Cost Per Acre or Portion Thereof**
 - 113.47 Acres @ \$10.00 /acre:** \$1,140.00
- 3) Plus Notification Costs Per Addressee**
 - 81 Notifications @ \$7.00 /each:** \$567.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$3,976.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

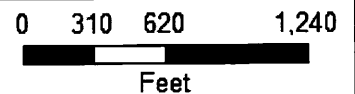
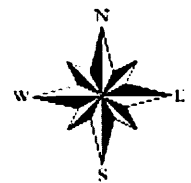
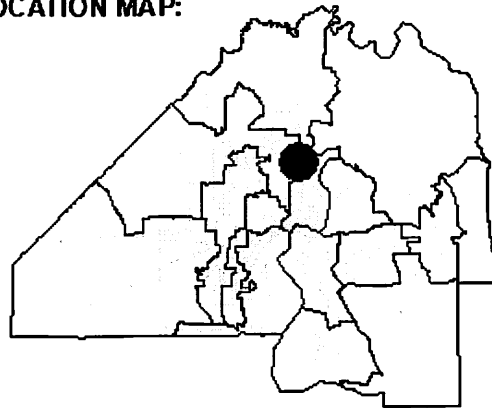


REQUEST SOUGHT:

FROM: RMD-A & RLD-90

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

8

ORDINANCE NUMBER

ORD-2020-0689

TRACKING NUMBER

T-2020-3117

**EXHIBIT 3
PAGE 1 OF 1**

Legal Description

PARCELS ONE (1) AND TWO (2)

LYING PARTLY IN SECTION 24 OF THE JOSEPH FENWICK GRANT AND PARTLY IN SECTION 48, TOWNSHIP 1 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEGINNING AT AN IRON STAKE IN THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NUMBER 588 (BROWARD ROAD), SAID POINT BEING DISTANT TWO HUNDRED SIXTEEN AND ONE TENTH (216.1) FEET NORTHWESTERLY FROM WHERE SAID RIGHT OF WAY LINE INTERSECTS THE WESTERLY LINE OF SAID SECTION 48, AND RUNNING NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, FOUR HUNDRED FORTY (440.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHEASTERLY DIRECTION, AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION, PARALLEL WITH SAID LAST MENTIONED RIGHT OF WAY LINE, FOUR-HUNDRED FORTY (440.0) FEET TO A POINT; RUN THENCE IN A SOUTHWESTERLY DIRECTION, AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594.0) FEET TO A POINT IN SAID RIGHT OF WAY LINE; RUN THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID RIGHT OF WAY LINE, ONE HUNDRED (100) FEET, MORE OR LESS, TO THE CENTER OF MERRITT'S CREEK; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE CENTER OF SAID CREEK, FOUR HUNDRED (400) FEET MORE OR LESS, TO THE WATERS OF TROUT RIVER; RUN THENCE IN A WESTERLY DIRECTION, ALONG SAID WATERS, SIX HUNDRED (600) FEET, MORE OR LESS TO THE SOUTHEASTERLY DIRECTION, ALONG SAID LAST MENTIONED RIGHT OF WAY LINE, THREE THOUSAND ONE HUNDRED (3,100) FEET, MORE OR LESS TO A POINT IN THE WESTERLY BOUNDARY OF LOT 15, CALLAHAN'S SUBDIVISION, AS SAID SUBDIVISION IS RECORDED IN PLAT BOOK 6, PAGE 69, OF THE PUBLIC RECORDS OF SAID COUNTY; RUN THENCE IN A SOUTHERLY DIRECTION, ALONG THE WESTERLY BOUNDARY OF LOTS 15 AND 16; OF CALLAHAN'S SUBDIVISION, FIVE HUNDRED FORTY (540) FEET, MORE OR LESS, TO THE SOUTHEASTERLY CORNER OF SAID SUBDIVISION; RUN THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTHERLY BOUNDARY OF SAID CALLAHAN'S SUBDIVISION, TWO HUNDRED (200) FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LANDS CONVEYED TO FRED W. DARBY BY DEED RECORDED IN DEED BOOK 567, PAGE 285, OF THE PUBLIC RECORDS OF SAID COUNTY; RUN THENCE IN A SOUTHERLY DIRECTION, ALONG THE WESTERLY BOUNDARY OF SAID DARBY LANDS, FIVE HUNDRED THIRTY (530.0) FEET TO THE SOUTHWESTERLY CORNER OF SAME; RUN THEN IN NORTHEASTERLY DIRECTION, ALONG THE SOUTHERLY BOUNDARY OF SAID DARBY LANDS, ONE THOUSAND ONE HUNDRED SIXTY AND FIVE TENTHS (1,160.5) FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE SEABOARD AIR LINE RAILROAD; RUN THENCE IN A SOUTHERLY DIRECTION, ALONG SAID RAILROAD RIGHT OF WAY LINE, ONE THOUSAND NINE HUNDRED THIRTY (1,930) FEET, MORE OR LESS, TO WHERE SAID LINE INTERSECTS THE NORTHWESTERLY RIGHT OF WAY LINE OF BROWARD ROAD, RUN THENCE IN A SOUTHWESTERLY DIRECTION, ALONG SAID LAST MENTIONED RIGHT OF WAY LINE, ONE THOUSAND TWENTY AND SEVENTEEN HUNDREDTHS (1,020.17) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION, AT RIGHT ANGLES TO SAID LAST MENTIONED RIGHT OF WAY LINE, FIVE HUNDRED THIRTY-EIGHT (538.0) FEET TO A POINT; RUN THENCE IN A SOUTHWESTERLY DIRECTION, FIVE HUNDRED THIRTY-EIGHT (538.0) FEET TO AN IRON STAKE SET IN THE NORTHEASTERLY RIGHT OF WAY LINE OF BROWARD ROAD, SAID STAKE BEING DISTANT ONE THOUSAND, THREE-HUNDRED TWENTY (1,320.0) FEET SOUTHEASTERLY FROM THE POINT OF BEGINNING; RUN THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID RIGHT OF WAY LINE, FOUR HUNDRED FORTY (440.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHEASTERLY DIRECTION, AT RIGHT ANGLES OF SAID LAST MENTIONED RIGHT OF WAY LINE, FIVE

HUNDRED NINETY-FOUR (594.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION PARALLEL WITH SAID LAST MENTIONED RIGHT OF WAY LINE, EIGHT HUNDRED EIGHTY (880.0) FEET TO AN IRON STAKE; RUN THENCE IN A SOUTHWESTERLY DIRECTION, AT RIGHT ANGLES TO SAID LAST MENTIONED RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594.0) FEET TO THE POINT OF BEGINNING.

Exhibit "D"

WRITTEN DESCRIPTION

Broward Key PUD

April 29, 2021

I. SUMMARY

- A. Current Land Use Designation: LDR/MDR
- B. Current Zoning District: RLD- 90/RMD-A
- C. Requested Land Use LDR/MDR
- C. Requested Zoning District: PUD
- D. RE #: 022108-0000, 022155-0000

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately +/- 113.47 acres of property from RLD-90/RMD-A to a Planned Unit Development (PUD). A conceptual site plan of the development is attached as Exhibit E [ZM-1] (the [Site Plan]). The proposed PUD rezoning permits the Property to be developed as a residential community with a maximum of (243) single family homes.

The subject property (Property) is currently owned by Julia Cunkle (et al) and is more particularly described in the legal description attached as Exhibit [K] The Property is located between Main Street and Broward Road on Exhibit [K] (the [Property]). The property will be designated LDR/MDR in the Future Land Use Map in the City's Comprehensive Plan and is a vacant site. The site has a gross density of 2.1 lots per acre and a net density of 2.9 lots per acre.

