

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.: 2021-233**

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**

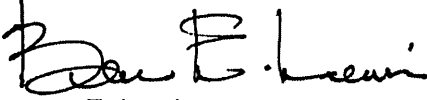
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were numerous speakers in opposition citing traffic and compatibility concerns. The Commissioners debated extensively but ultimately felt that the development was 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, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

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 2021-0233 TO
PLANNED UNIT DEVELOPMENT

JUNE 17, 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 2021-0233 to Planned Unit Development.

Location: 0 Morse Avenue
Between Ricker Road and Rampart Road

Real Estate Number(s): 015806 0100; 015805 9500; 015807 0000

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

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Agent: T.R. Hainline, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Martha H. Burkhalter
Trustee of Martha Burkhalter Trust Under
Agreement Dated 12/11/14
1704 Memory Lane
Jacksonville, FL 32210

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Planned Unit Development 2021-0233 seeks to rezone 21.44± acres from Residential Rural-Acre (RR-Acre) to a Planned Unit Development (PUD) to allow for the development of 136 townhomes on the subject property. The property will be developed as duplexes, with each building being located on a 60 foot wide lot, containing 2 units, each on a 30

foot wide lot. The property is located within the Low Density Residential land use category and will be limited to a maximum density of 7 units per acre.

CRITERIA FOR REVIEW

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

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

Yes. The proposed project site is in the Low Density Residential (LDR) land use category. LDR in the suburban development area is intended to provide for low density residential development. The proposed Planned Unit Development (PUD) would allow for the construction of townhomes and duplexes. Principal uses in the LDR land use category in the suburban development area include single family and multi-family dwellings; commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and other uses associated with and developed as an integral component of TND. Density in the LDR land use category in the suburban development area is limited to 7 units per acre when full urban services are available to the site and there is no minimum density. The allowed uses in the subject PUD are consistent with the LDR land use category.

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

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

Future Land Use Element:

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 1.2.9

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 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.

Objective 6.3

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

The proposed rezoning 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:

Airport Environment Zone

The site is located within the 300 and 500-foot Height and Hazard Zone for Jacksonville Naval Air Station and the 500-foot Height and Hazard Zone for Cecil Field. Zoning will limit development to a maximum height of less than 300 or 500 feet, depending on the portion of the property, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Recreation and Open Space

Development of the site will have to comport with Recreation and Open Space Element Policy 2.2.3, 2.2.4, or 2.2.5, concerning the amount of land required to be dedicated as common area and set aside for active recreation. The general intent of these policies is contained in ROSE Policy 2.2.2.

(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.

Furthermore, 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 as follows:

(1) Consistency with the 2030 Comprehensive Plan

Yes. 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.) The proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for duplexes. 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 proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The proposed intent of development will provide a conventional streetscape that is similar to other developments in the area.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site will be developed in accordance with Section 656.420 of the Zoning Code.
- Traffic and pedestrian circulation patterns: The site plan shows that the development will have two cul-de-sacs, along with two access points along Morse Avenue.
- The use and variety of building setback lines, separations, and buffering: The written description provides setbacks that are similar to the development standards in the Zoning Code, with the exception that the side yard setback is 5 feet.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Church, single-family dwellings
South	LDR	RR-Acre	Vacant
East	NC	CO	Single-family dwellings
West	LDR	RR-Acre/RLD-60	Vacant, single-family dwellings

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category as a townhome development. The PUD is appropriate at this location because it is consistent with the surrounding residential uses.

- The existing residential density and intensity of use of surrounding lands: There are existing RLD-60 zoned areas to the northwest of the subject property, near the corner of Morse Ave and Ricker Road. There is a PUD located south of the subject property, along Rampart Road that contains 60 foot lots. The proposed site plan shows the property being developed into 60 foot lots containing duplexes, which is similar in lot sizes to surrounding areas.
- The availability and location of utility services and public facilities and services: The submitted JEA availability letter (2020-3176) shows both potable water and sewer connection points along Morse Avenue. Please see attached memo from DCPS for a school impact analysis.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Staff received the following comments from the Department's traffic engineer in regards to the PUD and its access. The western access to Morse Avenue shall align with or be to the east of the existing church driveway across the street. Assuming the proposed roads will be city maintained, if guest parking is required, it shall be located outside of the city Right of Way or shall be approved by the Chief of the Engineering Division per Ordinance 2012-0635-E

(7) Usable open spaces plazas, recreation areas.

Active recreation will be provided pursuant to Policies 2.2.4 of the Recreation and Open Space Element of the 2030 Comprehensive Plan and Section 656.420 of the Zoning Code.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did identify wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

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

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

The site will be developed in accordance with Part 6 of the Zoning Code, except that no guest parking spaces shall be required for townhomes with 2 car garages. Any townhomes that are developed with single car garages, guest parking will be provided as specified by Part 6.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan and Subdivision Regulations under Chapter 654 of the City of Jacksonville's Code of Ordinances.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on June 9, 2021, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2021-0233** be **APPROVED** with the following exhibits:

1. The revised legal description dated May 4, 2021
2. The original written description dated April 26, 2021
3. The original site plan dated April 26, 2021



Source: Planning & Development, 06/09/2021

Aerial view of the subject property.



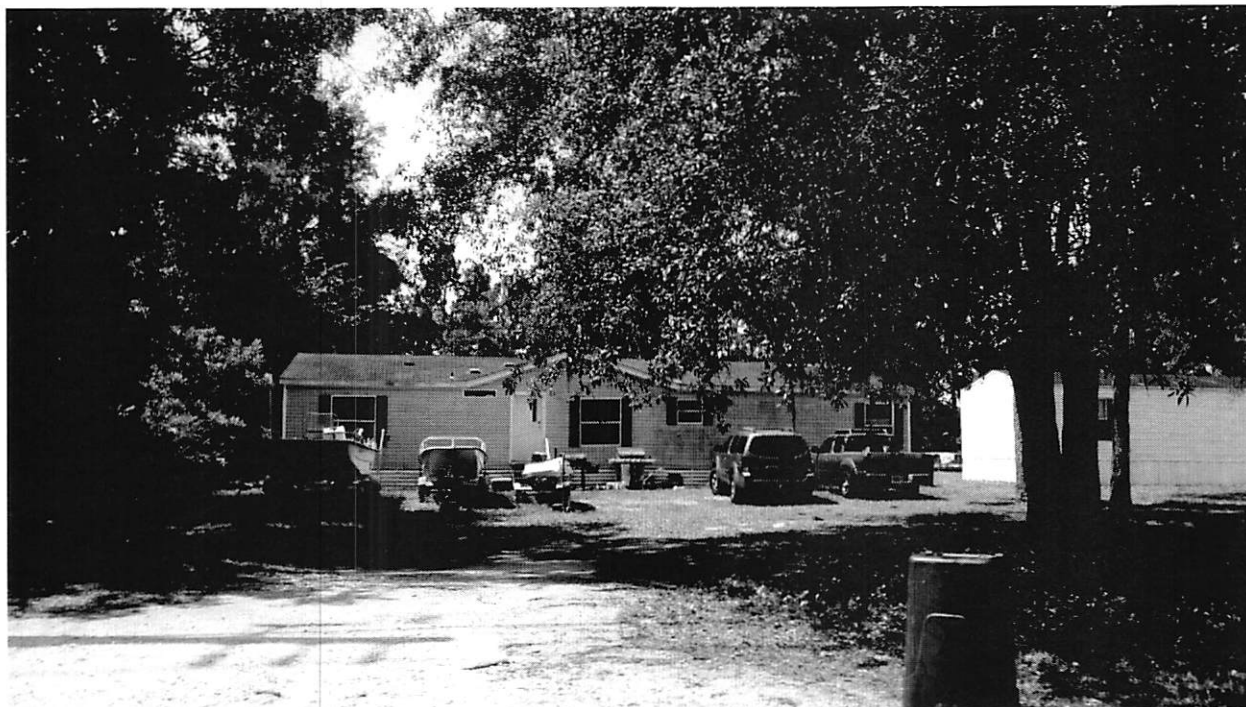
Source: Planning & Development, 06/09/2021

View of the subject property from Morse Avenue.



