

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2013-0469 TO**

**PLANNED UNIT DEVELOPMENT**

**OCTOBER 10, 2013**

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 **2013-0469** to Planned Unit Development.

***Location:*** 7025 and 7055 Collins Road and 7068 Park City Drive; on the north side of Collins Road just west of I-295 at the new I-295/Collins interchange, between I-295 and Rampart Road

***Real Estate Number(s):*** 015966-0005, 015966-0015, 015966-0105, 015968-0005, 015967-0005, 015966-0200, 015940-0000

***Current Zoning District:*** Planned Unit Development (PUD), Commercial Residential Office (CRO) and Residential Rural-Acre (RR-Acre)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community General Commercial (CGC), Low Density Residential (LDR) and Residential Professional Institutional (RPI)

***Proposed Land Use Category:*** Community General Commercial (CGC)

***Planning District:*** Southwest - 4

***City Council Representative:*** The Honorable Doyle Carter, District 12

***Applicant/Agent:*** Karl Sanders, Esq.  
Edwards Cohen Sanders, PA  
200 W. Forsyth Street, Suite 1300  
Jacksonville, Florida 32202

***Owner(s):*** Park City Farms, LLC  
P.O. Box 50519  
Jacksonville Beach, Florida 32240

***Staff Recommendation:*** **DENY**

### **GENERAL INFORMATION**

Application for Planned Unit Development **2013-0469** seeks to rezone approximately 43.73± acres of land north of Collins Road and west of I-295, near the intersection of Collins Road and I-295 from Planned Unit Development (PUD), Commercial Residential Office (CRO) and Residential Rural-Acre (RR-Acre) to Planned Unit Development (PUD). The rezoning to PUD is being sought for the purpose of developing approximately 300,000 square feet of commercial, retail and office uses. The proposed PUD retains the existing buffers for uncomplimentary land uses that are set forth in Ordinance 2008-776, which approved 150,000 sq. ft. of commercial and retail uses and it creates additional buffers for those residential parcels located to the north and west of the proposed PUD site. Also, the application has a proposed Large Scale Land Use Amendment to the Future Land Use Map Series 2013A-001 (Ordinance 2013-0468) that seeks to amend the northern 30.69 acres of this site to the CGC land use category.

The proposed development furthers and enhances the goals set forth within the Southwest Jacksonville Vision Plan which promotes infill development. Given the lack of commercial development adjacent to and around the project site, the plan is to create a type of master planned development instead of an individual shopping mall or retail center; utilizing best practices for site planning and design; be a pedestrian oriented development; and provide more convenient retail and service establishments to the surrounding community.

In 2008, 13.11 acres of this property located on the north side of and fronting Collins Road was the subject of a land use amendment (Ord. 2008-0775-E) from LDR and RPI to CGC and a companion rezoning (Ord. 2008-776-E) from CRO, RLD-G and RR to PUD. The intended development plan was to create a 150,000 sq. ft. mixed-use project including commercial, office and hotel uses. No development has occurred on this site to date. However, this 13.11 acre project is part of this application.

It should be noted that there was a similar change in land use (Application 2008A-005) and PUD rezoning (2008-778) for approximately 285,000 square feet of commercial/retail space on a 40.00 acre parcel directly south of this site across Collins Road.

### **CRITERIA FOR REVIEW**

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

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

No. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC), Low Density Residential (LDR) and

Residential Professional Institutional (RPI) functional land use categories 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. There is however, a companion Application for Large Scale Land Use Amendment to the Future Land Use Map Series **2013A-001 (Ordinance 2013-0468)** that seeks to amend the northern 30.69 acres of this site to the CGC land use category, which is a commercial category that permits outlets and establishments that offer a wide range of goods and services, including general merchandise, apparel, food and related items as well as professional and business offices, automobile-oriented uses and hotels/motels.

Staff is recommending that Application for Large Scale Land Use Amendment to the Future Land use Map Series **2013A-001** be **denied**, since the applicant is proposing to increase the loss of wetlands on site and has not submitted a mitigation plan to address the no net loss of wetlands and their functions in the City. The proposed development is inconsistent with Goal 4, Objective 4.1, and Policy 4.1.3. of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. Therefore the portion of the proposed PUD within the LDR and RPI land use categories is inconsistent with the 2030 Comprehensive Plan.

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

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

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

No. The proposed rezoning as detailed in the written description will be consistent with the proposed land use category of CGC. The intended plan of development complies with 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 Community General Commercial functional land use category as identified in the Future Land Use Map series (FLUMs). While the proposed amendment negatively impacts Goal 4, Objective 4.1, and Policy 4.1.3. of the Conservation/Coastal Management Element (CCME) of the Comprehensive Plan, "to achieve no further net loss of the

natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term, improve the water quality, and improve fish and wildlife values of wetlands", this proposed rezoning to Planned Unit Development is consistent with the following goals, objectives and policies of the 2030 Comprehensive Plan:

Goal 1 is "to ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation."

FLUE Policy 1.1.10 states that there shall be a "gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process."

FLUE Policy 1.1.11 states that the City shall "encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element."

FLUE Policy 1.1.12 states that the City shall "promote the use of Planned Unit Development (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations."

FLUE Policy 1.1.22 states that "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."

FLUE Policy 1.1.24 states that the City "will encourage new development to locate in the Urban Core, Southwest, North, and Northwest Planning Districts through such measures as economic incentives, greater marketing incentives, etc."

FLUE Policy 3.1.20 states that the City "shall recognize and maintain neighborhoods through the development and implementation of district plans and/or neighborhood plans, which identify the needs of the City's neighborhoods and the opportunities to improve and maintain those neighborhoods in light of continued growth and development pressures within and surrounding them."

FLUE Policy 3.2.14 states that the City shall "permit consideration of commercial uses, including hotels and motels, at intensities at or above the neighborhood serving commercial scale at locations with direct road access to interstate connectors and within the commercial node of an interstate interchange. Such development within the

commercial node must be pursuant to a Planned Unit Development (PUD) zoning district, and subject to all other applicable local, state and federal regulations.”

The proposed CGC future land use category is intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. In the Suburban Development Area the CGC category allows up to 20 dwelling units per acre. However, the proposed development is to accommodate commercial retail development, not residential development, which would allow for economic investment and commercial development in the Southwest Planning District.

The proposed companion Land Use amendment recommends DENIAL of this application based on its inconsistency with the 2030 Comprehensive Plan, Conservation Coastal Management Element. But the proposed PUD allows for the creation of a commercial retail center on the southern portion of the site, away from the majority of the wetlands to serve as an employment and retail focal point for nearby residents and to take advantage of the site’s key location at the I-295 and Collins Road interchange. The subject property is located in the developed Suburban Area of the City, in close proximity to the soon to be opened I-295 and Collins Road interchange, and has access to full urban services. These factors position the site and proposed plan of development to further the intent of FLUE Goals 1 and 3, Objective 3.2 and FLUE Policies 1.1.11, 1.1.22, and 3.2.13. Furthermore, the proposed development will function as a commercial center, and therefore conform to the Southwest Vision Plan and satisfy Policies 3.1.20 and 4.1.8B.

The proposed amendment is accompanied by this PUD rezoning, which addresses the location of development, graduation of uses, scale transition, buffering, lighting and access restrictions to protect residential areas along Park City Drive and areas along the western boundaries of the subject site from the potential negative impacts related to the proposed amendment in accordance with FLUE Policies 1.1.10, 3.1.3, and 3.2.9. Therefore, the proposed amendment would also be consistent with the 2030 Comprehensive Plan, allowing for commercial uses that will support the daily needs of nearby residential development, on a site that is located adjacent to and in close proximity to existing and emerging residential areas.

***(2) Consistency with the Concurrency and Mobility Management System***

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System Office of the Ordinance Code, the development shall comply with all appropriate requirements of the Concurrency and Mobility Management System Office (CMMSO) prior to development approvals. This proposed development falls under Fair Share number 50206: Olsen Farms. It reserves 150,000 enclosed sq. ft. of commercial/retail uses. The owner/developer can also apply for a Mobility Fee Calculation Certificate by eliminating all or a portion of the existing Fair Share and applying for a Mobility Application. The existing City Development Number is 7832.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize lands for commercial and office uses, with no residential uses planned. This proposed development will not exceed the projected holding capacity reflected in Table L-20, *Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element*, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

***(4) Internal compatibility***

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

Traffic and pedestrian circulation patterns: This rezoning request states that access for the proposed project shall be limited to Collins Road, subject to review and approval of the City's Traffic Engineer and the Planning and Development Department. There shall be no access from Park City Drive to the commercial uses on the site.

The previous rezoning to PUD (per Ord. 2008-776-E) for the 13.11 acres on the north side of Collins Road provided for access via a roadway to be constructed through the property and connecting to Collins Road. As part of a Developer's Agreement to be memorialized with the City of Jacksonville, the Applicant stated they would provide an eighty (80) foot right-of-way to its northern boundary that would allow the main entrance and roadway for the project to be extended by others through adjoining properties and eventually connect to Park City Drive (which is eliminated in this rezoning). The alignment of this road through the subject property was not determined.

At the time, the Development Services Division recommended specific access management improvements and transportation improvements, including a traffic study conducted by the developer for all proposed accesses to a public roadway. The study was to include a queue storage analysis of the existing lanes, need for additional lanes and a traffic signal warrant analysis based on the MUTCD warrants. Development Services was to approve the study prior to the final approval of the Civil Engineering Plan set. Plans for any required improvements shall be included with the Civil Engineering plan set.

A twenty (20) foot landscape and signage tract is proposed along Collins Road, which will serve as a project amenity and to give the project visibility from Collins Road. Horizontal infrastructure such as stormwater treatment facilities, drainage ditches or swales, roads, and underground utilities may be located within this twenty (20) foot tract; however, no vertical development may occur within this tract (other than signage).