A combination of fencing, buffering, landscaping and architectural controls are provided to create this integrated community and blend the proposed development into the surrounding area.

VI. PUD DEVELOPMENT CRITERIA

A. Description of Uses

1. A maximum of two hundred forty-three (243) single family homes.
2. Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and land communication devices small satellite dishes, and similar uses subject to performance standards set forth in Part 4 in the City of Jacksonville Zoning Code.
3. Home occupation meeting the performance standard set forth in Part 4 of the City of Jacksonville Zoning Code.

B. Permitted Accessory Uses and Structures:

Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

C. Minimum Lot and Building Requirements

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

Minimum Lots Requirements

- (1) **Minimum lot width.** Fifty (50) feet; Minimum frontage of each lot shall be 80% of its required lot width, provided, however that the lot frontage may be reduced to 25' on cul-de-sacs and curves.
- (2) **Maximum Lot coverage by all buildings.** Sixty-five Percent (65%)
- (3) **Minimum setback requirements,**
 - (a) **Front-**20 feet.
 - (b) **Second Front** (on corner lots) 15 feet
 - (c) **Side-** 5 feet
 - (d) **Rear-**10 feet
- (4) **Minimum Lot Area-** 6,000 square feet
- (5) **Maximum height of structure-** 35 feet

D. Ingress, Egress and Circulation

(1) Parking Requirements. A minimum of (2) two parking spaces shall be provided for each unit.

(2) Vehicular Access.

a. Vehicular access to the Property shall be by way of Broward Road per site plan dated 4-27-21. The final location of the access point is subject to the review and approval of the Development Services Division. The single entry on Broward Road will be gated with internal roadways private.

b. Within the Property internal access shall be provided to each home and the common areas via the streets as shown on the Site Plan which shall meet the standards required by the Code of Subdivision Regulations.

(3) Pedestrian Access.

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

E. Signs

(1) The Applicant may construct up to two (2) permanent, single faced identity signs at entrance off Broward Road and or (1) permanent, double faced sign in the median of the entry road to the development. Each sign shall not exceed twenty-four (24) square feet in area or twelve (12) feet in height.

(2) Real estate and construction signs shall also be allowed on each lot as provided for by Part 656.1306 and Section 656.1307 of the Zoning Code.

F. Landscaping

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

H. Recreation, Open Space and Lakes and Ponds

Unless otherwise approved by the Planning and Development Department, recreation open space will be provided in Sec. 656.420 of the zoning code.

Construction of the Retention Areas (including the import and export of fill) as shown by the Site Plan provided that each Retention Area is subsequently completed so as to comply with the final engineering plans approved by the City of Jacksonville and the St. Johns River Water Management District prior to final acceptance of the portion of the Property containing such Retention Area.

I. Utilities

Water and sanitary sewer will be provided by JEA.

J. Wetlands

The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District, ACOE and all other local, state and federal requirements. There are approximately 21 acres of wetlands on the site. There are approximately 5 acres of proposed wetland impacts within this site.

IV. DEVELOPMENT PLAN APPROVAL

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

V. PUD REVIEW CRITERIA

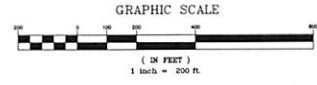
- A. Consistency with Comprehensive Plan: According to the Future Land Use Map series (FLUMS) of the 2030 Comprehensive Plan, the designated Land Use will be Low Density Residential/Medium Density Residential (LDR/MDR), which allows for the use requested in the subject PUD.
- B. Consistency with the Concurrency and Mobility Management System: The PUD will satisfy all concurrency requirements as required by the City of Jacksonville Concurrency Management System Office.
- C. Allocation of Residential Land Use: The PUD provides for residential uses which are in compliance with the requirements of the 2030 Comprehensive Plan.
- D. Internal Compatibility/Vehicular Access: Vehicular access will be from Broward Road. All uses are single family.
- E. External Compatibility/Intensity of Development: The proposed density and uses are compatible with residential and commercial development in the area.
- F. Recreation/Open Space: The PUD will provide a recreation/common area for the community as required by Part 656.420 of the Zoning Code. The open space will consist of approximately 6 acres. Additionally, ponds total approximately 14 acres and provides additional open space.

- G. Impact on Wetlands: The Property will be developed in accordance with the permit requirements of the local, state and federal agencies with jurisdiction, with some wetland impacts.
- H. Listed Species Regulations: A listed species study for the property has been submitted.
- I. Off Street Parking and Loading Requirements: Parking will be provided for each home as required by Part 6 of the Zoning Code.
- J. Sidewalks, Trails and Bikeways: Sidewalks will be constructed as required by the 2030 Comprehensive Plan.
- K. Stormwater Retention: A total of 14 acres with (9) ponds is proposed to be constructed on the Property and will be maintained by the Owners Association.

VI. HOW THIS PUD DIFFERES FROM USUAL APPLICATIONS

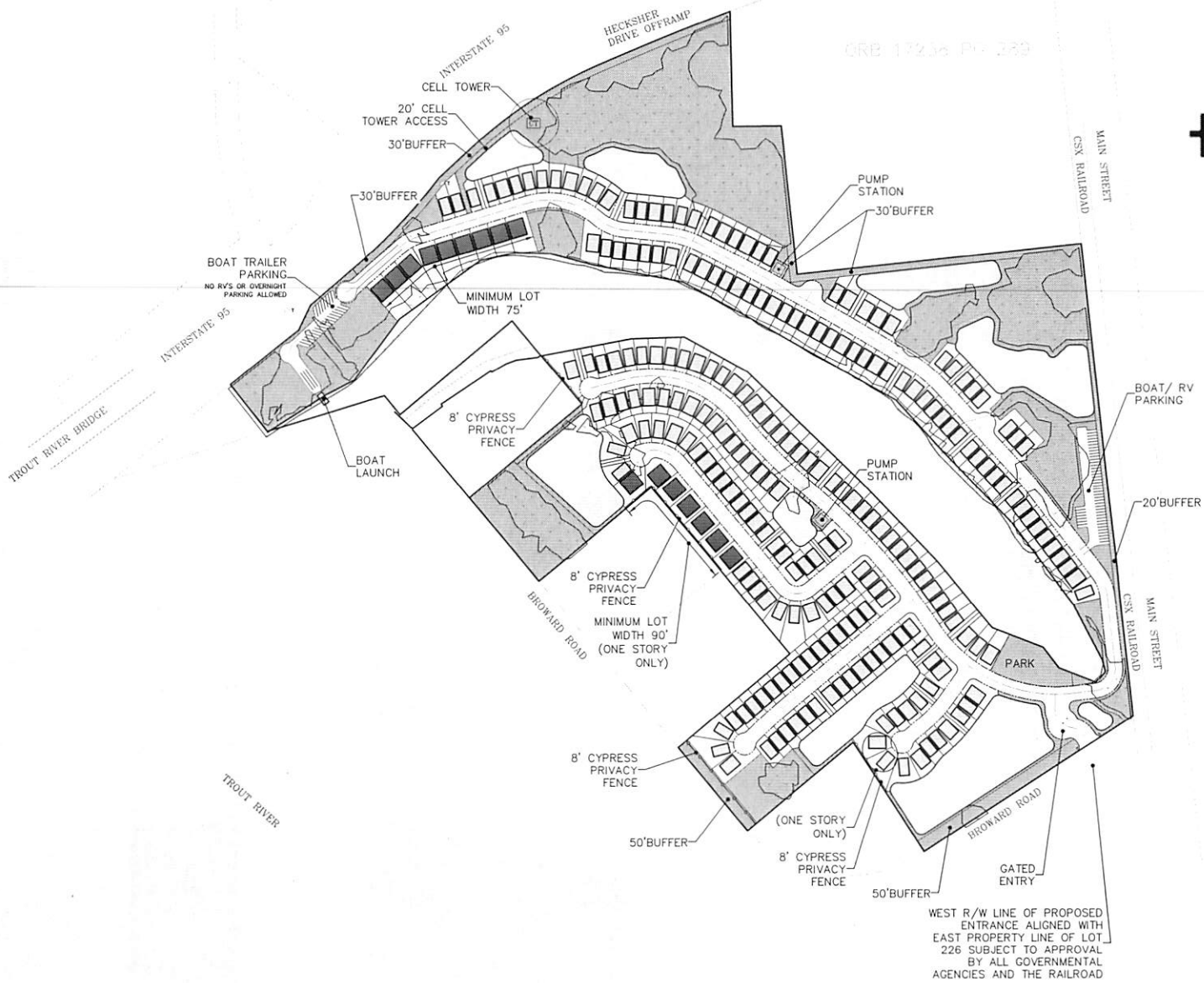
The PUD differs from a usual application for rezoning as stated throughout this written description and restated here; No permissible uses by exception are allowed, location of vehicular access to property is stated, signage is specified, location of retention is noted on the Site Plan dated 04-27-21, and specificity is provided throughout this Planned Unit Development. Conditions are added as listed below, as indicated on the site plan dated 04-27-21.