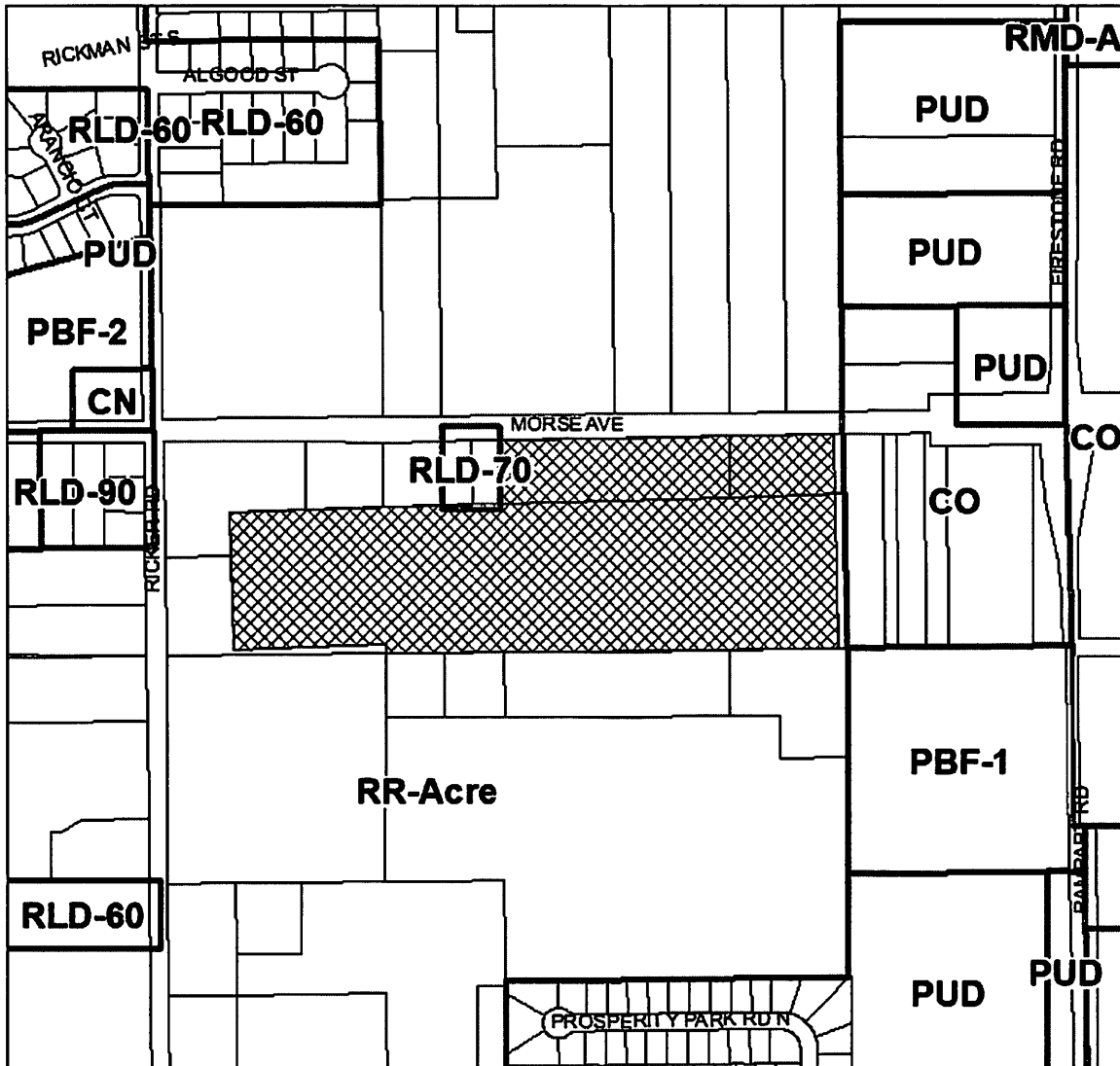
Source: Planning & Development, 06/09/2021

View of neighboring property, north of subject property.



Source: Planning & Development, 06/09/2021

View of neighboring property, west of subject property.

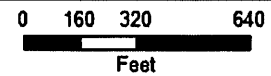
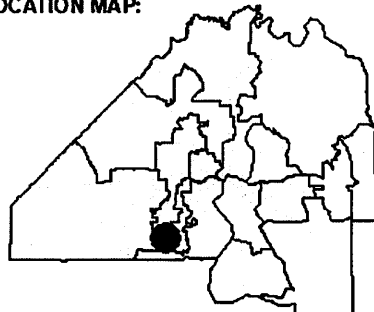


REQUEST SOUGHT:

FROM: RR-ACRE

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2021-3419

EXHIBIT 2
 PAGE 1 OF 1



*Planning and Development
Department*

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

MEMORANDUM

TO: Kaysie Cox
Current Planning Division

FROM: Eric Hinton
Community Planning Division

RE: 2021-233

DATE: June 7, 2021

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

Description of Proposed Rezoning Application

Current Land Use	LDR
LU Companion Application	N/A
Current Zoning	RR-Acre
Proposed Zoning	PUD
Land Development Area	Suburban Development Area
Acres	21.44

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

ZONING REQUEST:

This zoning request is for a change from RR-Acre to PUD to allow for the development of townhomes/duplexes on the property.

LAND USE CATEGORY CONSISTENCY REVIEW:

The 21.44-acre site is located on the southeast corner of Morse Avenue and Ricker Road, approximately 1/5 of a mile west of the I-295 West Beltway. Morse Avenue is a collector road and Ricker Road is a local road.

The proposed project site is in the Low Density Residential (LDR) land use category. LDR in the suburban development area is intended to provide for low density residential development.

The proposed Planned Unit Development (PUD) would allow for the construction of townhomes and duplexes. The intent of LDR in the suburban development area is to provide for low density residential development. Principal uses in the LDR land use category in the suburban development area include single family and multi-family dwellings; commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and other uses associated with and developed as an integral component of TND.

Density in the LDR land use category in the suburban development area is limited to 7 units per acre when full urban services are available to the site and there is no minimum density.

The allowed uses in the subject PUD are consistent with the LDR land use category.

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 (FLUE):

Policy 1.1.12

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

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 1.3.6

The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network. Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on

adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational, and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

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.