The proposed amendment is located within the Southwest Jacksonville Vision Plan. In the Vision Plan, the area in which the subject properties are located is considered a "suburban area" of the Southwest Planning District. The Vision Plan calls for the creation of Town Centers instead of individual shopping malls. The applicant has

indicated that he intends the proposed development to function as a commercial center, and thereby conforms to the Southwest Vision Plan.

The use and variety of building setback lines, separations, and buffering: Landscaping will be provided in accordance with Part 12 of the Zoning Code, with the following exceptions specifically noted:

For individual uses, which may own their sites in fee simple, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries, which may exist among individual uses.

Due to the integrated nature of this project, all internal uses shall be considered compatible and no buffer strips are required internally; rather, the final plan shall have landscape unifying all project uses.

Additionally, the proposed PUD shall retain the landscaping buffer requirements of the existing PUD (Ordinance 2008-776), meeting the spirit and intent of Part 12 of the Zoning Code. Namely, buffering between the old Olsen Farms property boundary and the adjacent residential home to the west shall be a minimum of fifty (50) feet and shall include a visual screen consisting of fencing, berming, landscaping or a combination thereof to provide for a ten (10) foot high, 95% opaque visual screen at the time of installation. Horizontal infrastructure such as stormwater treatment facilities, drainage ditches or swales, roads, and underground utilities, as well as signage, may be located within this fifty (50) foot buffer.

Again, a twenty (20) foot landscape and signage tract is proposed along Collins Road, which will serve as a project amenity and to give the project visibility from Collins Road. Horizontal infrastructure such as stormwater treatment facilities, drainage ditches or swales, roads, and underground utilities may be located within this twenty (20) foot tract; however, no vertical development may occur within this tract (other than signage). No buffer is proposed along the eastern property line, due to an existing FDOT Stormwater Management Facility adjacent to the site.

The applicant proposes the following development standards as a whole for all uses and structures:

Minimum lot requirements (width and area) – None

Maximum lot coverage by all buildings and structures – None

Minimum yard requirements from a public street – Front (20 feet)

Minimum yard requirements from internal property lines and approved private street – None

Maximum height of all structures – 60 feet

The use and variety of building sizes and architectural styles: The Olsen Farms PUD proposes the concept of a mixed-use development scaled for and complimentary to surrounding uses and pedestrians within the site. The submitted site plan provides development detail, and is intended to define the site showing major access points, buffer

areas, and the locations of uses. Internal roadway alignments, parcel sizes and configurations have yet to be determined.

Signage: The applicant has proposed sign criteria standards to establish a program that provides for the project and tenant's identification and for directional communication. Multiple tenants and/or uses may be identified on these signs without regard to property ownership boundaries that may exist among the individual uses. Signage within individual sites will be the responsibility of the owner of the site. All project identity and directional signs shall be architecturally compatible with the project or buildings represented and shall reflect the character of the buildings. The proposed sign regulations for the PUD begin on page 5 of the written description.

The Written Description is requesting signs be allowed up to 65 feet in height. The Zoning Code only allows that height if the sign is within 660 feet from the centerline of a highway exit AND 660 feet from the centerline of an interstate highway. The signs in the proposed development will not meet this criteria. **It is the staff's recommendation that the request is excessive and not in keeping with the spirit and intent of the Zoning Code. These signs shall not exceed 50 feet in height.**

*(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 areas surrounding the subject property are characterized primarily by undeveloped land and residential uses to the north and west. To the east is a FDOT stormwater pond and I-295. Across I-295 to the east is an apartment community. There are currently no other commercial uses directly surrounding the subject parcel. It should be noted that there was a similar change in land use (Application 2008A-005) and PUD rezoning (2008-778) that was approved for approximately 285,000 square feet of commercial/retail space on a 40.00 acre parcel directly southeast of this site across Collins Road.

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

<i>Adjacent Property</i>	<i>Land Use Category</i>	<i>Zoning District</i>	<i>Current Use(s)</i>
North	LDR	RLD-60	Single family homes/Park City Dr.
South	LDR/CGC	RLD-60/PUD	Single family homes/PUD
East	LDR	RR-Acre/RLD-60	FDOT stormwater pond/I-295
West	LDR	RR-Acre/RLD-60	Single family dwellings

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned



use of such lands: The permitted uses for the proposed commercial development contained in the written description include uses which are generally found in the CCG-1 zoning district. The applicant/developer is requesting the use of the PUD ordinance in order to administer specific performance standards designed to ensure a proper mix of uses, designs and elevations.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: A combination of buffers, landscaping and ponds along the property boundaries provide privacy for the adjacent residentially zoned parcels. Although the total size of the property is approximately 43.73 acres, a significant portion of the property will remain undisturbed in its present natural state, providing large buffers from the residential properties to the west and north of the site. The proposed PUD will allow for up to 300,000 square feet of commercial retail and service establishments (on approximately 26 acres) for the surrounding community.

There is currently a joint City of Jacksonville/FDOT roadway improvement project at the Collins Road and I-295 intersection that included the addition of on and off ramps to I-295 and the widening Collins Road that will be open and operational very soon.

***(6) Intensity of Development***

The proposed development is consistent with the CGC functional land use category and is to be utilized as a mixed use commercial development for surrounding residents.

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: There will be approximately 300,000 square feet of commercial space on approximately 26 acres of the overall 43.73 acres property. The submitted site plan provides development detail, and its intent is to define the site showing major access points, buffer areas, and the locations of uses. While internal roadway alignments, parcel sizes and configurations are shown, they have yet to be determined. This commercial development as conditioned will provide commercial uses to support the growing residential development in the area.

***(7) Usable open spaces plazas, recreation areas.***

The applicant has committed to a minimum 18 acres of open space on the entirety of the development, and may include streetscapes, landscape areas, plazas, walkways, buffers and storm water retention areas.

***(8) Impact on wetlands***

A wetlands survey map has been prepared for the application site with the use of the City's GIS system and photogrammetric analysis. According to the survey, approximately 15 acres of the application site is wetlands. Any development impacting

wetlands shall be subject to the review and approval of the appropriate government (federal, state and local) agencies.

***(9) Listed species regulations***

The wildlife survey is not required, as it is under the required acreage threshold.

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

The location and number of parking spaces within the PUD will meet the minimum standards of Part 6 of the Zoning Code, taking into consideration all proposed uses and the entire PUD site. For individual uses, which may own their sites in fee simple, parking may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient parking for all proposed uses. Parking shall substantially conform to the site plan attached to this PUD application package allowing for the safe and convenient access of both pedestrians and vehicles.

***(11) Sidewalks, trails, and bikeways***

The project will contain an internal pedestrian system that meets the 2030 Comprehensive Plan. There will also be external sidewalks as required.

**SUPPLEMENTAL INFORMATION**

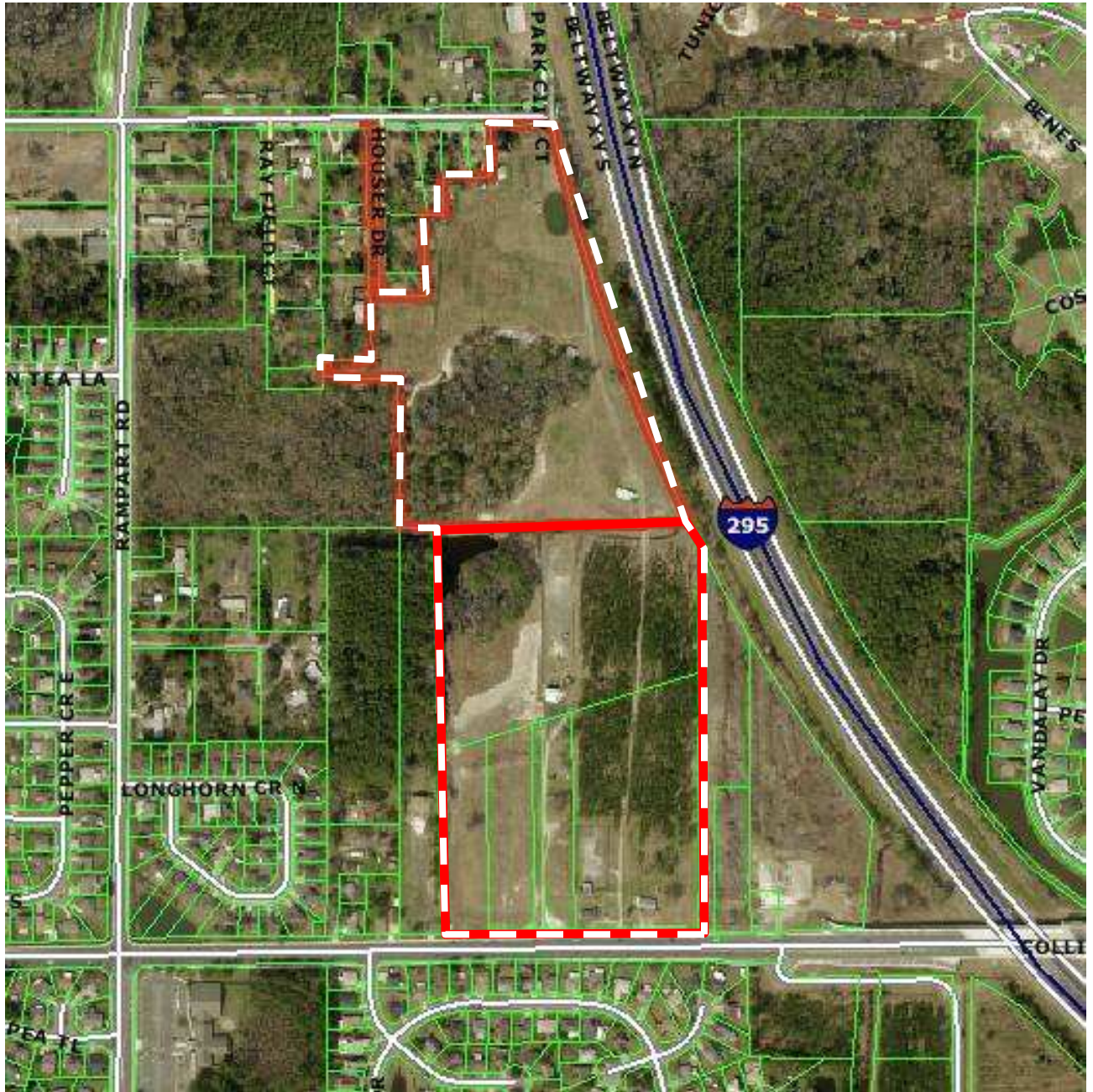
Upon visual inspection of the subject property on September 20, 2013 the required Notice of Public Hearing sign(s) **were** posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2013-0469** be **DENIED** based on the **following**:

**The applicant is proposing to increase the loss of wetlands on site and has not submitted a mitigation plan to address no net loss of wetlands and their functions in the City.**



Aerial view of the subject site facing north





**Subject site on the right facing west along Collins Road**



**Subject site on the left facing east along Collins Road**





**Facing north into the subject site from Collins Road**



**Subject site on the right facing west along Collins Road**





**Facing north into the subject site from Collins Road**



**Facing north into the subject site from Collins Road**





**Facing east along Park City Drive, to the north of the subject site**

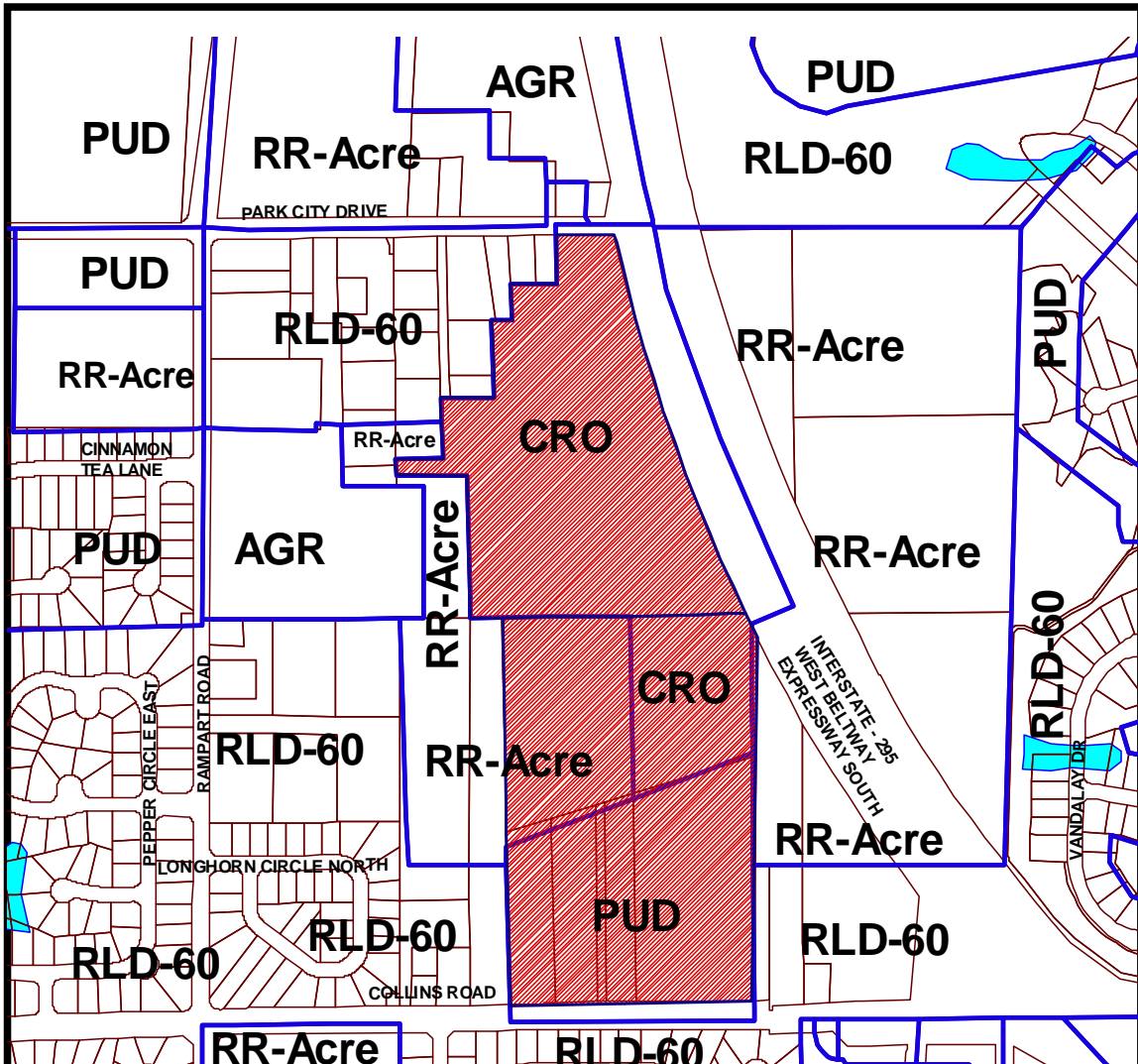


**Facing south into the subject site from Park City Drive, north of the subject site**



**Facing northwest into the subject site from Collins Road, west of the FDOT stormwater pond**





<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre, CRO &amp; PUD</p> <p>TO: PUD</p>		<p>N W E S</p> <p>0100 Feet</p> <p>COUNCIL DISTRICT: <b>12</b></p> <p>ORDINANCE -2013-0469</p> <p>FILE COPY</p>
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August 21, 2013

**MEMORANDUM**

TO: Andy Hetzel, Senior Planner  
Planning and Development Department

FROM: Lisa King  
Traffic Technician Senior

Subject: **Gatlin-Collins Retail Center PUD  
PUD R-2013-469 fka R-2008-776**

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

1. A traffic study is to be conducted for all proposed accesses to Collins Road. The study shall include a queue storage analysis of the existing lanes, need for additional lanes and a traffic signal warrant analysis based on the MUTCD warrants. Development Services shall approve the study prior to the final approval of the Civil Engineering Plan set. Plans for any required improvements shall be included with the Civil Engineering plan set. The Developer will be responsible for all cost associated with the design, construction of any required improvements, as well as the study. Turn lanes shall be constructed in accordance with FDOT Index 301 design standards, with a design speed of posted speed plus 5 mph. The study will determine queue length needed. The City of Jacksonville requires a minimum 100' queue.
2. Number, location and design of driveways to Collins Road are subject to the review and approval of the Development Services Division.
3. There shall be no cross access within 150' of Collins Road.
4. Cross access/internal connectivity shall be required between all parcels/out parcels.
5. Identification signage, walls, fences and landscaping shall not obstruct horizontal sight distance as outlined in FDOT Index 546.

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



## Florida Department of Transportation

2198 Edison Avenue  
Jacksonville, FL 32204

RICK SCOTT  
GOVERNOR

ANANTH PRASAD, P.E.  
SECRETARY

August 22, 2013

Andy Hetzel, Senior Planner  
Planning & Development Department  
Ed Ball Building  
214 N. Hogan Street, Suite 300  
Jacksonville, Florida 32202

### **RE: Gatlin-Collins Retail Center**

Dear Mr. Hetzel:

The Florida Department of Transportation has reviewed the Gatlin-Collins Retail Center PUD for impacts to the state facilities and we offer the following recommendations and comments for your consideration in reviewing this submittal package:

**Project Description:** The applicant for the Gatlin-Collins Retail Center PUD is proposing to rezone approximately 43.73 acres from Planned Unit Development (PUD), Commercial Office (CRO), and Residential Rural (RR) to PUD to allow 300,000 square feet of commercial retail and service establishments.

**Location:** The subject property is located on the northwest quadrant of Interstate 295 and Collins Road.

**Estimated Trips:** The FDOT estimated the trips by using the Shopping Center (ITE Code 820) Land Use. By using the ITE Trip Generation 8<sup>th</sup> Edition the FDOT estimates 13,870 daily trips with 1,328 PM peak hour trips.

**LOS & Impacts:** Following a preliminary review of this submittal, the trips associated with this development will impact I-295. The City of Jacksonville Road Link Status Report (Dated February 5, 2013), shows the following capacity on I-295:

- I-295, from Blanding Boulevard to 103<sup>rd</sup> Street, with an adopted LOS standard of "D" (This segment has a capacity of 110,300 daily trips), is currently operating at LOS "C" (The year 2011 count was 83,000 daily trips. There are 27,300 daily trips available with 75.25% capacity used).

**FDOT Comments:** The PUD Written Description indicates two (2) driveway/access connections to Collins Road which is in close proximity to the I-295 ramps. When permitting the driveway/access connection, the FDOT recommends the City considers the development's traffic operations with the traffic entering and exiting the interchange ramps of I-295. The FDOT recommends the applicant submits a traffic operational analysis of development traffic to the City for review.

The FDOT further recommends clarification of the full median opening's access spacing from the interchange to be consistent with Rule 14-97 Florida Administrative Code.