- 1. A maximum of 243 lots.
- 2. 50-foot buffer along the single entrance onto Broward Road
- 3. No second entrance along Broward Road.
- 4. Gated entry way and private roads.
- 5. Emerald Brand Homes.
- 6. Entrance designed so that traffic will not pass existing homes on Broward Road, unless governing agencies require greater separation from Main Street to Entrance.
- 7. Minimum 75-foot lots across the creek from River Edge Place.
- 8. A Minimum of 90-foot lots where we abut existing homes in Broward Cove Unit One.
- 9. 8-foot cypress fence where we abut Broward Cove Unit One
- 10. One story home where we abut Broward Cove Unit One.
- 11. One story home where we abut Broward Cove Unit Two
- 12. 8-foot cypress fence where we abut Broward Cove Unit Two
- 13. No homes on property between Autumn Wind Drive and River Edge Place.
- 14. Preservation of majority of vegetation along Interstate 95.
- 15. Preservation of most of the existing wetlands.
- 16. Boat Ramp reconfigured to minimize visual impact, as shown on attached site plan.
- 17. Reduced the parking at the boat launch from earlier site plan by 1/2.
- 18. No overnight parking at boat launch.
- 19. 50-foot natural buffer along our southwest boundary of Broward Road, along with an 8-foot cypress shadowbox privacy fence,
- 20. All buffers to be undisturbed unless impacts are needed for utilities.



**EMERALD
HOMES**

(7) 90' LOTS
(9) 75' LOTS
(243) TOTAL LOTS

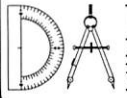


WEST R/W LINE OF PROPOSED ENTRANCE ALIGNED WITH EAST PROPERTY LINE OF LOT 226 SUBJECT TO APPROVAL BY ALL GOVERNMENTAL AGENCIES AND THE RAILROAD

P:\2009-500 BROWARD KEY\CONCEPTUAL\BROWARD KEY CON-10-COLOR.DWG 4/27/2021 7:42 AM Mike Reilly

REVISIONS		
NO.	DATE	DESCRIPTION

DESIGNED BY: MR
DRAWN BY: MR
CHECKED BY: VJD
SCALE: 1" = 200'
DATE: April 27, 2021
PROJ. NO.: 0020-47



Dunn & Associates, Inc.
CIVIL ENGINEERS / LAND PLANNERS
8647 Bayline Road, Suite 200
Jacksonville, Florida 32256
Phone: (904)363-8916 Fax: (904)363-8917
www.dunneng.com

BROWARD KEY
FOR:
D.R. HORTON, INC - JACKSONVILLE
DUVAL COUNTY, FLORIDA
PRELIMINARY SITE PLAN

VINCENT J. DUNN ENGINEER NO. 38462
DAVID M. TAYLOR ENGINEER NO. 44564
GLEN R. WICKER ENGINEER NO. 18419
CERTIFICATE OF APPROVAL NO. 27420

Sheet No. 1 of 1
CON-10
DWG. NO.

BROWARD KEY

EXHIBIT A - Property Ownership Affidavit

Date: 08/21/2020

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

Re: Property Owner Affidavit for the following site location:

RE# 022109-0000

To Whom it May Concern:

I Julia H. Cunkle hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Zoning/Landuse submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By Julia H. Cunkle
Print Name: Julia H. Cunkle

By _____
Print Name: _____
Its: _____

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

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ^{21st day of August} ~~2020~~ by Julia H. Cunkle, who is personally known to me or who has produced drives license as identification.

[Notary Seal]

[Signature]
Notary Public
Kelly L. Smith



Name typed, printed or stamped
My Commission Expires: 2-10-24

EXHIBIT F

PUD Name

Broward Key

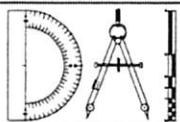
Land Use Table

Total gross acreage	113.47	Acres	100 %
Amount of each different land use by acreage			
Single family	41.83	Acres	37 %
Total number of dwelling units	243	D.U.	
Multiple family		Acres	%
Total number of dwelling units		D.U.	
Commercial		Acres	%
Industrial		Acres	%
Other land use		Acres	%
Active recreation and/or open space	3.89	Acres	3 %
Passive open space	50.14	Acres	47 %
Public and private right-of-way	14.46	Acres	13 %
Maximum coverage of buildings and structures		Sq. Ft.	65 %

"EXHIBIT H"



Source: Google Earth 2019 Aerial Map



Dunn & Associates, Inc.

CIVIL ENGINEERS / LAND PLANNERS
8647 Bayline Road, Suite 200
Jacksonville, Florida 32256
Phone: (904)363-8916 Fax: (904)363-8917