Objective 6.3

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

The proposed rezoning 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:

Airport Environment Zone

The site is located within the 300 and 500-foot Height and Hazard Zone for Jacksonville Naval Air Station and the 500-foot Height and Hazard Zone for Cecil Field. Zoning will limit development to a maximum height of less than 300 or 500 feet, depending on the portion of the property, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Recreation and Open Space

Development of the site will have to comport with Recreation and Open Space Element policy 2.2.3, 2.2.4, or 2.2.5, concerning the amount of land required to be dedicated as common area and set aside for active recreation. The general intent of these policies is contained in ROSE Policy 2.2.2:

Policy 2.2.2

The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

Application Review Request: COJ PDD: School Impact Analysis
Proposed Name: Ord. 2021-0233 Ashers Landing PUD
Requested By: Kaysie Cox
Reviewed By: Shalene B. Estes
Due: 6/9/2021

Analysis based on maximum dwelling units: **136**

School Type	CSA ¹	2020-21 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 1&2
Elementary	8	4,753	67%	22	81%	2,541	8,426
Middle	7	1,073	71%	9	95%	520	709
High	8	2,764	91%	12	75%	142	1,635
				Total New Students	43		
<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>					

NOTES:

¹ Proposed Development's CSA

² Available CSA seats include current reservations

Cox, Kaysie

From: Kolczynski, John
Sent: Wednesday, June 2, 2021 11:16 AM
To: Cox, Kaysie
Subject: RE: PUD Review and Comments Request (2021-0233)

Kaysie,

My comments for the subject PUD are as follows:

- The western access to Morse Ave shall align with or be to the east of the exiting church driveway across the street.
- Assuming the proposed roads will be city maintained, if guest parking is required, it shall be located outside of the city Right of Way or shall be approved by the Chief of the Engineering Division per Ordinance 2012-0635-E

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](http://www.coj.net)

From: Cox, Kaysie <KaysieC@coj.net>
Sent: Tuesday, June 1, 2021 3:38 PM
To: Salem, Soliman <Soliman@coj.net>; Parola, Helena <HParola@coj.net>; McCoy, Tanja <TMcCoy@coj.net>; Kolczynski, John <JohnFK@coj.net>; Warnock, Blaine <Warnock@coj.net>; Namey, Joe <Namey@coj.net>; Reed, Nikita <NReed@coj.net>; Joseph, Daryl <DJoseph@coj.net>; Hubsch, Charles <CHUBSCH@coj.net>; pricml@jea.com; westsr@jea.com; macktd@jea.com; estess@duvalschools.org
Subject: PUD Review and Comments Request (2021-0233)

Good Afternoon,

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: **Ashers Landing PUD**. Please review the attached files and e-mail your comments or recommendations to this office preferably by Wednesday, June 9th.

Please let me know if you have any questions.

Kaysie Cox

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





21 West Church Street
Jacksonville, Florida 32202-3139

June 7, 2021

MEMORANDUM

To: Planning and Development Department

From: Susan R. West, PE
JEA

Subject: PUD Zoning Application
Ashers Landing PUD
ORD 2021-0233

PUD application for a residential development. No objection to proposed PUD. 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.

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0233 **Staff Sign-Off/Date** KPC / 04/01/2021
Filing Date 04/14/2021 **Number of Signs to Post** 5
Hearing Dates:
1st City Council 05/25/2021 **Planning Commission** 05/20/2021
Land Use & Zoning 06/02/2021 **2nd City Council** N/A
Neighborhood Association ARGYLE AREA CIVIC COUNCIL
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3419 **Application Status** PENDING
Date Started 03/10/2021 **Date Submitted** 03/10/2021

General Information On Applicant

Last Name HAINLINE **First Name** T.R. **Middle Name**
Company Name
 ROGERS TOWERS, P.A.
Mailing Address
 1301 RIVERPLACE BOULEVARD, SUITE 1500
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone 9043465531 **Fax** 9043960663 **Email** THAINLINE@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name BURKHALTER **First Name** MARTHA **Middle Name** H.
Company/Trust Name
 TRUSTEE OF MARTHA BURKHALTER TRUST UNDER AGREEMENT DATED 12/11/14
Mailing Address
 1704 MEMORY LANE
City JACKSONVILLE **State** FL **Zip Code** 32210
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	015806 0100	10	4	RR-ACRE	PUD
Map	015805 9500	10	4	RR-ACRE	PUD
Map	015807 0000	10	4	RR-ACRE	PUD

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 21.44

Justification For Rezoning Application

TO ALLOW FOR DEVELOPMENT OF TOWNHOMES/DUPLEXES ON THE PROPERTY.

Location Of Property

General Location

MORSE AVENUE - WEST OF I-295

House #	Street Name, Type and Direction	Zip Code
0	MORSE AVE	32244

Between Streets

RICKER ROAD and RAMPART ROAD

Required Attachments For Formal, Complete application

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

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit – Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

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

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

Public Hearings And Posting Of Signs

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

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

Application Certification

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

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
21.44 Acres @ \$10.00 /acre: \$220.00
- 3) Plus Notification Costs Per Addressee
22 Notifications @ \$7.00 /each: \$154.00
- 4) Total Rezoning Application Cost: \$2,374.00

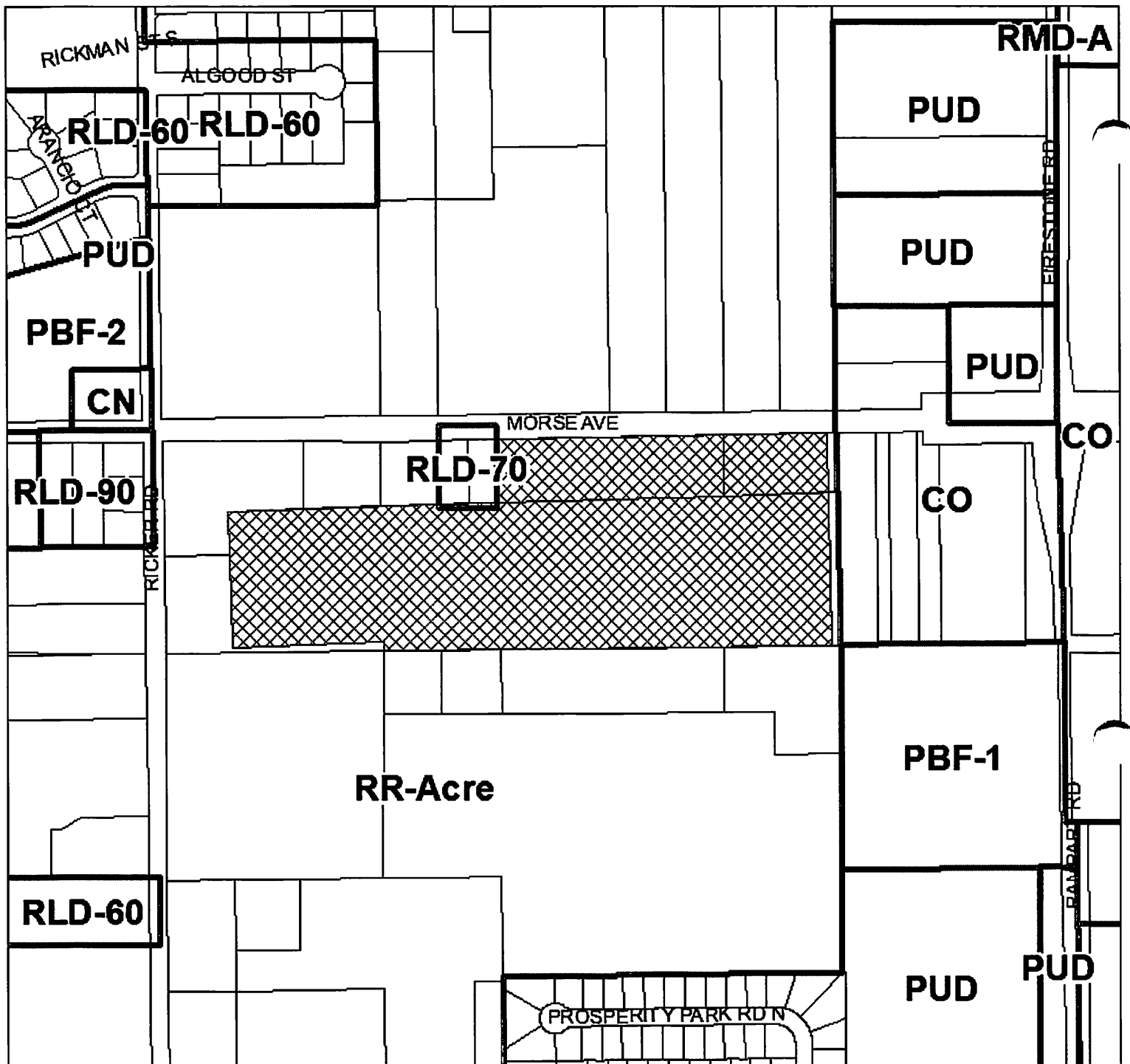
NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description