Thank you for coordinating the review of this PUD application with FDOT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Richard Prindiville, Traffic Analyst for:  
Thomas Hill, Growth Management Administrator  
Jacksonville Urban Office  
2198 Edison Avenue, MS 2812  
Jacksonville, FL 32204-2730  
Phone: (904)360-5664  
Email: [richard.prindiville@dot.state.fl.us](mailto:richard.prindiville@dot.state.fl.us)

Cc: Thomas Hill, FDOT  
David Lynch, FDOT  
Jeff Scott, FDOT  
John Kolczynski, City of Jacksonville  
Lisa King, City of Jacksonville

## Application For Rezoning To PUD

### Planning and Development Department Info

Ordinance # 2013-0469 Staff Sign-Off/Date AH / 06/20/2013

Filing Date 07/05/2013 Number of Signs to Post 4

#### Hearing Dates:

1st City Council 08/27/2013 Planning Commission 08/29/2013

Land Use & Zoning 09/04/2013 2nd City Council 09/10/2013

Neighborhood Association ARGYLE AREA CIVIC COUNCIL

Neighborhood Action Plan/Corridor Study N/A

### Application Info

Tracking # 372

Application Status PENDING

Date Started 04/16/2013

Date Submitted 04/17/2013

### General Information On Applicant

Last Name	First Name	Middle Name
KARL	SANDERS	
Company Name		
EDWARDS, COHEN, SANDERS, DAWSON & MANGU, PA		
Mailing Address		
200 W. FORSYTH ST.; SUITE 1300		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email
9046337979	9046339026	KSANDERS@EDCOLAW.COM

### General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
DUMAS	THOMAS	
Company/Trust Name		
OLSEN FARMS, LLC & PARK CITY FARMS, LLC		
Mailing Address		
P.O. BOX 50519		
City	State	Zip Code
JACKSONVILLE BEACH	FL	32240
Phone	Fax	Email
9042417774		TOMDUMAS@BELLSOUTH.NET

### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2008-776-E

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 015966 0105	12	4	PUD	PUD
Map				

	015966 0005	12	4	PUD	PUD
Map	015966 0015	12	4	PUD	PUD
Map	015968 0005	12	4	PUD	PUD
Map	015967 0005	12	4	PUD	PUD
Map	015966 0200	12	4	CRO	PUD
Map	015966 0200	12	4	RR-ACRE	PUD
Map	015940 0000	12	4	CRO	PUD

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

Land Use Category Proposed?

If Yes, State Land Use Application #

Land Use Category

2013A-001-4-12

CGC

Total Land Area (Nearest 1/100th of an Acre) 43.73

Development Number

Proposed PUD Name GATLIN-COLLINS RETAIL CENTER

### Justification For Rezoning Application

TO ALLOW FOR A UNIFIED/INTEGRATED DEVELOPMENT OF COMMERCIAL RETAIL AND SERVICE ESTABLISHMENTS TO SERVE THE SURROUNDING COMMUNITY

### Location Of Property

#### General Location

I-295 W AND COLLINS ROAD

House #

Street Name, Type and Direction

Zip Code

7025

COLLINS RD

32244

#### Between Streets

I-295

and

RAMPART RD

### Required Attachments For Formal, Complete application

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

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

and (i) existing site conditions and improvements that will be undisturbed.

**Exhibit F**  Land Use Table

**Exhibit G**  Copy of the deed to indicate proof of property ownership.

### Supplemental Information

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

**Exhibit H**  Aerial Photograph.

**Exhibit I**  Listed Species Survey (If the proposed site is greater than fifty acres).

**Exhibit J**  Other Information as required by the Department (i.e.-\*building elevations, \*signage details, traffic analysis, etc.).

**Exhibit K**  Site Location Map.

### Public Hearings And Posting Of Signs

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

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

### Application Certification

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

Agreed to and submitted

### Filing Fee Information

- |   |            |
|---|------------|
| 1) Rezoning Application's General Base Fee:                     | \$2,000.00 |
| 2) Plus Cost Per Acre or Portion Thereof                        |            |
| 43.73 Acres @ \$10.00 /acre:                                    | \$440.00   |
| 3) Plus Notification Costs Per Addressee                        |            |
| 68 Notifications @ \$7.00 /each:                                | \$476.00   |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,916.00 |

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

# ORDINANCE

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## Legal Description

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PART OF TRACTS 3, 4, 5, 6, 12, 13 AND 14, BLOCK 3, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS IMPROVEMENT CO., AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF TRACT 12, BLOCK 3, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS IMPROVEMENT CO., AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND THE NORTHERLY RIGHT OF WAY LINE OF COLLINS ROAD AS RECORDED IN THE CITY OF JACKSONVILLE MAP, PROJECT 30-0318.20, DATED FEB 2007; THENCE RUN NORTH 88 DEGREES 32 MINUTES 33 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, 115.19 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE RUN NORTH 01 DEGREES 27 MINUTES 27 SECONDS WEST, 5.00 FEET; THENCE RUN NORTH 88 DEGREES 32 MINUTES 33 SECONDS EAST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE, 287.33 FEET TO AN ANGLE POINT; THENCE RUN NORTH 89 DEGREES 32 MINUTES 33 SECONDS EAST CONTINUING ALONG SAID RIGHT OF WAY LINE, 445.26 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST, 1260.00 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 9-A (INTERSTATE 295) SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5879.58 FEET, A CHORD BEARING OF NORTH 18 DEGREES 38 MINUTES 52 SECONDS WEST AND A CHORD DISTANCE OF 1351.33 FEET; THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 13 DEGREES 11 MINUTES 52 SECONDS, FOR AN ARC DISTANCE OF 1354.33 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE RUN SOUTH 27 DEGREES 15 MINUTES 25 SECONDS WEST, 14.58 FEET TO A POINT LYING 177.19 FEET EAST OF THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 15894, PAGE 00680 SAID POINT BEING A 1/2" IRON PIPE AND CAP (NOT LEGIBLE) LYING ON THE MONUMENTED SOUTH RIGHT OF WAY LINE OF PARK CITY DRIVE; THENCE RUN NORTH 89 DEGREES 28 MINUTES 50 SECONDS WEST ALONG SAID LINE 177.19 FEET; THENCE DEPARTING SAID MONUMENTED SOUTH RIGHT OF WAY LINE RUN SOUTH 00 DEGREES 45 MINUTES 19 SECONDS WEST, 166.95 FEET; THENCE RUN NORTH 89 DEGREES 28 MINUTES 50 SECONDS WEST, 165.00 FEET; THENCE RUN SOUTH 00 DEGREES 30 MINUTES 10 SECONDS WEST, 119.00 FEET; THENCE RUN NORTH 89 DEGREES 28 MINUTES 50 SECONDS WEST, 65.19 FEET; THENCE RUN SOUTH 00 DEGREES 33 MINUTES 10 SECONDS WEST, 225.00 FEET; THENCE RUN NORTH 89 DEGREES 28 MINUTES 50 SECONDS WEST, 175.00 FEET; THENCE RUN SOUTH 00 DEGREES 33 MINUTES 10 SECONDS WEST, 225.00 FEET; THENCE RUN NORTH 89 DEGREES 28 MINUTES 50 SECONDS WEST, 149.88 FEET; THENCE RUN SOUTH 03 DEGREES 07 MINUTES 06 SECONDS WEST, 76.17 FEET; THENCE RUN NORTH 89 DEGREES 41 MINUTES 34 SECONDS EAST, 239.81 FEET TO A POINT LYING ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 8216, PAGE 557; THENCE RUN SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST ALONG SAID EASTERLY LINE 472.81 FEET;

4/11/2013



THENCE RUN NORTH 88 DEGREES 33 MINUTES 28 SECONDS EAST, 95.89 FEET TO THE MONUMENTED NORTHWEST CORNER OF SAID TRACT 12, BLOCK 3; THENCE RUN SOUTH 00 DEGREES 27 MINUTES 24 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT 12, BLOCK 3, 1271.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,904,696 SQUARE FEET OR 43.73 ACRES MORE OR LESS.

4/11/2013

# EXHIBIT A

## Property Ownership Affidavit

Date: 04/11/2013

### City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, Thomas Dumas, Pres of Thomas Dumas, Inc., being Mgr. of Olsen Farms, LLC hereby certify that I am the Owner of the property described in the attached legal description, **Exhibit 1** in connection with filing application(s) for PUD Rezoning, submitted to the Jacksonville Planning and Development Department.

Thomas Dumas  
Thomas DUMAS (Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 16 day of April (month), 2013 (year) by Thomas Dumas who is personally known to me or has produced Florida Drivers License as identification.

Arthur R. Papale  
(Notary Signature)

Page 1 of 1



ARTHUR R. PAPALE  
MY COMMISSION # EE 182061  
EXPIRES: March 30, 2016  
Bonded Thru Budget Notary Services

# EXHIBIT B

## Agent Authorization

Date: 04/11/2013

### City of Jacksonville

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

Re: Agent Authorization for the following site location:

RE #015966-0000, 015966-0010, 015966-0100, 015966-0200, 015967-0000, 015968-0000, 015940-0000

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers Karl J. Sanders, Esq. to act as agent to file application(s) for PUD Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Thomas Dumas  
(Owner's Signature)

THOMAS DUMAS

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 16 day of April (month), 2013 (year) by THOMAS DUMAS, who is personally known to me or has produced Florida Drivers License as identification.

Arthur R. Papale  
(Notary Signature)



# EXHIBIT C

## Binding Letter

Date: 04/11/2013

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

Re: Gatlin-Collins Retail Center PUD

Ladies and Gentlemen:

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

Sincerely,

By: Thomas Dumas 4.16.13  
(Owner's Signature)

Its: President, Thomas Dumas, Inc., managing member

# EXHIBIT D

## PUD Written Description

### GATLIN-COLLINS RETAIL CENTER (revised June 5, 2013)

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#### I. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone seven parcels (RE # 15966-0005, 15966-0015, 15966-0105, 15968-0005, 15967-0005, 15966-0200, 15940-0000) (totaling approximately 43.73 acres) located on the north side Collins Road, just west of I-295 at the new I-295/Collins interchange. In 2008, the front 13 acres of the site was rezoned to PUD (Ord. 2008-776) to allow for the development of a mix of commercial retail, office and hotel uses. The current application seeks to rezone the remaining 30 acres to PUD, as well, to allow for up to 300,000 square feet of commercial retail and service establishments for the surrounding community. Notably, the proposed PUD retains the existing buffers for uncomplimentary land uses that are set forth in Ordinance 2008-776, and it creates additional buffers for those residential parcels located to the north and west of the PUD site.