Project Name : BROWARD KEY

Project No : 0020-47

Drawn By : MR

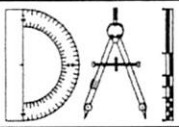
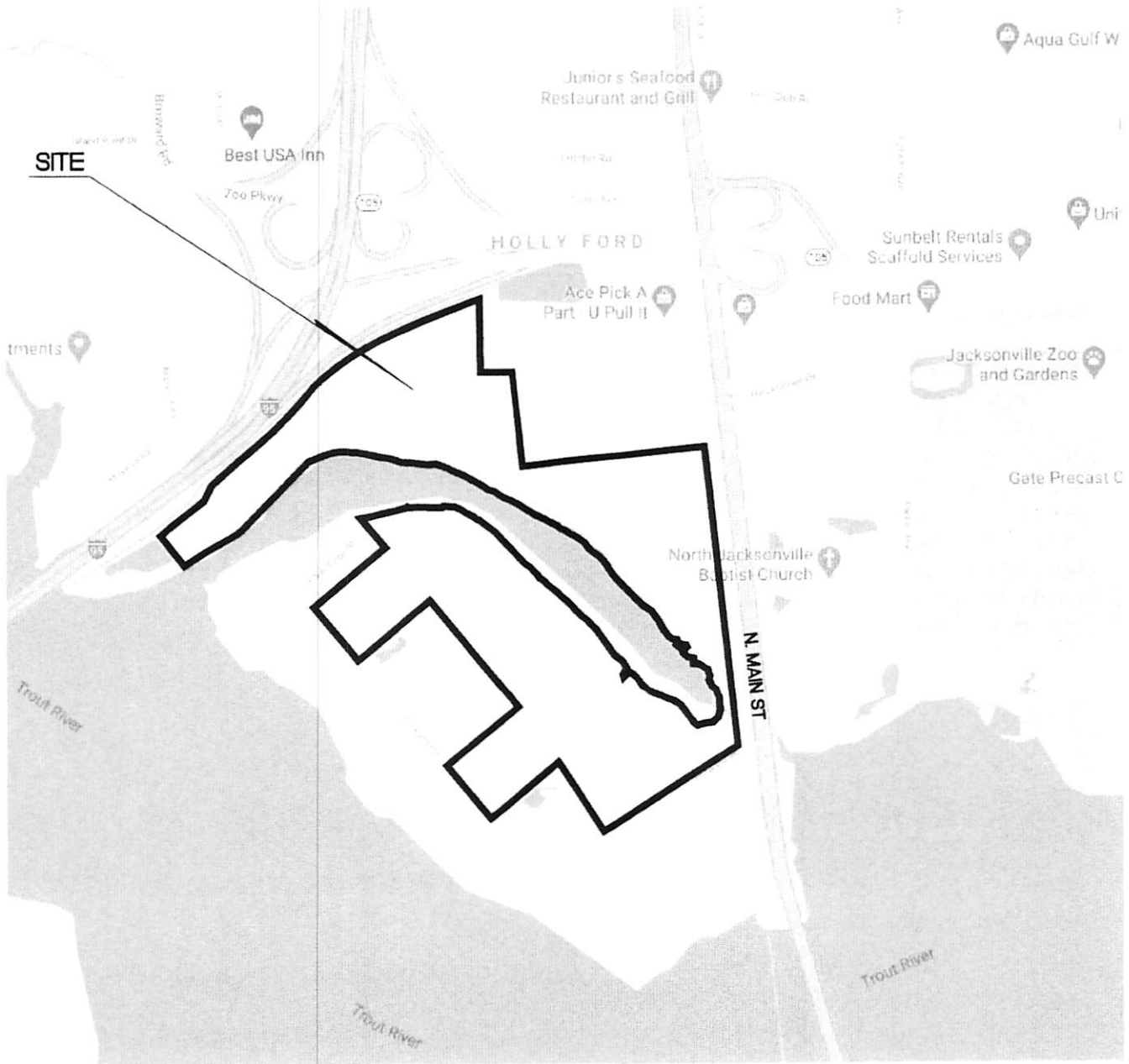
Checked By : VJD

Date : September 9, 2020

Scale : 1" = 600'

AERIAL MAP

"EXHIBIT K"



Dunn & Associates, Inc.

CIVIL ENGINEERS / LAND PLANNERS
 8547 Baypine Road, Suite 200
 Jacksonville, Florida 32256
 Phone: (904)363-8916 Fax: (904)363-8917

Project Name : BROWARD KEY		Site Location : North West corner of Broward Rd and N. Main Street
Project No :	0020-47	
Drawn By :	MR	Scale : 1" = 1000'
Checked By :	VJD	
Date :	September 8, 2020	

LOCATION MAP

EXHIBIT C

Binding Letter

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE:

Ladies and Gentleman:

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

Sincerely,

By: Julia H. Cunkle
Julia H. Cunkle

Its: _____

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 08/21/2020

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

Re: Agent Authorization for the following site location: RE# 022109-0000

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Curtis Hart/Hart Resources LLC to act as agent to file application(s) for Zoning/Land use for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By Julia H. Cuskle
Print Name: Julia H. Cuskle

By _____
Print Name: _____
Its: _____

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

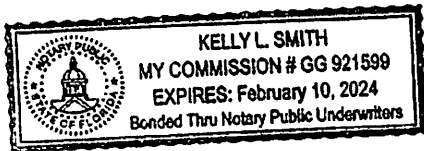
STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 8/21/20 by Julia H. Cuskle who is personally known to me or who has produced drivers license as identification.

[Notary Seal]

Kelly L. Smith
Notary Public

Kelly L. Smith
Name typed, printed or stamped
My Commission Expires: 2-10-24



Prepared By/ Record & Return To:

Attorneys' Title Services, LLC.
12428 San Jose Blvd., Suite 1
Jacksonville, Florida 32223

Parcel Numbers: 022108-0000, 022155-0000, and 022163-0000

WARRANTY DEED

THIS WARRANTY DEED is made this 20th day of February, 2018 between KIMBERLY BROWARD SMITH, as Successor Trustee of the Gordon W. Broward Revocable Trust dated May 20, 1988, whose mailing address is 7202 San Jose Blvd, Jacksonville, FL 32217, the Grantor, to MELANIE B. HUTCHINSON, as to 10% interest, whose mailing address is 4809 Foxshire Circle, Tampa, FL 33624 and KIMBERLY BROWARD SMITH, as to 10% interest, whose mailing address is 6326 Wandering Trail, Jacksonville, FL 32219, the Grantees:

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

WITNESSETH, that Grantor, for and in consideration of the sum ten dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantees, the receipt whereof is hereby acknowledged, does hereby remise, release, and grant to the Grantees, and Grantees heirs and assigns forever, all the right, title, interest, claim and demand which Grantor have in and to the following described land, situate, lying and being in DUVAL County, Florida to wit:

See "EXHIBIT A"

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that neither Grantor or any members of the household of Grantor reside thereon. Said property is vacant land.

This deed is exempt from documentary stamp taxes for estate planning purposes pursuant to Florida Administrative Code 12B-4.014,

Subject to taxes for the year 2017 and subsequent years; covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of the Grantees forever.

AND the grantor hereby covenants with said Grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: 2017.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

Witnessed in the presence of:

KIMBERLY BROWARD SMITH, as Successor Trustee of the Gordon W. Broward Revocable Trust dated May 20, 1988

Michelle P McDonald
Name: Michelle P. McDonald
Date: 2/20/18

Robert Ekman
Name: Robert Ekman
Date: 2/20/18

Kimberly Broward Smith
KIMBERLY BROWARD SMITH, as Successor Trustee
as successor trustee

STATE OF Florida)
COUNTY OF Duval)

The foregoing instrument was acknowledged before me this 20th day of February, 2018 by **KIMBERLY BROWARD SMITH** in her capacity as Successor Trustee of the Gordon W. Broward Revocable Trust dated May 20, 1988, who (check one) is personally known to me or has produced a valid drivers' license as identification.

[NOTARY SEAL]

Michelle P McDonald
Notary Public, State of _____
My Commission Expires:



EXHIBIT A

A 20% interest in and to the following real property:

Tract 1:

PARCELS ONE (1) AND TWO (2)

LYING PARTLY IN SECTION 24 OF THE JOSEPH FENWICK GRANT AND PARTLY IN SECTION 48, TOWNSHIP 1 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEGINNING AT AN IRON STAKE IN THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NUMBER 588 (BROWARD ROAD), SAID POINT BEING DISTANT TWO HUNDRED SIXTEEN AND ONE TENTH (216.1) FEET NORTHWESTERLY FROM WHERE SAID RIGHT OF WAY LINE INTERSECTS THE WESTERLY LINE OF SAID SECTION 48, AND RUNNING NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, FOUR HUNDRED FORTY (440.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHEASTERLY DIRECTION, AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION, PARALLEL WITH SAID LAST MENTIONED RIGHT OF WAY LINE, FOUR HUNDRED FORTY (440.0) FEET TO A POINT; RUN THENCE IN A SOUTHWESTERLY DIRECTION, AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID RIGHT OF WAY LINE, FOUR HUNDRED FORTY (440.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHEASTERLY DIRECTION, AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594.0) FEET TO AN IRON STAKE; RUN THENCE IN A NORTHWESTERLY DIRECTION, PARALLEL WITH SAID LAST MENTIONED RIGHT OF WAY LINE, EIGHT HUNDRED EIGHTY (880.0) FEET TO AN IRON STAKE; RUN THENCE IN A SOUTHWESTERLY DIRECTION, AT RIGHT ANGLES TO

SAID LAST MENTIONED RIGHT OF WAY LINE, FIVE HUNDRED NINETY-FOUR (594.0) FEET TO THE POINT OF BEGINNING.