A PORTION OF TRACTS 3, 4, 5, 6 AND 7, BLOCK 4, SECTION 23, JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA, LYING IN SECTION 23, TOWNSHIP 3 SOUTH, RANGE 25 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF SAID TRACT 5 WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF MORSE AVENUE, A 66 FOOT RIGHT-OF-WAY; THENCE NORTH $89^{\circ}13'38''$ EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 979.98 FEET TO ITS INTERSECTION WITH THE EASTERLY LINE OF SAID TRACT 3; THENCE SOUTH $00^{\circ}26'48''$ EAST, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY LINE OF SAID TRACT 3, A DISTANCE OF 626.61 FEET; THENCE SOUTH $88^{\circ}52'27''$ WEST, DEPARTING SAID EASTERLY LINE, A DISTANCE OF 1,324.93 FEET; TO A POINT ON THE WESTERLY LINE OF SAID TRACT 6; THENCE NORTH $00^{\circ}43'57''$ EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 26.80 FEET; THENCE SOUTH $89^{\circ}26'18''$ WEST, DEPARTING SAID WESTERLY LINE, A DISTANCE OF 439.59 FEET; THENCE NORTH $00^{\circ}35'48''$ WEST, A DISTANCE OF 400.18 FEET; THENCE SOUTH $89^{\circ}29'57''$ EAST, A DISTANCE OF 618.07 FEET TO A POINT ON THE WESTERLY LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID TRACT 6; THENCE NORTH $89^{\circ}19'57''$ EAST, A DISTANCE OF 167.50 FEET TO A POINT ON THE WESTERLY LINE OF SAID TRACT 5; THENCE NORTH $00^{\circ}34'59''$ WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 220.22 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 21.44 ACRES, MORE OR LESS.

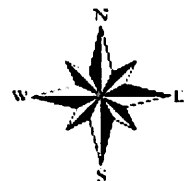
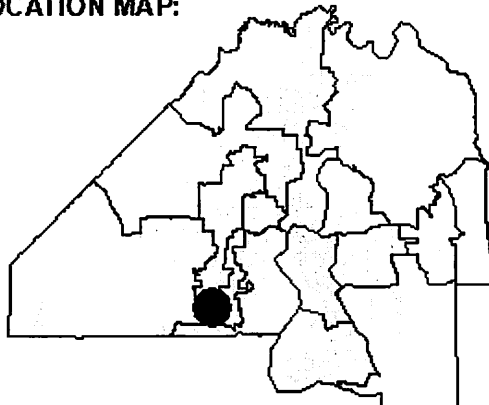


REQUEST SOUGHT:

FROM: RR-ACRE

TO: PUD

LOCATION MAP:



0 160 320 640



Feet

COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2021-3419

EXHIBIT 2

PAGE 1 OF 1

PREPARED BY AND RETURN TO:
SUZANNE C. QUIÑÓNEZ, ESQ.
P.O. Box 130
Middleburg, Florida 32050-0130

WARRANTY DEED

THIS WARRANTY DEED is made as of this 11 day of December, 2014, by **Martha H. Burkhalter, unmarried widow of Howard E. Burkhalter, deceased, conveying non-homestead property**, whose address is 1704 Memory Lane, Jacksonville, FL 32210, herein the "Grantor" and **Martha H. Burkhalter, as Trustee of the Martha H. Burkhalter Trust created under agreement dated December 11, 2014**, herein the "Grantee", whose address is 1704 Memory Lane, Jacksonville, FL 32210. (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, That the Grantor in consideration of One Dollar and other valuable considerations paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these present does hereby grant, bargain, sell and convey unto the Grantee forever all that certain land located in Duval County, Florida,

As more particularly described on Exhibit "A" attached hereto and by reference made a part hereof, being the same property as described in Warranty Deed recorded in Official Records Volume 5974, pages 1694 and 1695, of the public records of Duval County, Florida.

Tax Parcel Numbers: 015806-0000

The foregoing legal description was provided to the preparer without the benefit of a survey or a title search. Preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantors do hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

THIS WARRANTY DEED IS MADE PURSUANT TO FLORIDA STATUTES SECTION 689.071 AND GRANTS UNTO GRANTEES ALL OF THE POWERS SET FORTH THEREIN INCLUDING, BUT NOT LIMITED TO, THOSE POWERS SET FORTH ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

This conveyance is subject to covenants, easements and restrictions of record and ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered
in the presence of:

Delana V. Willis
Print Name: Delana V. Willis

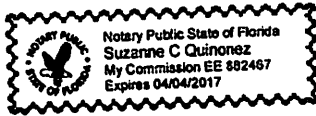
Martha H. Burkhalter
Martha H. Burkhalter

Deborah D. Williams
Print Name: Deborah D. Williams

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 11th day of December, 2014,
by Martha H. Burkhalter, unremarried widow of Howard E. Burkhalter, deceased, who is
personally known to me or who produced _____ as identification.

Suzanne C. Quinonez
Notary Public
(Seal)



The North 233 feet of Lot 3, Block 4, Section 23, Township 3 South, Range 25 East, Jacksonville Heights, according to plat recorded in Plat Book 5, page 93 of the current public records of Duval County, Florida, as measured from the center line of Morse Road; also

Begin at the NW corner of Lot 2, Block 4, of Jacksonville Heights according to plat recorded in Plat Book 5, page 93 of the current public records of Duval County, Florida; run thence West 334.14 feet; run thence South 190 feet; run thence East 133.95 feet; run thence South 122.89 feet; run thence East 200 feet; run thence North 314 feet to the point of beginning; except a parcel of said last described land for borrow pit haul road, lying east of and within 40 feet of a borrow pit haul road survey line, said survey line being described as follows: Commence at the NW corner of Lot 2, Block 4 of said Jacksonville Heights according to plat recorded in Plat Book 5, page 93 of the current public records of Duval County, Florida; run thence West 334.14 feet to the point of beginning of said survey line, run thence South 190 feet to the end of said survey line.

A part of the South 1/2 of Tract 3, Block 4, Section 23, Township 3 South, Range 25 East as shown on Map of Jacksonville Heights as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, and being more particularly described as follows: Beginning at the Northeast corner of the said South 1/2 of Tract 3, said corner also being the Northwest corner of Tract 2, of said Block 4; thence South $89^{\circ} 14' 20''$ West along the North line of said South 1/2 of Tract 3, 334.14 feet; thence South $0^{\circ} 29' 59''$ East along the said West line of Tract 3, 190'; thence North $89^{\circ} 14' 20''$ East and parallel to the said North line of the South 1/2 of Tract 3, 133.95 feet; thence South $0^{\circ} 26' 33''$ East and parallel to the East line of said Tract 3, 468.09 feet to the South line of said Tract 3; thence North $89^{\circ} 33' 27''$ East and along the South line of said Tract 3, 200 feet to the Southeast corner of said Tract 3; thence North $0^{\circ} 26' 33''$ West and along the East line of said Tract 3, 659.20 feet to the point of beginning. Except the West 40 feet of the North 190', and except the South 345.20 feet.

A part of the South 1/2 of Tract 3, Block 4, Section 23, Township 3 South, Range 25 East, Jacksonville Heights as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows: Begin at the Southeast corner of said Tract 3; thence North along the Easterly line of said lot a distance of 345.20 feet to a point; thence Westerly 200 feet to a point that is 345.20 feet North of the South line of said tract; thence Southerly 345.20 feet to a point in the South line of said tract; thence East along the South line of said Tract a distance of 200 feet to the point of beginning.