The property is currently undeveloped and is within the boundaries of the Southwest Planning District and Council District 12. Historically, the site has been used for silviculture and agriculture activities. Soil conditions include Mascotte fine sand, 0 to 2 percent slopes, Pelham fine sand, 0 to 2percent slopes, and Surrency loamy fine sand, depressionial, 0 to 2 percent slopes. Land over is characterized by a mix of wetlands forest and rangeland, with a significant amount of the northern portion of the property consisting of "Wetland Forested Mixed" and "Cypress Swamp" as typified by the Florida Land Use Classification System (FLUCCS). The property is not located within a Ground Water Aquifer Recharge Area or Wellhead Protection Zone.

The quantitative data regarding the location of all land uses in the PUD is as follows:

Total gross acreage	43.73 acres	100%
Amount of each different land use by acreage	CGC: 43.73 acres	100%
Total number and type of dwelling units	0 d.u.	0%
Total amount of active recreation and/or open space	0 acres	0%
Total amount of passive open space	18.25 acres	42%
Amount of public and private rights-of-way	0 acres	0%
Maximum coverage of buildings and structures at ground level	300,000 Sq. Ft.	15%

The PUD differs from the usual application of the Zoning Code, providing for the complimentary and orderly development of a planned mixed-use shopping center in accordance with an approved development plan that:

- Permits a diversity of uses, building types and open spaces to be developed in a manner that is both internally organized and compatible with external existing or future land uses;
- Provides the maximum opportunity for the application of innovative site planning concepts to create an aesthetically pleasing environment and appropriately buffer uncomplimentary land uses. For example, while the CCG-1 zoning district only requires a 15-foot setback from adjoining residential districts, the proposed PUD provides for a 50-foot buffer from the residential zoning west of the site and prohibits any vertical development on approximately 18 acres of the subject parcel, thereby providing additional buffering from the residential zoning districts located to the north and northwest.
- Allows a more efficient use of infrastructure than is possible through the application of conventional zoning districts by eliminating the minimum yard requirements set forth in the CCG-1 zoning district.

The professional engineer for the proposed development is CPH Engineers. Although there is no established schedule for commencement and completion of construction, development of the site will be initiated as soon as practicable. The operation and maintenance of those areas and functions described herein and facilities that are not to be provided, operated or maintained by the City shall be the responsibility of either the developer or individual property owners, as parcels are sold and developed.

Although the total size of the property is approximately 43.73 acres, a significant portion will remain undisturbed in its present natural state, providing large buffers from the residential properties to the west and north of the site. As more fully set forth herein, the proposed PUD will allow for up to 300,000 square feet of commercial retail and service establishments (on approximately 26 acres) for the surrounding community.

The Property is to be developed and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as a planned unit development in consonance with the goals and objectives of the Community/General Commercial (CGC) land use category. As used in this PUD ordinance and written description, all defined terms shall have the meanings ascribed to them in the City of Jacksonville Zoning Code in effect as of the date hereof (the "Zoning Code"), unless indicated otherwise.

## **II. PUD DEVELOPMENT CRITERIA**

**A. Permitted Uses:** The permitted uses within this PUD shall include the following, subject to all applicable performance standards and development criteria set forth in the Zoning Code for such uses:

- (1) Commercial retail sales and service establishments

- (2) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- (3) Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
- (4) Hotels and motels.
- (5) Commercial indoor recreational or entertainment facilities.
- (6) Art galleries, museums, community centers, dance, art or music studios.
- (7) Vocational, trade or business schools and similar uses.
- (8) Day care centers or care centers.
- (9) Off-street commercial parking.
- (10) An establishment or facility which includes the retail sale and service of all alcoholic beverages for off-premises consumption or on-premises consumption in conjunction with a restaurant.
- (11) Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- (12) Express or parcel delivery offices and similar uses (but not freight or truck terminals).
- (13) Veterinarians and animal boarding.
- (14) Personal property storage establishments.
- (15) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- (16) Essential services, including water, sewer, gas, telephone, radio, television and electric.
- (17) Churches, including a rectory or similar use.
- (18) Outside retail sales of holiday items.
- (19) Outside storage and display in connection with retail establishments greater than 100,000 square feet.

(20) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

(21) Filling or gas stations.

(22) Permanent or restricted outside sale and service.

(23) Service garages for minor repairs.

(24) Car wash or auto laundry.

(25) Private clubs.

(26) Restaurants with the outside sale and service of food.

(27) Schools.

**B. Permissible Uses by Exception:**

(1) Establishments with 4COP non-restaurant liquor license;

(2) Service garage for major repairs.

**C. Limitations on Permitted or Permissible Uses by Exception:** None, except as otherwise provided in Part 4.

**D. Permitted Accessory Uses and Structures:** Those uses and structures that are of a nature customarily incidental and clearly subordinate to a permitted or permissible principal use or structure. Where a building or portion thereof is attached to a building or structure containing the principal use, the building or portion shall be considered as a part of the principal building, and not as an accessory building. Accessory uses shall not involve operations or structures not in keeping with the overall character of the proposed development.

### **III. DEVELOPMENT STANDARDS AND DESIGN GUIDELINES**

**A. Minimum Lot and Building Requirements.** The minimum lot size, lot width, maximum lot coverage, building height and minimum yard requirements will substantially conform to that which is depicted in the site plan attached to this PUD rezoning application as Exhibit "E." Namely, unless a more restrictive requirement is set forth herein, the PUD will establish the following requirements:

- Minimum lot requirements (width and area) – None
- Maximum lot coverage by all buildings and structures – None
- Minimum yard requirements from a public street – Front (20 feet)



- Minimum yard requirements from internal property lines and approved private streets – None
- Maximum height of all structures – 60 feet

**B. Access Drives and Circulation:** Access to the site shall be limited to Collins Road, subject to review and approval of the City’s Traffic Engineer and the Planning and Development Department. There shall be no access from Park City Drive to the commercial uses on the site.

**C. Parking and Loading Requirements:** The location and number of parking spaces will meet the minimum standards of Part 6 of the Zoning Code and shall substantially conform to the site plan attached to this PUD application package as Exhibit “E,” thereby allowing for the safe and convenient access of both pedestrians and vehicles.

**D. Buffering and Landscaping:** Landscaping will be provided in accordance with Part 12 of the Zoning Code, with the following exceptions specifically noted. For individual uses, which may own their sites in fee simple, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries, which may exist among individual uses.

Due to the integrated nature of this project, all internal uses shall be considered compatible and no buffer strips are required internally; rather, the final plan shall have landscape unifying all project uses. Additionally, the proposed PUD shall retain the landscaping buffer requirements of the existing PUD (Ordinance 2008-776), meeting the spirit and intent of Part 12 of the Zoning Code. Namely, buffering between the old Olsen Farms property boundary and the adjacent residential home to the west shall be a minimum of fifty (50) feet and shall include a visual screen consisting of fencing, berming, landscaping or a combination thereof to provide for a ten (10) foot high, 95% opaque visual screen at the time of installation. Horizontal infrastructure such as stormwater treatment facilities, drainage ditches or swales, roads, and underground utilities, as well as signage, may be located within this fifty (50) foot buffer.

Lastly, a twenty (20) foot landscape and signage tract is proposed along Collins Road, which will serve as a project amenity and to give the project visibility from Collins Road. Horizontal infrastructure such as stormwater treatment facilities, drainage ditches or swales, roads, and underground utilities may be located within this twenty (20) foot tract; however, no vertical development may occur within this tract (other than signage). No buffer is proposed along the eastern property line, due to an existing FDOT Stormwater Management Facility adjacent to the site.

**E. Signage:** The purpose of these sign criteria standards is to establish a coordinated signage program that provides for the project and tenant's identification and for directional communication in a distinctive and aesthetically pleasing manner. There will be sign standards project-wide. A coordinated system of identification,

directional and vehicular control signage will be provided for all common areas and road right-of-way. Multiple tenants and/or uses may be identified on these signs without regard to property ownership boundaries that may exist among the individual uses. Signage within individual sites will be the responsibility of the owner of the site. All project identity and directional signs shall be architecturally compatible with the project or buildings represented.

Two (2) project identity monument signs will be permitted, one (1) along the project's frontage along Collins Road, and one along the north side of the property so that it may be visible from Interstate 295. The project identity monument signs will not exceed sixty-five feet (65') in height nor three-hundred (300) square feet (each side) in sign face area.

Multiple tenants within one building or a connected series of buildings on an outparcel may be identified with one shared monument sign. Up to a maximum of three (3) outparcels may be designated to have signage that shall not exceed sixty-five (65) feet in height and fifty (50) square feet (each side) in sign face area. Any outparcel with street frontage in excess of 500 feet may have two monument signs oriented to that street. No monument nor pylon signs shall be located less than two hundred (200) feet apart.

Wall signs are permitted. For the purpose of wall signage, the anchor/tenant buildings shall be deemed as one single enclosed building such that wall signage facing the pedestrian and vehicular drives within the interior of the PUD are deemed as interior signs. Additionally, wall signage facing the public right-of-way for each tenant within the anchor/tenant buildings will be permitted and will not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building abutting a public right-of-way.

In addition to wall signs, awning signs are permitted. For the purpose of awning signage, the anchor/tenant buildings shall be deemed as one single enclosed building such that awning signage facing the pedestrian and vehicular drives within the interior of the PUD are deemed as interior signs. Additionally, wall signage facing public rights of way for each tenant within the anchor/tenant buildings will be permitted and will not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing public rights of way.

Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of ten (10) square feet in area per side; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.

Directional signs indicating major buildings, common areas, various building entries, will be permitted. The design of these signs should reflect the character of the building and project identity signs and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of

thirty (30) square feet in area per sign face. For pedestrian directional signage, such as "informational side walk kiosks", 1, 2, 3 or 4 sided (or cylindrical), such signs shall also be a maximum of twenty (20) square feet per side. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

Temporary banner signs will be permitted not to exceed 50 square feet in area. These seasonal festive banners may be displayed for a maximum of fourteen (14) days without a permit except that such banners may be displayed forty-five (45) days prior to Christmas and 52 days prior to New Year's Day. The banners shall be allowed to display logos and/or the name of the project and/or owner. Festival banners placed on street light poles are permitted and unregulated.