Tract 2:

Part of Government Lot 7, Section 14, Township 1 South, Range 26 East, Duval County, Florida, more particularly described as follows:

For point of beginning, commence at an old 1-inch iron pipe marking the Northeast corner of said Government Lot 7, and run South zero degrees, eighteen minutes, thirty-six seconds East (S-0°18'36"E), along the Easterly line of said Government Lot 7, a distance of eight hundred twenty-two and ninety-eight hundredths (822.98) feet to a point in the Northwesterly right of way line of Broward Road (County Road No. 588); run thence North forty-eight degrees, forty-five minutes West (N-48°45' W), along said right of way line, five hundred forty-five and ninety-six hundredths (545.96) feet to where said right of way line is intersected by a line extending in a Southwesterly direction from the Northeast corner of said Government Lot 7, and being perpendicular to the aforesaid right of way line; run thence North forty-one degrees, fifteen minutes East (N-41°15'E), perpendicular to said right of way line, six hundred fifteen and eighty hundredths (615.80) feet to the point of beginning, the land thus described containing 3.86 acres, more or less.

All bearings used in the foregoing description refer to the Grid Lines of the Florida State Coordinate System.

RE#: 022163-0000

This instrument was prepared by
ELLEN R. GERSHOW, of
DELL GRAHAM, P.A.
203 NE 1ST St.
Gainesville, Florida 32601

Property Appraiser's Tax Parcel:
022 108 000
022 155 000

SPECIAL WARRANTY DEED

NOTE: NO TITLE EXAMINATION WAS REQUESTED OR PREPARED

THIS INDENTURE, made this 10th day of July, 2012, by THOMAS BROWARD HURY, as Trustee of the HELEN B. HURY TRUST B, hereinafter called the Grantor, whose post office address is 2268 South Central Avenue, Flagler Beach, Florida 32136, to, THOMAS BROWARD HURY, JULIA ANN CUNKLE and KATHRYN H. McALLISTER as TENANTS IN COMMON, whose post office address is 2268 South Central Avenue, Flagler Beach, Florida 32136, hereinafter called the Grantee.

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases and transfers unto the Grantee an undivided one-tenth (1/10) interest in all that certain land situate in Duval County, Florida, to-wit:

PARCELS ONE (1) AND TWO (2) DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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

SUBJECT TO Taxes for 2012 and all subsequent years, and easements and restrictions of record.

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


GRANTOR hereby certifies that Grantor has never resided upon the above described property or on any contiguous property; and that the above-described property does not now and has never in the past constituted Grantor's homestead.

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


TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

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

Signed, sealed and delivered
in our presence as witnesses:


Witness

Ellen R Gershow
Printed name

 (SEAL)
THOMAS BROWARD HURY, as Trustee of the
HELEN B. HURY TRUST B

Patricia Wilders
Witness

PATRICIA D WILDERS
Printed name
(Witnesses as to Thomas Broward
Hury)

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 10th day of July, 2012, by
THOMAS BROWARD HURY, as Trustee.

Patricia Wilders
Notary Public, State of Florida at Large
PATRICIA D WILDERS
Printed Name of Notary Public

My Commission Expires:

Personally known _____ OR Produced Identification _____
Type of Identification Produced: Current Florida Driver's license Other _____

EXHIBIT "A"PARCELS ONE (1) AND TWO (2)

Lying partly in Section 24 of the Joseph Fenwick Grant and partly in Section 48, Township 1 South, Range 26 East, Duval County, Florida, beginning at an iron stake in the Northeasterly right of way line of County Road Number 588 (Broward Road), said point being distant two hundred sixteen and one tenth (216.1) feet Northwesterly from where said right of way line intersects the Westerly line of said Section 48, and running Northwesterly along said right of way line, four hundred forty (440.0) feet to an iron stake; run thence in a Northeasterly direction, at right angles to said right of way line, five hundred ninety-four (594) feet to an iron stake; run thence in a Northwesterly direction, parallel with said last mentioned right of way line, four hundred forty (440.0) feet to a point; run thence in a Southwesterly direction, at right angles to said right of way line, five hundred ninety-four (594.0) feet to a point in said right of way line; run thence in a Northwesterly direction, along said right of way line, one hundred (100) feet, more or less, to the center of Merritt's Creek; run thence in a Southwesterly direction along the center of said Creek, four hundred (400) feet more or less, to the waters of Trout River; run thence in a Westerly direction, along said waters, six hundred (600) feet, more or less, to the Southeasterly right of way line of the Jacksonville Expressway; run thence in a Northeasterly direction, along said last mentioned right of way line, three thousand one hundred (3,100) feet, more or less to a point in the Westerly boundary of Lot 15, Callahan's Subdivision, as said Subdivision is recorded in Plat Book 6, Page 69, of the Public Records of said County; run thence in a Southerly direction, along the Westerly boundary of Lots 15 and 16, of Callahan's Subdivision, five hundred forty (540) feet, more or less, to the Southeasterly corner of said Subdivision; run thence in an Easterly direction, along the Southerly boundary of said Callahan's Subdivision, two hundred (200) feet, more or less, to the Northwest corner of lands conveyed to Fred W. Darby by deed recorded in Deed Book 567, Page 285, of the Public Records of said County; run thence in a Southerly direction, along the Westerly boundary of said Darby lands, five hundred thirty (530.0) feet to the Southwesterly corner of same; run thence in a Northeasterly direction, along the Southerly Boundary of said Darby lands, one thousand one hundred sixty and five tenths (1,160.5) feet to the Westerly right of way line of the Seaboard Air Line Railroad; run thence in a Southerly direction, along said Railroad right of way line, one thousand nine hundred thirty (1,930) feet, more or less, to where said line intersects the Northwesterly right of way line of Broward Road; run thence in a Southwesterly direction, along said last mentioned right of way line, one thousand twenty and seventeen hundredths (1,020.17) feet to an iron stake; run thence in a Northwesterly direction, at right angles to said last mentioned right of way line, five hundred thirty-eight (538.0) feet to a point; run thence in a Southwesterly direction, five hundred thirty-eight (538.0) feet to an iron stake set in the Northeasterly right of way line of Broward Road, said stake being distant one thousand, three hundred twenty (1,320.0) feet Southeasterly from the point of beginning; run thence in a Northwesterly direction, along said right of way line, four hundred forty (440.0) feet to an iron stake; run thence in a Northeasterly direction, at right angles to said last mentioned right of way line, five hundred ninety-four (594.0) feet to an iron stake; run thence in a Northwesterly direction, parallel with said last mentioned right of way line, eight hundred eighty (880.0) feet to an iron stake; run thence in a Southwesterly direction, at right angles to said last mentioned right of way line, five hundred ninety-four (594.0) feet to the point of beginning, the land thus described containing 133.73 acres, more or less.