A part of the South 1/2 of Tract 3, Block 4, Jacksonville Heights as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as lying Easterly of and within 40 feet of a survey line, said survey line being described as follows: Commence at the Northwest corner of Tract 2, of said Jacksonville Heights; run thence West 334.14 feet to the point of beginning of said survey line; thence South 190 feet to the end of said survey line.

Subject, however, to right-of-way and easement obtained by Jacksonville Electric Authority by order of taking recorded in Volume 3187, page 1108 et seq. of the public records of Duval County, Florida.

EXHIBIT
"A"

EXHIBIT "B"

Whenever used on this Exhibit, the term "Trust" shall mean the **Martha H. Burkhalter Trust created under agreement dated December 11, 2014**. Furthermore, whenever used on this Exhibit, the term "Grantee" and "Trustee" shall mean **Martha H. Burkhalter**, whose address is 1704 Memory Lane, Jacksonville, FL 32210, or any successor trustee for the Trust at later date.

Full power and authority is hereby granted to Grantee to deal in and with the Property or any interests therein or any part thereof, to protect, conserve, and to sell, lease, encumber, or otherwise manage and dispose of the Property, it being intended that the Grantee shall have full rights of ownership over the Property in accordance with Florida Statute 689.071.

In no case shall any party dealing with the Grantee in relation to the Property, or to whom the property or any part hereof shall be conveyed, contracted to be sold, leased or mortgaged by the Grantee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the Property, or be obliged to see that the conditions and terms of the Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Grantee, or be obliged or privileged to inquire into any of the conditions or terms of the Trust. Every deed, trust deed, mortgage, lease or other instrument executed by the Grantee in relation to the Property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument that:

- a. At the time of the delivery thereof the Trust was in full force and effect;
- b. Such conveyance or other instrument was executed in accordance with the Trusts, its conditions, terms and limitations contained herein, and any amendments thereof and such is binding upon all Trust beneficiaries;
- c. Grantee named herein as Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and
- d. If a conveyance was made to a successor or successors in Trust, that such successor or successors in Trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

Notwithstanding anything herein or in any other instrument relating hereto to the contrary, Grantee named herein as a Trustee received this instrument in its capacity as Trustee only and it is agreed that no person will look to the Trustee individually or personally or to the Trustee's individual assets but only to the Trust of which it is Trustee and the assets of that trust for any liability under any such instrument.

PREPARED BY AND RETURN TO:
SUZANNE C. QUIÑÓNEZ, ESQ.
P.O. Box 130
Middleburg, Florida 32050-0130

WARRANTY DEED

THIS WARRANTY DEED is made as of this 11 day of December, 2014, by Martha H. Burkhalter, unmarried widow of Howard E. Burkhalter, deceased, conveying non-homestead property, whose address is 1704 Memory Lane, Jacksonville, FL 32210, herein the "Grantor" and Martha H. Burkhalter, as Trustee of the Martha H. Burkhalter Trust created under agreement dated December 11, 2014, herein the "Grantee", whose address is 1704 Memory Lane, Jacksonville, FL 32210. (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, That the Grantor in consideration of One Dollar and other valuable considerations paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these present does hereby grant, bargain, sell and convey unto the Grantee forever all that certain land located in Duval County, Florida,

All of Tracts 4 and 5 (Except the Northerly 190 feet of the Southerly $\frac{1}{2}$ thereof), Block 4, Section 25, Township 3 South, Range 25 East, Jacksonville Heights, as recorded in Plat Book 5, page 93 of the current public records of Duval County, Florida. Together with the perpetual easement over the said North 190 feet of the South $\frac{1}{2}$ reserved in the Warranty Deed from Galith Corp. to City of Jacksonville, dated September 12, 1968 and recorded in Official Records Volume 2909, page 560, aforesaid records.
Less and Except part deeded to State of Florida in O.R. 3005, page 143.

Tax Parcel Number: 015807-0000

The foregoing legal description was provided to the preparer without the benefit of a survey or a title search. Preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantors do hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

THIS WARRANTY DEED IS MADE PURSUANT TO FLORIDA STATUTES SECTION 689.071 AND GRANTS UNTO GRANTEES ALL OF THE POWERS SET FORTH THEREIN INCLUDING, BUT NOT LIMITED TO, THOSE POWERS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

This conveyance is subject to covenants, easements and restrictions of record and ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Delana V. Willis
Print Name: Delana V. Willis

Martha H. Burkhalter
Martha H. Burkhalter

Deborah D. Williams
Print Name: Deborah D. Williams

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 11 day of December, 2014, by Martha H. Burkhalter, unmarried widow of Howard E. Burkhalter, deceased, conveying non-homestead property, who is personally known to me or who produced _____ as identification.

Suzanne C. Quinonez
Notary Public
(Seal)

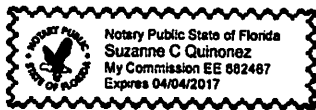


EXHIBIT "A"

Whenever used on this Exhibit, the term "Trust" shall mean the **Martha H. Burkhalter Trust created under agreement dated December 11, 2014**. Furthermore, whenever used on this Exhibit, the term "Grantee" and "Trustee" shall mean **Martha H. Burkhalter**, whose address is 1704 Memory Lane, Jacksonville, FL 32210, or any successor trustee for the Trust at later date.

Full power and authority is hereby granted to Grantee to deal in and with the Property or any interests therein or any part thereof, to protect, conserve, and to sell, lease, encumber, or otherwise manage and dispose of the Property, it being intended that the Grantee shall have full rights of ownership over the Property in accordance with Florida Statute 689.071.

In no case shall any party dealing with the Grantee in relation to the Property, or to whom the property or any part hereof shall be conveyed, contracted to be sold, leased or mortgaged by the Grantee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the Property, or be obliged to see that the conditions and terms of the Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Grantee, or be obliged or privileged to inquire into any of the conditions or terms of the Trust. Every deed, trust deed, mortgage, lease or other instrument executed by the Grantee in relation to the Property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument that:

- a. At the time of the delivery thereof the Trust was in full force and effect;
- b. Such conveyance or other instrument was executed in accordance with the Trusts, its conditions, terms and limitations contained herein, and any amendments thereof and such is binding upon all Trust beneficiaries;
- c. Grantee named herein as Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and
- d. If a conveyance was made to a successor or successors in Trust, that such successor or successors in Trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

Notwithstanding anything herein or in any other instrument relating hereto to the contrary, Grantee named herein as a Trustee received this instrument in its capacity as Trustee only and it is agreed that no person will look to the Trustee individually or personally or to the Trustee's individual assets but only to the Trust of which it is Trustee and the assets of that trust for any liability under any such instrument.

PREPARED BY AND RETURN TO:
SUZANNE C. QUINÓNEZ, ESQ.
P.O. Box 130
Middleburg, Florida 32050-0130

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WITNESSETH, That the Grantor in consideration of One Dollar and other valuable considerations paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these present does hereby grant, bargain, sell and convey unto the Grantee forever all that certain land located in Duval County, Florida,

As more particularly described on Exhibit "A" attached hereto and by reference made a part hereof.

Tax Parcel Number: 015806-0100

The foregoing legal description was provided to the preparer without the benefit of a survey or a title search. Preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantors do hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

THIS WARRANTY DEED IS MADE PURSUANT TO FLORIDA STATUTES SECTION 689.071 AND GRANTS UNTO GRANTEEES ALL OF THE POWERS SET FORTH THEREIN INCLUDING, BUT NOT LIMITED TO, THOSE POWERS SET FORTH ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

This conveyance is subject to covenants, easements and restrictions of record and ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Delana V. Willis
Print Name: Delana V. Willis

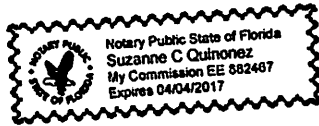
Martha H. Burkhalter
Martha H. Burkhalter

Deborah D. Williams
Print Name: Deborah D. Williams

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 11th day of December, 2014, by Martha H. Burkhalter, unremarried widow of Howard E. Burkhalter, deceased, conveying non-homestead property, who is personally known to me or who produced _____ as identification.