#### **IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

The proposed project is consistent with the general purpose and intent of the City of Jacksonville Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community. This PUD:

- A. Is more efficient than would be possible through strict application of the City of Jacksonville Land Use Regulations;
- B. Is compatible with surrounding land uses; and
- C. Will promote the purposes of the 2030 Comprehensive Plan.

#### **V. PUD REVIEW CRITERIA**

**A. Consistency with Comprehensive Plan:** The proposed commercial uses and development within the PUD are consistent with the CGC future land use category, including Policies 1.1.12, 1.1.13, 1.1.18, 3.2.1 and 3.2.4

**B. Consistency with the Concurrency Management System:** The PUD will meet all requirements of the City's Concurrency Management System.

**C. Internal Compatibility/Vehicular Access:** The attached Site Plan addresses access and circulation within the site, as well as a common development scheme.

**D. External Compatibility/Intensity of Development:** The PUD development standards will ensure an effective transition between the commercial and residential uses in the area.

**E. Impact on Wetlands:** Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements

**F. Listed Species Regulations:** The subject site is less than fifty acres; therefore, a listed species survey is not required.

**G. Off-Street Parking and Loading Requirements:** Unless otherwise agreed to by the Planning and Development Department, development of the Property will comply with the City's off-street parking and loading space requirements set forth in Part 6 of the City of Jacksonville Zoning Code.

**H. Sidewalks, Trails, and Bikeways:** The locations of all sidewalks shown on the attached Site Plan are conceptual, and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

**I. Stormwater Retention:** Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements.

**J. Utilities:** Electric power, water and sewer services are furnished to the Property by the Jacksonville Electric Authority.

# EXHIBIT F

## Land Use Table

Total gross acreage	44.03 acres	100%
Amount of each different land use by acreage	CGC: 44.03 acres	100%
Total number and type of dwelling units by each type of same	0 d.u.	0%
Total amount of active recreation and/or open space	0 acres	0%
Total amount of passive open space	18.25 acres	41%
Amount of public and private rights-of-way	0 acres	0%
Maximum coverage of buildings and structures at ground level	300,000 Sq. Ft.	15%

PARK CITY DRIVE

HOLSER DRIVE

WETLANDS / BUFFER

POND

ANCHOR RETAIL STORE

FLEX #1

FLEX #2

FLEX #3

FLEX #4

GAS STATION

CAR WASH

FAST FOOD

RESTAURANT

COLLINS ROAD

I-295

GATLIN - COLLINS RETAIL CENTER

ANCHOR RETAIL:	PARKING
FLEX #1:	802 Spaces
FLEX #2:	47 Spaces
FLEX #3:	47 Spaces
FLEX #4:	47 Spaces
FLEX #4:	53 Spaces
RESTAURANT:	168 Spaces
FAST FOOD:	81 Spaces
GAS STATION:	<u>62 Spaces</u>
TOTAL:	1,307 Spaces

**I-295 and Collins Road  
Conceptual Overall Site Plan**  
Gatlin Development Company

0 100' 200' 400'



SCALE: 1" = 200'-0"



May 20th, 2013



**Date:** 24 May 2013

**To:** Folks Huxford, Interim Chief

**From:** Andy Hetzel, Senior Planner

**RE:** Gatlin-Collins Retail Center PUD

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

The Site Plan, dated May 20, 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description and Exhibit F Land Use Table. The items of required information that have not been depicted on the Site Plan may be excused for good cause because they are provided in the Written Description and Land Use Table or they will not impact the review of the application.

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

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

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

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

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

The Site Plan does show points of ingress and egress, pedestrian circulation, rights-of-way, median openings and driveways within 660 feet of the property. Nothing is shown that will create any adverse impacts to the surrounding neighborhood. Collins Road is a COJ maintained roadway and access points and pavement widths are reviewed and approved by the Development Services Division Land Development Procedures Manual. It is the department's opinion this level of detail is provided and/or not required.

WARRANTY DEED

Parcel ID# 015967-0000  
015969-0000

THIS INDENTURE, Made this 17<sup>th</sup> day of October, 2003,

between CLARENCE J. OLSEN, as Trustee of The Declaration of

Living Trust for Clarence J. Olsen dated April 19, 1989,

25 State Road 13, #F8, Jacksonville, Florida 32259, party of the first

part, and Olsen Farms, LLC, a Florida Limited Liability Company,

P.O. Box 440380, Jacksonville, Florida 32222, party of the second part,

Doc# 2003341295  
Book: 11421  
Pages: 1189 - 1190  
Filed & Recorded  
10/15/2003 11:02:13 AM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 9.00  
TRUST FUND \$ 1.50  
DEED DOC STAMP \$ 2,800.00

The Above Space for Official Use Only

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 Dollars and other valuable considerations, in hand paid by the said party of the second part, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to-wit:

PARCEL 1:

Tract 13, EXCEPT the West 100 feet, Tract 14, EXCEPT the East 157 feet, and part recorded in Official Records Book 287, Page 14, Block 3, JACKSONVILLE HEIGHTS, Section 25, Township 3 South, Range 25 East, Duval County, Florida, according to plat thereof recorded in Plat Book 5, Page 93, of the Current Public Records of Duval County, Florida.

EXCEPTING THEREFROM that portion lying within the right of way of Collins Road, as now established.

PARCEL 2:

Part of Tract 14, Block 3, JACKSONVILLE HEIGHTS, Section 25, 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:

Commencing at an iron pipe located at the Southwest corner of said Tract 14, thence Easterly along the North line of Collins Road 102.58 feet to an iron pipe and the Point of Beginning; thence continuing Easterly along the North line of Collins Road 75 feet to an iron pipe; thence Northerly and parallel with the Easterly line of said Tract 14, 1,296.55 feet to an iron pipe; thence Westerly 75 feet to an iron pipe; thence Southerly and parallel with the Easterly line of said Tract 14, 1,296.47 feet to the Point of Beginning.

LESS AND EXCEPT any portion lying within Interstate 295.

Subject to taxes levied subsequent to December 31, 2002.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

RECORD AND RETURN TO:  
Calvin E. Hayden, Esquire  
200 W. Forsyth Street, Suite 417  
Jacksonville, Florida 32202

THIS INSTRUMENT PREPARED BY:  
Calvin E. Hayden, Esquire  
200 W. Forsyth Street, Suite 417  
Jacksonville, Florida 32202

②



IN WITNESS WHEREOF, this instrument has been executed by the party of the first part the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Mary B. Hayden  
Mary B. Hayden

Clarence J. Olsen  
Clarence J. Olsen, as Trustee of The Declaration of Living Trust for Clarence J. Olsen dated April 19, 1989

Calvin E. Hayden  
Calvin E. Hayden

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of October, 2003, by Clarence J. Olsen, as Trustee of The Declaration of Living Trust for Clarence J. Olsen dated April 19, 1989, and who did/did not take an oath.

Mary B. Hayden  
NOTARY PUBLIC

(SEAL)

- Personally known
- Identification produced

\_\_\_\_\_



MARY B. HAYDEN  
Notary Public, State of Florida  
My comm. expires May 9, 2005  
Comm. No. DD 024359

Prepared by:  
John G. Barry, III  
Oberdorfer & Barry, P.A.  
1719 Blanding Blvd.  
Jacksonville, Florida 32210

File Number: 06-B666  
**STC #92450**

### General Warranty Deed

Made this October 20, 2006 A.D. By **MARY J. SCHOENAUER and DANIEL LEWIS PINKERTON**, both single, hereinafter called the grantor, to **OLSEN FARMS, LLC**, a Florida Limited Liability Company, whose post office address is: P.O. Box 50519, Jacksonville Beach, Florida 32240, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF JACKSONVILLE, COUNTY OF DUVAL, STATE OF FLORIDA, TO WIT:

WEST 100 FEET OF TRACT 13, BLOCK 3, JACKSONVILLE HEIGHTS, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 93, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. LESS AND EXCEPT ANY PART IN OFFICIAL RECORDS BOOK 11712, PAGE 188, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Parcel ID Number: **015968-0000**

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

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee 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 December 31, 2005.

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

John G. Barry - Witness  
Birgit Grafe - Witness

Mary J. Schoenauer - Seller  
Daniel Lewis Pinkerton - Seller

State of Florida  
County of Duval

The foregoing instrument was acknowledged before me this October 20, 2006, by **MARY J. SCHOENAUER and DANIEL LEWIS PINKERTON**, both single, who is/are personally known to me or who has produced FL DWIDED LICENSE as identification.



John G. Barry  
MY COMMISSION # DD154462 EXPIRES  
October 27, 2006  
BONDED THROUGH TROY FARM INSURANCE, INC.

Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Prepared by, record and return to:  
Lynda R. Aycock, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

### SPECIAL WARRANTY DEED

Parcel Identification Numbers  
015966-0000 and 015966-0020

THIS DEED is made this 16<sup>th</sup> day of May, 2007, by **LARRY DALE WILSON**, a married man, conveying property not his homestead, whose address is 4828 Whispering Falls Drive, Houston, Texas 77084-2944 (herein the "Grantor") and **OLSEN FARMS, LLC**, a Florida limited liability company (FEIN: 51-0439857), whose post office address is P.O. Box 50519, Jacksonville Beach, Florida 32240-0519 (herein the "Grantee"). (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, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, its legal representatives, successors and assigns forever, all of that certain property in **Duval** County, Florida, described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter the "Property").

SUBJECT TO the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances thereto, unto the Grantee in fee simple forever. And 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 claiming by, through or under Grantor but against none other.