THIRD AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE

THIS THIRD AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE (this “Third Amendment”) is made and entered into by and between **KAREN B DELUCA; THOMAS BROWARD HURY as TRUSTEE OF THE REVOCABLE TRUST OF THOMAS BROWARD HURY DATED OCTOBER 11, 2007; GERTRUDE S MCKNIGHT; MELANIE B HUTCHINSON; KATHRYN H MACALLISTER; JULIA H. CUNKLE; GEORGE S BROWARD; CHARLES M BROWARD; KAREN B STARLING, KIMBERLY B BROWARD AS TRUSTEE OF THE KIMBERLY B. BROWARD REVOCABLE TRUST UNDER AGREEMENT DATED NOVEMBER 8, 2007; and KIMBERLY BROWARD SMITH**, (collectively, the “Seller”) and **ATLEE DEVELOPMENT GROUP, INC.**, a Florida corporation (“Buyer”). The Effective Date hereof shall be the date when last signed by the last of Seller or Buyer (the “Effective Date”).

RECITALS:

A. **WHEREAS**, Seller and Buyer entered into that certain Agreement for Purchase and Sale with an Effective Date of January 2, 2020 (the “Agreement”);

B. **WHEREAS**, the Agreement was amended by operation of that certain First Amendment to Agreement for Purchase and Sale with an Effective Date of April 27, 2020 (the “First Amendment”) and that certain Second Amended to Agreement for Purchase and Sale with an Effective Date of July 15, 2020;

C. **WHEREAS**, Buyer has requested to modify certain paragraph 23 of the Agreement; and

D. **WHEREAS**, Seller desires to accommodate Buyer’s request for such modification.

NOW THEREFORE, for and in consideration of the premises hereof, the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer agree as follows:

AGREEMENT

1. **Incorporation of Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated herein.

2. Paragraph 23 of the Agreement which was added as an additional provision pursuant to the Second Amendment, is hereby amended to read as follows:

23. Agent Authorizations. Sellers recognize that Buyer will be required to make certain applications with governmental and / or regulatory authorities for the purposes of securing Buyer’s Required Approvals as set out in Section 20.1, above, and that such applications may require Sellers’ signature or authorize Buyer to make application on behalf of Seller. Sellers hereby agree

to cooperate with Buyer and / or D.R. Horton, as the case may dictate, to facilitate such applications and to effectuate this cooperation Sellers authorize Julia Cunkle to execute any and all applications, agent authorizations, ownership affidavits and/or land development binding letters on behalf of Sellers.

3. **Conflicts of Terms.** All other terms of the Agreement, First Amendment and Second Amendment that do not conflict with the terms of this Third Amendment shall remain in full force and effect.

4. **Counterparts and Electronic Execution.** This Third Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts together shall constitute one instrument. To facilitate execution of this Third Amendment, the parties may execute and exchange by email or facsimile signed counterparts of this Third Amendment, and such electronically transmitted copies shall be deemed legal, binding originals for all purposes.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Third Amendment on the Effective Date.

THE REMAINDER OF THIS PAGE LEFT BLANK AND SIGNATURES APPEAR ON THE FOLLOWING PAGES

9/17/2020

DocuSigned by: Trudy Slade
Signature: _____, Date: _____
Trudy Slade, trudymcknight@gmail.com

DocuSigned by: Karen DeLuca
Signature: _____, Date: 9/22/2020
Karen DeLuca, 314 Broward Rd, Jacksonville, FL 32218, kdeluca3@hotmail.com

DocuSigned by: Melanie Hutchinson
Signature: _____, Date: 9/17/2020
Melanie Hutchinson, 4809 Fox Shire Circle, Tampa, FL 33624, muffinprecious@yahoo.com

DocuSigned by: Kimberly B. Smith
Signature: _____, Date: 9/17/2020
Kimberly Smith, 7202 San Jose Blvd, Jacksonville, FL 32217, blondemomentks@msn.com

DocuSigned by: Tom Hury
Signature: _____, Date: 9/17/2020
Thomas Hury, Flagler Beach, FL 32138, broward@aol.com

DocuSigned by: Kathryn MacCallister
Signature: _____, Date: 9/17/2020
Kathryn MacCallister, P.O. Box 1345, Old Town, FL 32880, kayisa@aol.com

DocuSigned by: Julia Cunkle
Signature: _____, Date: 9/18/2020
Julia Cunkle, 2337 Beachcomber Trail, Atlantic Beach, FL 32233, jcunkle@me.com

DocuSigned by: Kim Broward
Signature: _____, Date: 9/17/2020
Kimberly Broward, 398 Broward Rd, Jacksonville, FL 32218, asbill@aol.com

DocuSigned by: Charles Broward
Signature: _____, Date: 9/22/2020
Charles Broward, Jacksonville, FL, cmbroward@comcast.net

DocuSigned by: Karen Starling
Signature: _____, Date: 9/22/2020
Karen Starling, 240 Broward Rd, Jacksonville, FL 32218, kieanstar@comcast.net

DocuSigned by: George Broward
Signature: _____, Date: 9/18/2020
George Broward, 14577 Camberwell Lane S, Jacksonville, FL 32258, georgebroward@gmail.com

BUYER:

ATLEE DEVELOPMENT GROUP, INC., a Florida Corporation

By: _____
Signature Ken Atlee

Printed Name _____
Its: president

Date: 9/17/2020

MCKNIGHT GERTRUDE B SLADE
 314 BROWARD RD
 JACKSONVILLE, FL 32218
KIMBERLY B BROWARD TRUST
DELUCA KAREN B
HURY THOMAS BROWARD
THOMAS BROWARD HURY TRUST
CUNKLE JULIA H
HUTCHINSON MELANIE B
MCCALLISTER KATHRYN H
BROWARD CHARLES M
BROWARD GEORGE S
SMITH B KIMBERLY

Primary Site Address
 0 BROWARD RD
 Jacksonville FL 32218

Official Record Book/Page
 18290-01552

Title #
 6324

0 BROWARD RD

Property Detail

RE #	022108-0000
Tax District	GS
Property Use	5500 Timber SI 80-89
# of Buildings	0
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	00277 DIV OF M L BROWARD EST 13
Total Area	4805350

Value Summary

Value Description	2019 Certified	2020 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$2,419,800.00	\$2,419,800.00
Land Value (Agric.)	\$38,637.00	\$39,160.00
Just (Market) Value	\$2,419,800.00	\$2,419,800.00
Assessed Value	\$38,637.00	\$39,160.00
Cap Diff/Portability Amt	\$2,381,163.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$38,637.00	See below

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
 No applicable exemptions

SJRWMD/FIND Taxable Value
 No applicable exemptions

School Taxable Value
 No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
18290-01552	2/20/2018	\$100.00	WD - Warranty Deed	Unqualified	Vacant
16127-00407	7/10/2012	\$100.00	SW - Special Warranty	Unqualified	Vacant
16127-00404	7/10/2012	\$100.00	SW - Special Warranty	Unqualified	Vacant
16127-00401	7/10/2012	\$100.00	SW - Special Warranty	Unqualified	Vacant
15499-01015	12/30/2010	\$60,800.00	WD - Warranty Deed	Unqualified	Vacant
14971-02017	8/9/2005	\$100.00	WD - Warranty Deed	Unqualified	Vacant
14401-02337	2/28/2008	\$100.00	MS - Miscellaneous	Unqualified	Vacant
14365-01839	1/25/2008	\$100.00	MS - Miscellaneous	Unqualified	Vacant
14365-01826	1/25/2008	\$100.00	MS - Miscellaneous	Unqualified	Vacant
10727-00761	8/29/2002	\$100.00	WD - Warranty Deed	Unqualified	Vacant
08581-01356	3/27/1997	\$100.00	WD - Warranty Deed	Unqualified	Vacant
08455-01219	10/3/1996	\$100.00	SW - Special Warranty	Unqualified	Vacant
08454-00055	9/9/1996	\$100.00	WD - Warranty Deed	Unqualified	Vacant
08418-00476	6/10/1990	\$127.00	WD - Warranty Deed	Unqualified	Vacant
07708-01018	11/8/1993	\$100.00	MS - Miscellaneous	Unqualified	Unknown
07081-00377	6/25/1990	\$100.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