Suzanne C. Quinonez
Notary Public
(Seal)



The North 300 feet of Tracts 12, 13, and 14, Block 4, JACKSONVILLE HEIGHTS, Section 23, Township 3 South, Range 25 East, according to Plat thereof recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida;

ALSO:

A portion of Tracts 3, 4, 5, and 6, Block 4, of said JACKSONVILLE HEIGHTS, more particularly described as follows:

Begin on the West line of Tract 6, Block 4, of said JACKSONVILLE HEIGHTS, at a point 468.27 feet Northerly from the Southwest Corner of said Tract 6; thence Southerly along the said West line, 468.27 feet to the Southwest Corner of said Tract 6; thence Easterly along the South line of Tracts 6, 5, 4, and 3, a distance of 1,337.70 feet to the Southeast Corner of Tract 3, Block 4, of said JACKSONVILLE HEIGHTS; thence Northerly along the East line of said Tract 3, a distance of 345.15 feet; thence Westerly at right angle to the East line of said Tract 3, a distance of 200 feet; thence Northerly parallel to the East line of said Tract 3, a distance of 122.89 feet; thence Westerly 1,135.81 feet to the Point of Beginning,

Containing in the aggregate 21.18 Acres, more or less.

A portion of Tracts 3, 4, 5, 6, and 7, Block 4, JACKSONVILLE HEIGHTS, Section 23, Township 3 South, Range 25 East, according to plat recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida, more particularly described as follows:

Begin on the West line of Tract 6, Block 4, of said JACKSONVILLE HEIGHTS, at a point 658.27 feet Northerly from the Southwest Corner of said Tract 6; thence Northerly along the said West line, 26.56 feet; thence South $87^{\circ}44'31''$ West 439.59 feet; thence North $02^{\circ}17'36''$ West 400 feet; thence North $87^{\circ}44'31''$ East, 1,779.05 feet to the East line of Tract 3, Block 4, of said JACKSONVILLE HEIGHTS; thence Southerly along the East line of said Tract 3, a distance of 426.65 feet; thence Westerly 1,336.56 feet to the Point of Beginning,

Containing 17.12 Acres, more or less.

**EXHIBIT
"A"**

EXHIBIT "B"

Whenever used on this Exhibit, the term "Trust" shall mean the **Martha H. Burkhalter Trust created under agreement dated December 11, 2014**. Furthermore, whenever used on this Exhibit, the term "Grantee" and "Trustee" shall mean **Martha H. Burkhalter**, whose address is 1704 Memory Lane, Jacksonville, FL 32210, or any successor trustee for the Trust at later date.

Full power and authority is hereby granted to Grantee to deal in and with the Property or any interests therein or any part thereof, to protect, conserve, and to sell, lease, encumber, or otherwise manage and dispose of the Property, it being intended that the Grantee shall have full rights of ownership over the Property in accordance with Florida Statute 689.071.

In no case shall any party dealing with the Grantee in relation to the Property, or to whom the property or any part hereof shall be conveyed, contracted to be sold, leased or mortgaged by the Grantee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the Property, or be obliged to see that the conditions and terms of the Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Grantee, or be obliged or privileged to inquire into any of the conditions or terms of the Trust. Every deed, trust deed, mortgage, lease or other instrument executed by the Grantee in relation to the Property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument that:

- a. At the time of the delivery thereof the Trust was in full force and effect;
- b. Such conveyance or other instrument was executed in accordance with the Trusts, its conditions, terms and limitations contained herein, and any amendments thereof and such is binding upon all Trust beneficiaries;
- c. Grantee named herein as Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and
- d. If a conveyance was made to a successor or successors in Trust, that such successor or successors in Trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

Notwithstanding anything herein or in any other instrument relating hereto to the contrary, Grantee named herein as a Trustee received this instrument in its capacity as Trustee only and it is agreed that no person will look to the Trustee individually or personally or to the Trustee's individual assets but only to the Trust of which it is Trustee and the assets of that trust for any liability under any such instrument.

EXHIBIT A -Property Ownership Affidavit

Date: January 21, 2021

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:

0 Morse Ave, Jacksonville, FL 32210, RE#'s 015806-0100; 015807-0000; 015805-9500.

To Whom it May Concern:

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

If Owner is Individual:

If Owner is Corporate Entity:

Print Corporate Name:

By: Martha H. Burkhalter

By: _____

Print Name: Martha H Burkhalter

Print Name: _____

STATE OF FLORIDA
COUNTY OF Duval

Sworn to and subscribed and acknowledged before me this 21st day of January 2021, by Martha Burkhalter, who is personally known to me or who has produced FL DL as identification and who took an oath.

Jessica Benike
(Signature of Notary Public)

State of Florida at Large.

My commission expires: Nov 8 2022

Jessica Benike
(Printed name of Notary Public)

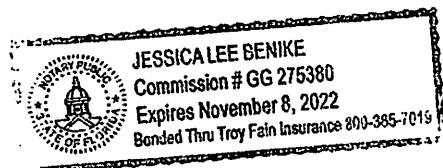


EXHIBIT B – Agent Authorization Affidavit – Property Owner

Date: January 21, 2021

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

Re: Agent Authorization for the following site location: 0 Morse Ave, Jacksonville, FL 32210.
RE#'s 015806-0100; 015807-0000; 015805-9500

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; Roger/Towers to act as agent to file application(s) for Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:

Print Corporate Name:

By: Martha H. Burkhalter

By: _____

Print Name: Martha H Burkhalter

Print Name: _____

Its: _____

If Owner is a corporate entity, please provide documentation illustrating that signatory is an authorized representation of Owner, this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 21st day of January (month), 2021 (year), by Martha Burkhalter, who is personally known to me or who has produced FL DL as identification and who took an oath.

Jessica Benike
(Notary Signature)

State of Florida at Large.
My commission expires NOV 8 2022

Jessica Benike
(Printed name of Notary)

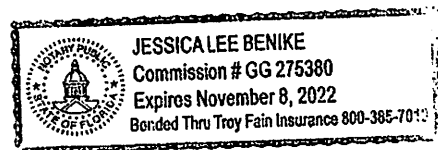


EXHIBIT C
Binding Letter

Date: January 21, 2021

City of Jacksonville
Planning and Development Department
Jacksonville, FL 32202

RE: 015806-0100; 015807-0000; 015805-9500 PUD

Ladies and Gentlemen:

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

Sincerely,

By: Martha H. Burkhalter
(Owners Signature)

Its: Owner

Ashers Landing PUD

**Written Description
April 26, 2021**

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 015807-0000, 015805-9500 (portion of) and 015806-0100 (portion of)
- B. Current Land Use Designation: LDR
- C. Proposed Land Use Designation: LDR (no change)
- D. Current Zoning District: RR-Acre
- E. Proposed Zoning District: PUD

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

Atlee Development Group, Inc. (the "Applicant") proposes to rezone approximately 21.44 acres of property located in the southwest quadrant of the intersection of Morse Avenue and Rampart Road, which is more particularly described by the legal description attached to this ordinance as **Exhibit "1"** (the "Property"). As described below, the Planned Unit Development ("PUD") zoning district is being sought to provide for the development of the Property with townhomes containing two units in each building (referred to herein as "duplexes") with a common scheme of development, as shown on the PUD Conceptual Site Plan dated April 26, 2021 (the "Site Plan"). The PUD shall be developed in accordance with this PUD Written Description and the Site Plan, which is attached to this ordinance as **Exhibit "4"**.