*[Signature contained on next page.]*

01524284  
③

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

Signed, sealed and delivered  
in the presence of:

Will K M  
Print Name: William K. Blacklock

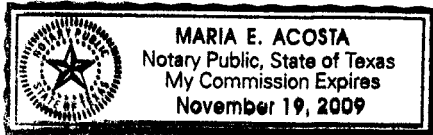
Larry Dale Wilson  
LARRY DALE WILSON

Maria E. Acosta  
Print Name: Maria E. Acosta

Address: 4828 Whispering Falls Drive  
Houston, Texas 77084-2944

STATE OF TEXAS  
COUNTY OF HARRIS

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 2007, by  
Larry Dale Wilson. He (check one)  is personally known to me or  has proved to me on  
basis of satisfactory evidence to be the person who executed this instrument.



Maria E. Acosta  
Notary Public, State and County Aforesaid  
Name: Maria E. Acosta  
My Commission Expires: 11-19-2009  
My Commission Number is: \_\_\_\_\_

## EXHIBIT "A"

## PARCEL 1

A PART OF TRACT TWELVE (12), BLOCK THREE (3), SECTION TWENTY-FIVE (25), TOWNSHIP THREE (3) SOUTH, RANGE TWENTY-FIVE (25), JACKSONVILLE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF TRACT TWELVE (12) SAID BLOCK THREE (3) AND THE NORTHERLY RIGHT OF WAY OF COLLINS ROAD (A 66 FOOT RIGHT OF WAY), THENCE NORTH EIGHTY-NINE (89) DEGREES THIRTY (30) MINUTES FIFTY (50) SECONDS EAST, ONE HUNDRED FORTY-NINE AND EIGHTY-SIX HUNDREDTH (149.86) FEET ALONG SAID NORTHERLY RIGHT OF WAY OF COLLINS ROAD; THENCE NORTH ZERO (0) DEGREES TWENTY-SIX (26) MINUTES THIRTY-SEVEN (37) SECONDS EAST, SIX HUNDRED FIFTY-FOUR (654) FEET; THENCE SOUTH EIGHTY-NINE (89) DEGREES THIRTY (30) MINUTES FIFTY (50) SECONDS WEST, ONE HUNDRED FORTY-NINE AND EIGHTY-SIX HUNDREDTH (149.86) FEET TO THE WEST LINE, OF SAID TRACT TWELVE (12); THENCE ALONG THE WEST LINE OF SAID TRACT TWELVE (12) SOUTH ZERO (0) DEGREES TWENTY-SIX (26) MINUTES THIRTY-SEVEN (37) SECOND WEST, SIX HUNDRED FIFTY-FOUR (654) FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT BOOK 11712 PAGE 183, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## PARCEL 2

PART OF TRACT 12, BLOCK 3, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 93, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF RAMPART ROAD AND THE NORTH RIGHT OF WAY LINE OF COLLINS OF ROAD (A 66.0 FOOT RIGHT OF WAY; THENCE NORTH 89 DEGREES 30 MINUTES 50 SECONDS EAST, 974.16 FEET ALONG SAID NORTH RIGHT OF WAY LIEN OF COLLINS ROAD TO THE WEST LINE OF SAID TRACT 12 AND THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 3045 PAGE 921; THENCE NORTH 0 DEGREES 26 MINUTES 37 SECONDS EAST, 654.0 FEET ALONG THE WEST LINE OF SAID TRACT 12 AND THE EAST LINE OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS VOLUME 3045 PAGE 921 TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID TRACT LINE AND THE EAST LINE OF SAID OFFICIAL RECORDS VOLUME 3045 PAGE 921, NORTH 0 DEGREES 26 MINUTES 37 SECONDS EAST, 639.53 FEET TO THE NORTHWEST CORNER OF SAID TRACT AND THE NORTHEAST CORNER OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS VOLUME 3045, PAGE 921; THENCE NORTH 89 DEGREES 33 MINUTES 40 SECONDS EAST, 149.86 FEET ALONG THE NORTHERLY LINE OF SAID TRACT 12; THENCE SOUTH 0 DEGREES 26 MINUTES 37 SECONDS WEST, 639.41 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 50 SECONDS WEST, 149.86 FEET TO THE WEST LINE OF SAID TRACT 12 AND THE EAST LINE OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS VOLUME 3045 PAGE 921 AND THE POINT OF BEGINNING.

Prepared by, record and return to:  
Lynda R. Aycock, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

### SPECIAL WARRANTY DEED

Parcel Identification Number  
015966-0010

THIS DEED is made this 16<sup>th</sup> day of May, 2007, by **RICHARD E. ISENHOWER, a/k/a Richard Eugene Isenhower**, a single man, conveying property not his homestead, whose address is 8257 Blazing Star Road, Jacksonville, Florida 32210-4582 (herein the "Grantor") and **OLSEN FARMS, LLC**, a Florida limited liability company (FEIN: 51-0439857), whose post office address is P.O. Box 50519, Jacksonville Beach, Florida 32240-0519 (herein the "Grantee"). (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, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, its legal representatives, successors and assigns forever, all of that certain property in **Duval** County, Florida, described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter the "Property").

SUBJECT TO the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances thereto, unto the Grantee in fee simple forever. And 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 claiming by, through or under Grantor but against none other.

*[Signature contained on next page.]*

1899513



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

Signed, sealed and delivered  
in the presence of:

Jennifer Trice  
Print Name: Jennifer Trice

Vicki L. Cross  
Print Name: VICKI L. CROSS

Richard E. Isenhower  
**RICHARD E. ISENHOWER, a/k/a Richard Eugene Isenhower**

Address: 8257 Blazing Star Road  
Jacksonville, Florida 32210-4582

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 2007, by **RICHARD E. ISENHOWER, a/k/a Richard Eugene Isenhower**. He (check one)  is personally known to me or  has proved to me on basis of satisfactory evidence to be the person who executed this instrument.

Vicki L. Cross  
Notary Public, State and County Aforesaid

Name: Vicki L. Cross  
My Commission Expires: Commission # DD376165  
My Commission Number: Expires January 21, 2009



Bonded Tray Pain - Insurance, Inc. 800-288-7019

## EXHIBIT "A"

## PARCEL 3

A PART OF TRACT TWELVE (12), BLOCK THREE (3), SECTION TWENTY-FIVE (25), TOWNSHIP THREE (3) SOUTH, RANGE TWENTY-FIVE (25) EAST, JACKSONVILLE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF SAID TRACT TWELVE (12) SAID BLOCK THREE (3) AND THE NORTHERLY RIGHT OF WAY OF COLLINS ROAD (A 66 FOOT RIGHT OF WAY); THENCE NORTH EIGHTY-NINE (89) DEGREES THIRTY (30) MINUTES FIFTY (50) SECONDS EAST, ONE HUNDRED FORTY-NINE AND EIGHTY-SIX HUNDREDTHS (149.86) FEET ALONG SAID NORTHERLY RIGHT OF WAY OF COLLINS ROAD TO THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT OF WAY NORTH EIGHTY-NINE (89) DEGREES THIRTY (30) MINUTES FIFTY (50) SECONDS EAST, ONE HUNDRED FORTY-NINE AND EIGHTY-SIX HUNDREDTHS (149.86) FEET; THENCE NORTH (0) DEGREES TWENTY-SIX (26) MINUTES THIRTY-SEVEN (37) SECONDS EAST, SIX HUNDRED FIFTY-FOUR (654) FEET; THENCE SOUTH EIGHTY-NINE (89) DEGREES THIRTY (30) MINUTES FIFTY (50) SECONDS WEST, ONE HUNDRED FORTY-NINE AND EIGHTY-SIX HUNDREDTHS (149.86) FEET; THENCE SOUTH ZERO (0) DEGREES TWENTY-SIX (26) MINUTES THIRTY-SEVEN (37) SECONDS WEST, SIX HUNDRED FIFTY-FOUR (654) FEET TO THE NORTHERLY RIGHT OF WAY OF COLLINS ROAD AND THE POINT OF BEGINNING.

LESS AND EXCEPT BOOK 11668 PAGE 1878, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## PARCEL 4

PART OF TRACT 12, BLOCK 3, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 93, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF RAMPART ROAD AND THE NORTH RIGHT OF WAY LINE OF COLLINS ROAD (A 66.0 FOOT RIGHT OF WAY); THENCE NORTH 89 DEGREES 30 MINUTES 50 SECONDS EAST, 1308.89 FEET ALONG SAID NORTH RIGHT OF WAY LINE OF COLLINS ROAD TO THE EAST LINE OF SAID TRACT 12 AND THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 27 MINUTES 10 SECONDS EAST, 1293.22 FEET ALONG SAID EAST LINE OF TRACT 12 TO THE NORTHEAST CORNER OF SAID TRACT 12; THENCE SOUTH 89 DEGREES 33 MINUTES 40 SECONDS WEST, 185.02 FEET ALONG THE NORTH LINE OF SAID TRACT 12; THENCE SOUTH 0 DEGREES 26 MINUTES 37 SECONDS WEST, 639.41 FEET; THENCE NORTH 89 DEGREES 30 MINUTES 50 SECONDS EAST, 149.86 FEET; THENCE SOUTH 0 DEGREES 26 MINUTES 37 SECONDS WEST, 654.0 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID COLLINS ROAD; THENCE NORTH 89 DEGREES 30 MINUTES 50 SECONDS EAST 35.01 FEET ALONG SAID NORTH RIGHT OF WAY LINE OF COLLINS ROAD TO THE EAST LINE OF SAID TRACT 12 AND THE POINT OF BEGINNING.

This instrument prepared by, and after recording return to:  
Lynda R. Aycock, Esq.  
Rogers Towers, P.A.  
Riverplace Blvd., Suite 1500  
Jacksonville, Florida 32207

(Space reserved for Clerk of Court)

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PARCEL IDENTIFICATION NOS.: 015940-0000 and Parts of 015966-0000, 015966-0010, 015967-0000,  
015968-0000.

**NOTE TO CLERK:** This corrective deed is given to correct a Scrivener's error in the legal description of that certain Warranty Deed recorded in Official Records Book 14622, page 724, of the current public records of Duval County, Florida.