No data found for this section

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1									

Legal

LN	Legal Description
1	24-1S-26E 108.38

1	5510	TNP/Natural	RLD-G	0.00	0.00	Agriculture	80.38	Acreage	\$38,180.00	2	PT GOVT LOTS 3,5,6,
1	0100	RES LD 3-7 UNITS PER AC	RLD-D	0.00	0.00	Market	46.84	Acreage	\$1,405,200.00	3	PT SECS 47,48
2	5910	HSW/Swamp- productive	RLD-A	0.00	0.00	Agriculture	28.00	Acreage	\$980.00	4	RECD O/R 14365-1839
2	0100	RES LD 3-7 UNITS PER AC	RMD-A	0.00	0.00	Market	33.54	Acreage	\$1,006,200.00	5	BEING TRACT A
3	9602	SWAMP	RMD-A	0.00	0.00	Market	28.00	Acreage	\$8,400.00		

Buildings

No data found for this section

2020 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Ex B&B	\$39,160.00	\$0.00	\$39,160.00	\$442.08	\$448.06	\$429.27
Public Schools: By State Law	\$39,160.00	\$0.00	\$39,160.00	\$150.76	\$143.21	\$147.34
By Local Board	\$39,160.00	\$0.00	\$39,160.00	\$86.86	\$88.03	\$84.88
FL Inland Navigation Dist.	\$39,160.00	\$0.00	\$39,160.00	\$1.24	\$1.25	\$1.20
Water Mgmt Dist. SJRWMD	\$39,160.00	\$0.00	\$39,160.00	\$9.33	\$8.96	\$8.96
Gen Gov Voted	\$39,160.00	\$0.00	\$39,160.00	\$0.00	\$0.00	\$0.00
School Board Voted	\$39,160.00	\$0.00	\$39,160.00	\$0.00	\$0.00	\$0.00
			Totals	\$690.27	\$689.51	\$671.65

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	\$2,419,800.00	\$38,637.00	\$0.00	\$38,637.00
Current Year	\$2,419,800.00	\$39,160.00	\$0.00	\$39,160.00

2020 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

- [2019](#)
- [2018](#)
- [2017](#)
- [2016](#)
- [2015](#)
- [2014](#)

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: 

More Information

[Contact Us](#) | [Parcel Tax Record](#) | [GIS Map](#) | [Map this property on Google Maps](#) | [City Fees Record](#)



42 Masters Drive St. Augustine, FL 32084
Tel: 904.540.1786
www.carterenv.com

October 7, 2020

Anthony Sharp
AKSharp@drhorton.com

Subject: Broward Key
PIN's: 022108 0000 and 022155 0000
Duval County, Florida

Dear Anthony:

During the site visit by Carter Environmental Services (CES) to referenced property, CES conducted a pedestrian survey of the property to look for the presence of or potential utilization by any threatened, endangered, or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC). Prior to the site visit, CES compiled a list of potentially occurring species. The resources used to compile this list included a literature review of the soil units mapped on-site and 2017 aerial photographs of the property. The results are listed below.

PROTECTED ANIMAL SPECIES

- **Bald Eagle** (*Haliaeetus leucocephalus*)

Using the FWC Eagle Nest Locator Database (2020), CES located 6 bald eagle nests on record within a five-mile radius of the property, with the closest nest (DU009) located approximately ¼ mile east of the site. While the bald eagle is not listed as threatened, endangered or a SSC, it is protected by the Bald and Golden Eagle Protection Act (Eagle Act) and the Migratory Bird Treaty Act (MBTA). Based on these acts, certain activities are regulated by FWS when they occur within 660' of an active nest during nesting season (1 October to 15 May). Currently, no proposed activity associated with Broward Key is scheduled to occur within 1,500' of an eagle nest and therefore no additional measures need to be addressed at this time.

- **Gopher Tortoise** (*Gopherus polyphemus*)

CES determined there to be a low to moderate potential for gopher tortoise habitat on the referenced property based on soils. The site visit revealed a lack of disturbance throughout the site, especially in areas identified as having potential to support gopher tortoises. The lack of disturbance throughout the site in conjunction with predominately poorly drained soils has eliminated the potential for gopher tortoises to occupy the site. Areas that provided adequate depth to groundwater to support tortoises were surveyed, and no burrows were identified. No additional coordination will be required at this time.



Based on our in office assessment as well as observations in the field, there are no threatened, endangered, or species of special concern on the referenced parcel and the likelihood of any occurring in the future is low. Please contact Ryan Carter or myself with any questions or if you need additional information.