The Property lies within the Low Density Residential (LDR) land use category on the Future Land Use Map (FLUM) and within the Suburban Development Area of the Comprehensive Plan. Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	LDR	PUD, CCG-1	Single Family Residential, Vacant
East	NC, PBF	CO, PBF-1	Single Family Residential
North	LDR	RR-Acre, RLD-70, RLD-60	Church, Former Landfill, Agricultural Activities
West	LDR	RLD-60, RR-Acre	Single family residential, Vacant

III. DESCRIPTION OF PERMITTED USES

A. Maximum Densities/Intensities

Consistent with the operative provisions of the Future Land Use Element of the 2030 Comprehensive Plan governing the LDR Suburban Area land use designation, maximum density on the Property shall be 7 units per acre.

B. PUD Conceptual Site Plan

The Site Plan shows the proposed PUD layout, including the access point, schematic internal roadway layout, and other features of the proposed development. The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.

C. Permitted Uses

1. *Permitted uses and structures.* Those uses and structures permitted in the RMD-A zoning district, except that townhomes shall be subject to Section 656.414 of the Zoning Code as modified by Section III.C.6 of this Written Description.
2. *Permissible uses by exception:* Those uses permitted by exception in the RMD-A zoning district.
3. *Maximum gross density:* The LDR land use category in the Suburban Development Area (with water and sewer available) permits a maximum of 7 units per acre.
4. *Lot and yard requirements:* Those lot and yard requirements set forth by the RMD-A zoning district, except that townhomes shall be subject to Section 656.414 of the Zoning Code as modified by Section III.C.6 of this Written Description.
5. *Maximum height of structure:* The maximum heights set forth by the RMD-A zoning district.
6. *Townhomes and rowhouses:* The requirements of section 656.414 of the Zoning Code shall apply to townhomes developed on the Property, except that the side yard set back for townhomes developed as duplexes shall be five (5) feet.

D. Excavations, Lakes, Ponds

Excavations, lakes, and ponds, dug as a part of the development's stormwater retention system(s) are permitted, subject to the regulations contained in Part 9 of the Zoning Code. Such excavations, etc., may commence prior to submittal of construction plans for the subdivision improvements (10-set construction plans).

E. Accessory Uses and Structures

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Accessory uses and structures shall be subject to Section 656.403, Zoning Code.

F. Height Limitations

Building height shall be measured as set forth in Part 16 of the Zoning Code.

IV. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

1. Recreation

Active recreation will be provided pursuant to Policies 2.2.4 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code.

2. Access

Access will be provided as shown on the Site Plan via Morse Avenue. The location and design of the access points on Morse Avenue and internal driveways as shown on the Site Plan may vary prior to development; provided, however, that the final design of the access point(s), potential connection, and internal roads shall be subject to the review and approval of Development Services and the Planning and Development Department.

3. Signage

Signage will be provided in accordance with Part 13 of the Zoning Code for property within the RMD-A zoning district.

4. Construction offices/model homes/real estate sales.

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

5. Silviculture Uses May Continue.

Silviculture operations are a permitted use in this PUD and may continue on the Property until build-out.

6. Landscaping/Buffer

Landscape and tree protection will be provided in accordance with Part 12 of the City's Zoning Code (Landscape and Tree Protection regulations).

7. Modifications

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

8. Parking

Off street parking will be provided in accordance with Part 6 of the City's Zoning Code (Off-street Parking and Loading Regulations) (2021), except that no guest parking spaces shall be required for townhomes with 2-car garages. Each townhome unit withing each duplex is intended to be developed with a 2-car garage. Additionally, each townhome lot is intended to be 30 feet wide, as opposed to the minimum of 25 feet for end units and 15 feet for interior units pursuant to Section 656.414 of the Zoning Code. As such, the development will have ample parking within the garages and driveways, without providing additional guest parking. To the extent that any townhomes are developed with single car garages, guest parking shall only be provided for townhome units with single car garages in the amount specified by Section 656.604(a)(2) of the Zoning Code.

9. Sidewalks, Trails and Bikeways

Sidewalks shall be provided as required in the 2030 Comprehensive Plan and the Subdivision Regulations, Chapter 654, Ordinance Code.

10. Impervious Surface

The required impervious surface ratio applicable to this PUD shall be the ratio required for a subdivision zoned RMD-A (70%).

11. Utilities

Electric power, water and sewer will be provided by JEA.

12. PUD Conceptual Site Plan

The configuration of the development as depicted on the Site Plan is conceptual, and revisions to the Site Plan, including access points, internal circulation, stormwater ponds, and other subdivision features and infrastructure, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.

V. PRE-APPLICATION CONFERENCE

A pre-application conference was held regarding this application on December 4, 2020.

VI. JUSTIFICATION FOR THE PUD REZONING.

As described above, this PUD is being requested to permit the development of a townhome (duplex) community with a common scheme of development. The PUD allows for certain deviations from the Zoning Code based on the fact that the intended development is for duplexes, and the Zoning Code requirements for townhomes are designed primarily for townhomes containing more than two units within each building. The PUD design ensures consistency with the surrounding zoning and existing uses.

VII. PUD/DIFFERENCE FROM USUAL APPLICATION OF THE ZONING CODE

The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to this Written Description and the Site Plan; it provides for site-specific access requirements; it allows for reduced setbacks for townhomes developed as duplexes; and it allows for reduced guest parking for townhomes with two-car garages. Differentiations from the Zoning Code that are capable of being specifically set forth are outlined in the table below.

Element	Zoning Code	Proposed PUD	Reasoning
Side Yard for Duplexes	Section 656.414 of the Zoning Code requires a minimum side yard setback of 10 feet for end units on townhomes.	This PUD reduces the side yard setback for townhomes developed as duplexes to 5 feet.	This PUD allows for development of duplexes in a manner consistent with the spirit and intent of the Zoning Code. Section 656.414 of the Zoning Code is intended to address townhomes with 3 or more units in each building (e.g. it contains lot requirements for interior units). In a duplex, both units are end units. Given the fewer units in the building and the smaller overall size of each building, it is logical to reduce the side yard setback. The proposed setback for duplexes of 5 feet is the same as for single family homes in the RLD-60 zoning district and greater than the required setback for single-family homes in the RMD-A zoning district.
Guest Parking	Part 6 of the Zoning Code requires one guest parking space for every 3 townhome units.	This PUD requires no guest parking for townhome units with 2 car garages.	The Zoning Code permits interior townhome units to be a minimum of 15 feet wide, which units could not be developed with a two-car garage. This PUD proposes duplexes with two-car garages. As such, ample parking will be provided in garages and driveways, without the need for additional guest parking, as is necessary with smaller interior units with one-car garages.
Temporary Structures	The Zoning Code does not clearly permit on-site, temporary construction offices/models unit/sales and leasing offices.	This PUD permits on-site, temporary construction offices/models unit/sales and leasing offices.	This clarifies the Zoning Code and assists the Applicant in developing and marketing the Property.

VIII. Names of Development Team

Developer: Atlee Development Group, Inc.

Planner/Engineer: Kimley Horn.

Architects: N/A

IX. Land Use Table

A Land Use Table is attached hereto as Exhibit "F."

X. PUD REVIEW CRITERIA

1. Consistency With the Comprehensive Plan:

The PUD will be developed consistent with the LDR land use category of the 2030 Comprehensive Plan. The proposed development is consistent with the following objectives and policies of the 2030 Comprehensive Plan: Future Land Use Element Objectives 1.2 and 3.1 and Policies 1.1.1, 1.1.9, 1.1.10, 1.1.12, 3.1.1, 3.1.15, and 3.1.11.