### CORRECTIVE WARRANTY DEED

THIS DEED is made as of the 20<sup>th</sup> day of August, 2008, between **THOMAS DUMAS, INC.**, a Florida corporation ("Dumas") and **OLSEN FARMS, LLC**, a Florida limited liability company ("Olsen"), (hereinafter collectively referred to as "**Grantors**"), whose collective post office address is P.O. Box 50519, Jacksonville Beach, Florida 32240-0519, and **PARK CITY FARMS, LLC**, a Florida limited liability company, whose address is whose post office address is P.O. Box 50519, Jacksonville Beach, Florida 32240-0519 (hereinafter referred to as "**Grantee**"). (As used herein, the terms Grantors and Grantee shall include, where the context permits or requires, singular or plural, heirs, persona) representatives, successors, or assigns.)

WITNESSETH, that the Grantors in consideration of One Dollar and other valuable considerations paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold, and conveyed and by these presents do hereby grant, bargain, sell, and convey unto the Grantee forever all of that certain property (the "Property") in Duval County, Florida, described as Parcel 1 and Parcel 2 on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And Dumas hereby fully warrants Dumas' title to Parcel 1 and will defend the same against the lawful claims of all persons whomsoever. And Olsen hereby fully warrants Olsen's title to Parcel 2 and will defend the same against the lawful claims of all persons.

This conveyance is subject to matters of record and to ad valorem taxes levied or which may become a lien subsequent to the date hereof.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals as of the day and year first above written.

Signed, sealed and delivered in the presence of:

THOMAS DUMAS, INC., a Florida corporation

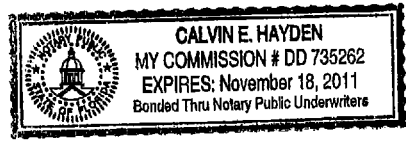
[Signature]  
(Printed Name) CALVIN E. HAYDEN  
[Signature]  
(Printed Name) RICHARD B. JAMESON

By: [Signature]  
Name: Thomas R. Dumas  
Title: President

STATE OF FLORIDA  
COUNTY OF DUVAL


The foregoing instrument was acknowledged before me this 23 day of March, 2009, by Thomas R. Dumas, as President of Thomas Dumas, Inc., a Florida corporation, on behalf of the corporation. He [CHECK ONE]  is personally known to me or  has provided me with a valid driver's license as satisfactory evidence that he is the person who executed this instrument.

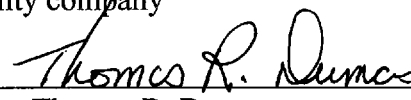
[Signature]  
(Print Name)  
Notary Public, State of Florida  
My Commission expires:  
Commission Number:




Signed, sealed and delivered  
in the presence of:

**OLSEN FARMS, LLC**, a Florida limited  
liability company

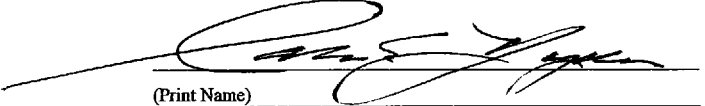
  
(Printed Name) Richard B. JAMESON

By:   
Name: Thomas R. Dumas  
Title: Manager

  
(Printed Name) Calvin E. Hayden

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 23 day of March, 2009, by Thomas R. Dumas, as Manager of Olsen Farms, LLC, a Florida limited liability company, on behalf of the company. He [CHECK ONE]  is personally known to me or  has provided me with a valid driver's license as satisfactory evidence that he is the person who executed this instrument.

  
(Print Name) \_\_\_\_\_  
Notary Public, State of Florida  
My Commission expires:  
Commission Number:



## EXHIBIT "A"

## PARCEL 1

PART OF TRACT 3, 4, 5 AND 6, BLOCK 3, 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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 4556 PAGE 7 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, SAID NORTHEAST CORNER LYING ON THE SOUTHERLY RIGHT OF WAY OF PARK CITY DRIVE (A 66 FOOT RIGHT OF WAY); THENCE SOUTH 89°30'10" EAST ALONG SAID RIGHT OF WAY LINE, 231.77 FEET TO THE POINT OF BEGINNING, THENCE RUN SOUTH 00°44'01" WEST 166.95 FEET; THENCE NORTH 89°30'10" WEST 165.00 FEET; THENCE SOUTH 00°28'50" WEST 119.00 FEET, THENCE NORTH 89°30'10" WEST 65.19 FEET; THENCE SOUTH 00°31'50" WEST 225.00 FEET; THENCE NORTH 89°30'10" WEST 175.00 FEET; THENCE SOUTH 00°31'50" WEST 225.00 FEET; THENCE NORTH 89°30'10" WEST 149.88 FEET; THENCE SOUTH 03°05'46" WEST 76.17 FEET; THENCE NORTH 89°40'14" EAST 236.50 FEET; THENCE SOUTH 00°03'58" EAST 472.90 FEET; THENCE NORTH 88°32'08" EAST ALONG THE SOUTH LINE OF TRACT 6, 100.28 FEET TO THE NORTHWEST CORNER OF TRACT 12; THENCE NORTH 88°30'22" EAST, ALONG THE NORTH LINE OF TRACT 12, 331.25 FEET TO THE NORTHEAST CORNER OF SAID TRACT 12; THENCE NORTH 89°29'58" EAST, ALONG THE NORTH LINE OF TRACTS 13 AND 14, 512.07 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 295 STATE ROAD NO. 9 SAID POINT BEING ON A NON TANGENT CURVE TO THE LEFT AND HAVING A RADIUS OF 5879.58 FEET; THENCE NORTHWESTERLY ALONG AND AROUND SAID CURVE TO THE LEFT AN ARC DISTANCE OF 1347.95 FEET SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 18°54'58" WEST, 1345.00 FEET; THENCE SOUTH 04°13' 13" WEST, 10.90 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID PARK CITY DRIVE; THENCE NORTH 89°30'10" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 177.19 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTHERLY 35 FEET OF LANDS DESCRIBED IN WARRANTY DEED RECORDED IN OFFICAL RECORDS VOLUME 5694, PAGE 1791 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TOGETHER WITH A 25 FOOT EASEMENT FOR INGRESS AND EGRESS FROM CAPTION PROPERTY OF PARK CITY DRIVE, THE PROPERTY IS KNOWN AS HOUSER DRIVE AND DESCRIBED AS FOLLOWS:

A 25 FOOT PRIVATE ROAD LOCATED ON A PORTION OF TRACT 6, BLOCK 3, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, AS PER PLAT OF JACKSONVILLE HEIGHTS, RECORDED IN PLAT BOOK 5, PAGE 93 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE 1/2 INCH IRON PIPE FOUND AT THE



INTERSECTION OF THE CENTERLINE OF RAMPART ROAD WITH THE CENTER LINE OF PARK CITY DRIVE, PROCEED ALONG THE CENTER LINE OF PARK CITY DRIVE SOUTH 89°11'40" EAST A DISTANCE OF 819.99 FEET TO A NAIL AND WASHER FOUND ON CENTER LINE; THENCE SOUTH 00°31'50" WEST A DISTANCE OF 33.00 FEET TO A 1/2 INCH IRON PIPE SET AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK CITY DRIVE WITH THE WESTERLY LINE OF SUBJECT PRIVATE ROAD, (A.K.A. HOUSER DRIVE) BEING THE POINT OF BEGINNING; THENCE SOUTH 89°31'40" EAST ALONG THE SOUTHERLY LINE OF PARK CITY DRIVE A DISTANCE OF 25.00 FEET TO A 1/2 INCH REBAR FOUND AT THE NORTHEAST CORNER OF SUBJECT ROAD; THENCE SOUTH 00°31'50" WEST ALONG THE EASTERLY LINE OF SUBJECT ROAD A DISTANCE OF 809.68 FEET; TO THE SOUTHEAST CORNER OF SUBJECT ROAD, MARKED WITH A SET 1/2 INCH IRON PIPE; THENCE SOUTH 89° 40'14" WEST A DISTANCE OF 25.00 FEET TO A 1/2 INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF SAID SUBJECT ROAD; THENCE NORTH 00°31'50" EAST ALONG THE WESTERLY LINE OF SUBJECT ROAD A DISTANCE OF 810.03 FEET TO THE POINT OF BEGINNING.

PARCEL 2

PART OF TRACTS 12, 13 AND 14, BLOCK 3, 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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF TRACT 12, AND THE NORTHERLY RIGHT OF WAY OF COLLINS ROAD; THENCE NORTH 88°31'43" EAST, ALONG SAID RIGHT OF WAY LINE, 112.65 FEET; THENCE NORTH 01°28'17" WEST, 5.00 FEET; THENCE NORTH 88°31'49" EAST, CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE, 287.32 FEET TO AN ANGLE POINT; THENCE NORTH 89°31'43" EAST, CONTINUING ALONG SAID RIGHT OF WAY LINE, 445.78 FEET TO THE EAST LINE OF THE WEST 1/2 OF TRACT 14; THENCE NORTH 00°25'53" EAST, 820.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°25'53" EAST, ALONG SAID EAST LINE OF THE WEST 1/2 FEET OF TRACT 14, 439.33 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 295 STATE ROAD NO. 9; THENCE ALONG SAID RIGHT OF WAY LINE AND ALONG AND AROUND THE ARC OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 5879.58 FEET, AN ARC DISTANCE OF 6.45 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°30'55" WEST 6.45 FEET; THENCE SOUTH 89°29'58" WEST, 512.07 FEET TO THE NORTHEAST CORNER OF TRACT 12; THENCE SOUTH 88°30'22" WEST, 331.25 FEET TO THE NORTHWEST CORNER OF TRACT 12; THENCE SOUTH 00°24'19" WEST, ALONG THE WEST LINE OF SAID TRACT 12, 733.01 FEET; THENCE NORTH 70°27'23" EAST, 899.68 FEET TO THE POINT OF BEGINNING.