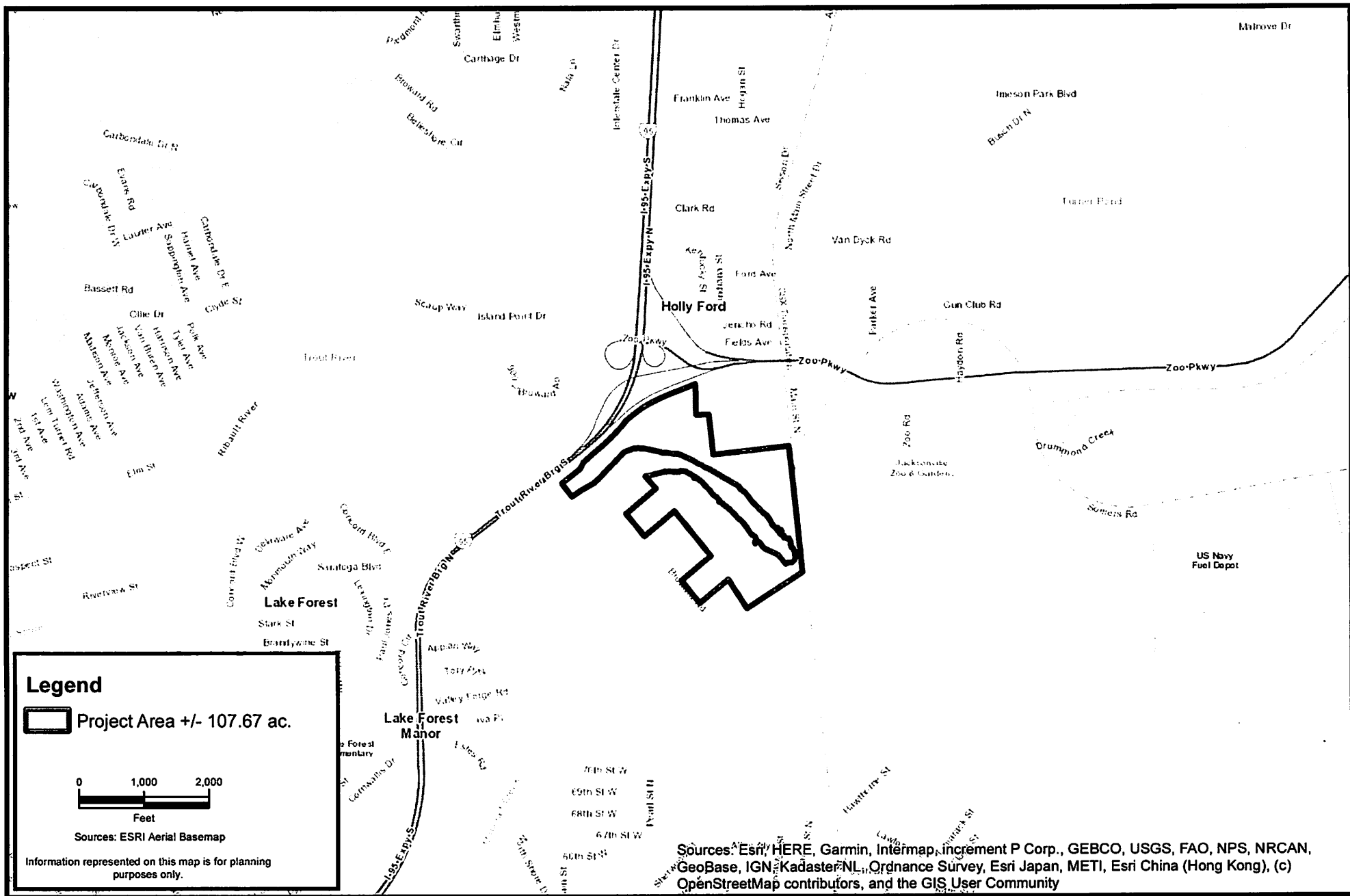
Sincerely,

Carter Environmental Services

A handwritten signature in black ink, appearing to read "M. Glover", is positioned above the printed name.

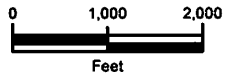
Michael Glover
Senior Scientist

FWC Authorized Gopher Tortoise Agent



Legend

 Project Area +/- 107.67 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC.
 42 Masters Drive
 St. Augustine, FL 32084
 904-540-1788
 www.carterenv.com

Location Map		Broward Key
Project:	5.19222	
Duval County, Florida		Date: Oct 06 2020


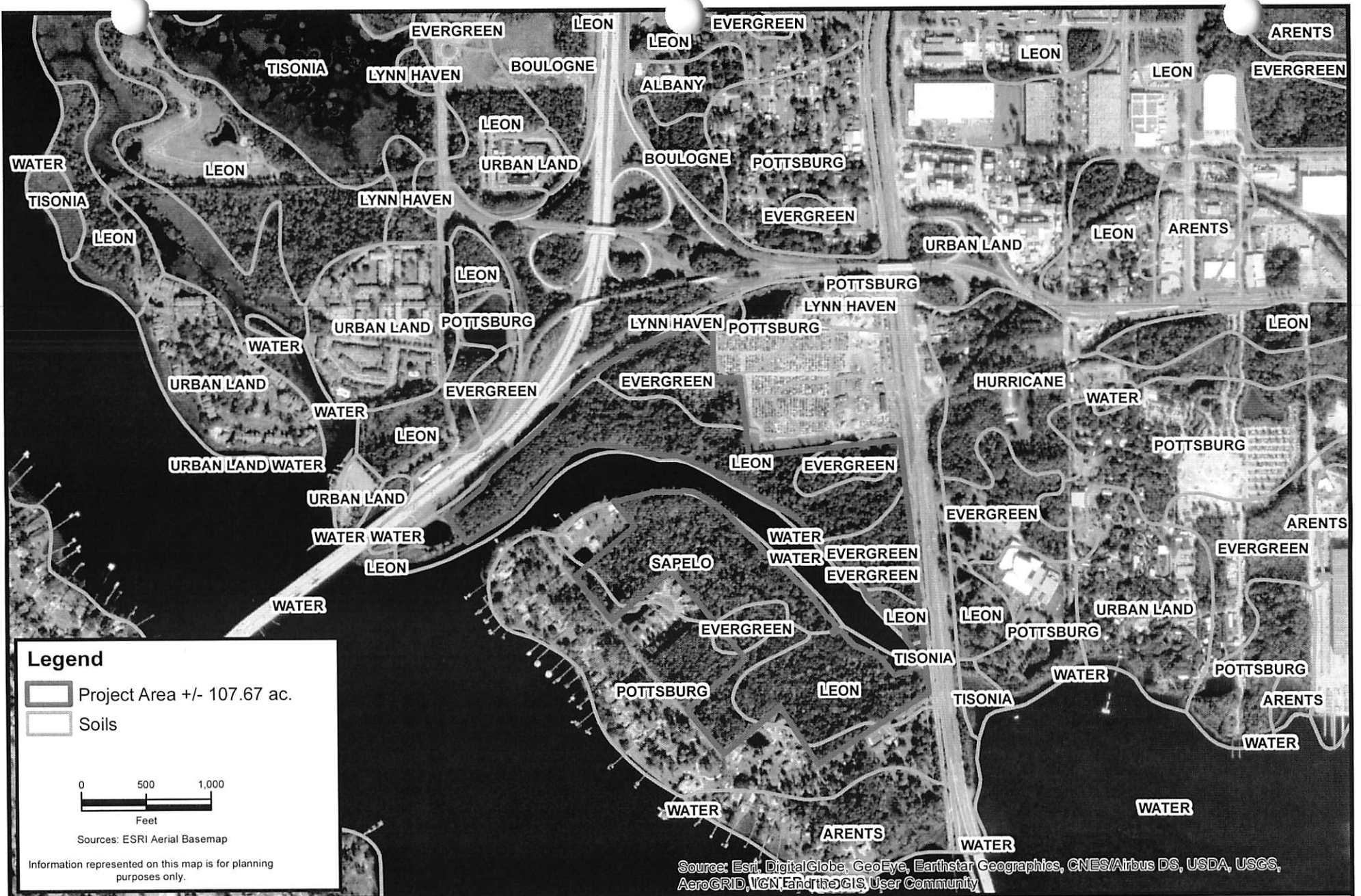


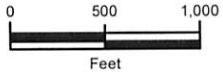


Figure: 1



Legend

-  Project Area +/- 107.67 ac.
-  Soils



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

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Soils Map
Broward Key

Project: 5.19222

Duval County, Florida

Date: Oct 06 2020

Figure:

2





Availability Letter

Glen Wieger

9/22/2020

Dunn & Associates, Inc.

8647 Baypine Road, Building 1, Suite 200

Jacksonville, Florida 32256

Project Name: Broward Key

Availability #: 2020-3101

Attn: Glen Wieger

Thank you for your inquiry regarding the availability of Electric, Reclaim, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

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

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

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

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2020-3101

Request Received On: 9/17/2020

Availability Response: 9/22/2020

Prepared by: Susan West

Expiration Date: 09/22/2022

Project Information

Name: Broward Key

Address:

County: Duval County

Type: Electric,Reclaim,Sewer,Water

Requested Flow: 85050

Parcel Number: 022108 0000, 022155 0000

Location: Northwest corner of Broward Road/Main Street Intersection

Description: A 243 lot single family residential development. Proposed entrance off of Broward Road near the Main St/ Broward Road intersection.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8 in water main within Broward Rd right-of-way

Connection Point #2: Existing 16 in water main within Main Street right-of-way

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: District 2/Cedar Bay

Connection Point #1: Existing gravity manhole at the intersection of Parker Ave and Zoo Parkway

Connection Point #2: Existing gravity manhole at the intersection of Rota Ave and Zoo Parkway

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

Reclaimed Water Connection

Reclaim Grid: N/A

Connection Point #1: Reclaim water is not available in the foreseeable future.

Connection Point #2:

Reclaim Special Conditions:

Electric Availability:

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

Point of connection location(s) to be field verified by developer during project design. If needed, a
General Conditions: development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.