2. Consistency with the Concurrency Management System:

The PUD will comply with the Concurrency and Mobility Management System

3. Allocation of Residential Land Use:

The PUD is consistent with land use allocations under the 2030 Comprehensive Plan.

4. Internal Compatibility:

The Site Plan addresses access and circulation within the site. Final engineering plans will be subject to review and approval of the City Traffic Engineer.

5. External Compatibility/Intensity of Development:

The PUD is consistent with and comparable to planned and permitted development in the area. The PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.

6. Maintenance of Common Areas and Infrastructure:

All common areas and infrastructure, excluding roadways dedicated to the City of Jacksonville, will be maintained by the owner, maintenance company and/or one or more owners' association(s).

7. **Usable Open spaces, Plazas, Recreation Areas:**

The PUD provides ample open spaces and recreational opportunities.

8. **Impact on Wetlands:**

Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

9. **Listed Species Regulations:**

The Property is less than fifty acres and therefore a listed species survey is not required.

10. **Off-Street Parking Including Loading and Unloading Areas:**

The PUD provides adequate off-street parking.

11. **Sidewalks, Trails, and Bikeways:**

The PUD provides for compliance with the subdivision regulations and 2030 Comprehensive Plan with regards to sidewalks.

Exhibit F

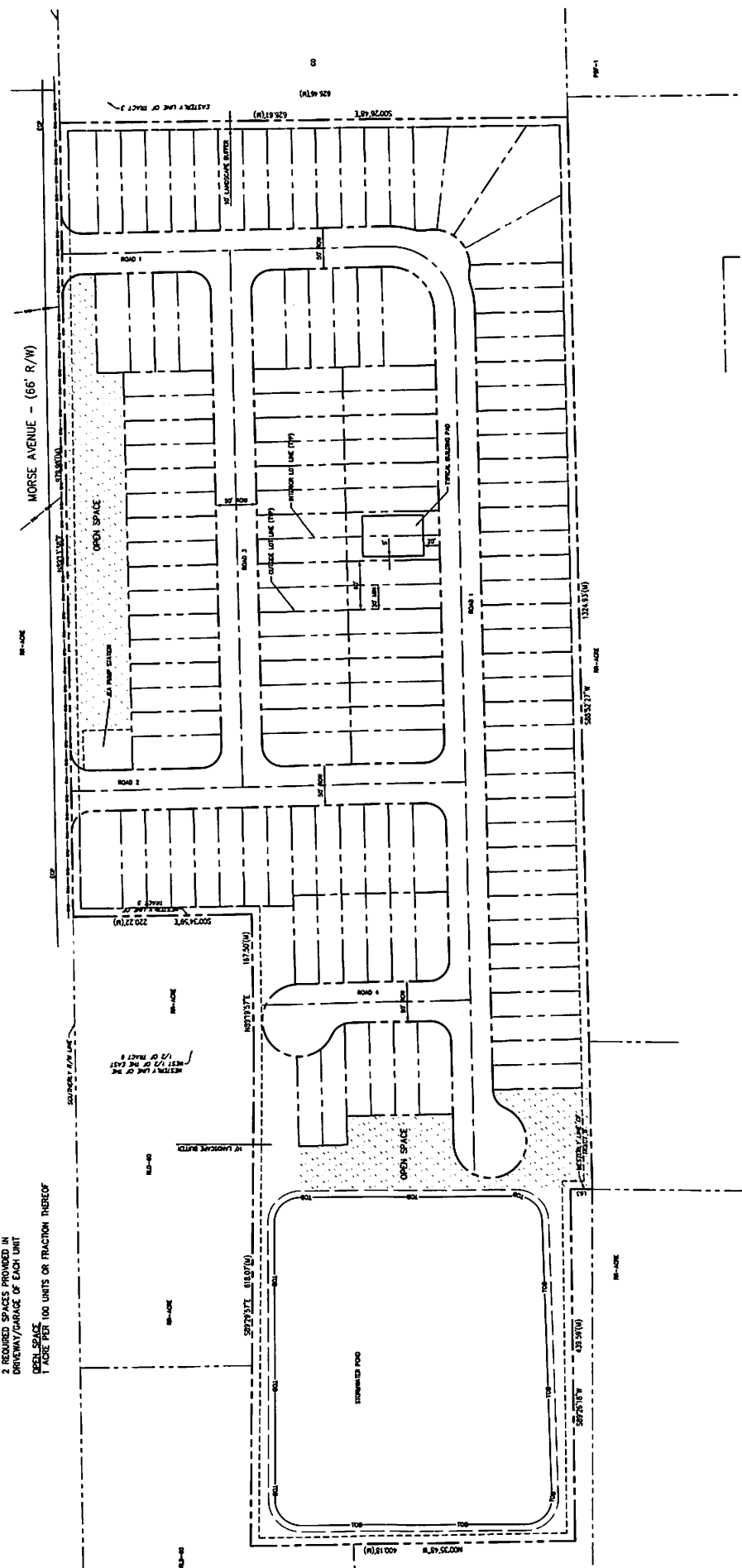
Total gross acreage	21.44 ac	100%
Amount of each different land use by acreage		
Residential	21.44 ac	100%
Total number of dwelling units	136	
Total amount of parks/active recreation	1.36 ac	6.3%
Maximum coverage of buildings and structures at ground level		
Residential Parcel		50%

The land use estimates in this table are subject to change within the allowable densities and intensities of use, as set forth in Exhibit 3 (Written Description).



PER SITE DETAILS
 240 UNITS
 134 UNITS (PAIRED VILLAS)
 LOT REQUIREMENTS (10' PER BUILDING)
 DEPTH - 100' MIN
 GARAGES - 2 SPACES PER UNIT
 REQUIRED SPACES PROVIDED IN DRIVEWAY/GARAGE OF EACH UNIT
 OPEN SPACE
 1 SPACE PER 100 UNITS OR FRACTION THEREOF

NOTES
 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
 2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 5. DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.



ASHERS LANDING - PUD SITE PLAN

MORSE AVE, JACKSONVILLE, FL

Kimley»Horn

© 2011 KIMLEY-HORN AND ASSOCIATES, INC.
 1710 CRAWFORD PARKWAY, WEST SUITE 2150
 JACKSONVILLE, FLORIDA 32258
 PHONE: 904-838-3900
 WWW.KHLET-HORN.COM REGISTRY 616

Duval County Tax Collector

Comments - taxcollector@coj.net

Inquiries - (904)255-5700

www.duvaltaxcollect.net

Date: 04/05/2021 Time: 13:47:38

Location: P18 Clerk: EKB

Transaction 0157315

Duval County, City Of Jacksonville
Jim Overton, Tax Collector

251 E. Forsyth Street
Jacksonville, FL 32202

General Collection Receipt

Date: 4/2/2021
Email: KaycieC@coj.net

Miscellaneous

Item: CR - CR582788

Receipt 0157315.0001-0001 2,374.00

Total Paid 2,374.00

CHECK 002971 2,374.00

Total Tendered 2,374.00

Total Tendered 2,374.00

Paid By: ATLEE DEVELOPMENT GROU
Thank You

T.R. Hainline

ss: 1301 Riverplace Boulevard, Suite 1500, Jacksonville, FL 32207

ption: Application for Conventional Rezoning (Z-3419) - 0 Morse Ave

CR	SubidNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
								2374.00

Total Due: \$2,374.00

Jim Overton, Tax Collector
General Collections Receipt
City of Jacksonville, Duval County

Date: 4/2/2021

Account No: CR582788 ZONING VARIANCE/EXCEPTION
Name: T.R. Hainline

Address: 1301 Riverplace Boulevard, Suite 1500, Jacksonville, FL 32207

Description: Application for Conventional Rezoning (Z-3419) - 0 Morse Ave

Total Due: \$2,374.00