<u>REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR</u>

APPLICATION FOR REZONING ORDINANCE 2014-194 TO

PLANNED UNIT DEVELOPMENT

APRIL 10, 2014

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2014-194** to Planned Unit Development.

Location:	West side of Old Kings Road between Pickettville Road and Lane Avenue North
Real Estate Number(s):	083318-0000
Current Zoning District:	Planned Unit Development (PUD 2007-260)
Proposed Zoning District:	Planned Unit Development (PUD)
Current Land Use Category:	Low Density Residential (LDR)
Proposed Land Use Category:	Business Park (BP)
Planning District:	Northwest, District 5
City Council District:	The Honorable Reginald L. Brown, District 10
Applicant/Agent:	Lara Diettrich Diettrich Planning, LLC 1332 Avondale Avenue Jacksonville, Florida 32205
Owner:	Edwis Selph, Sr. Old Kings Rd, LLC 6200 Soutel Court Jacksonville, Florida 32219
Staff Recommendation:	DENY

GENERAL INFORMATION

Application for Planned Unit Development **2014-194** seeks to rezone approximately 10.13 acres of land from PUD to PUD. The rezoning to PUD is being sought to permit the development of a 2,000 square foot trucking logistics office, parking and storing of tractor trailer trucks. The property was zoned PUD in 2007 to allow for 37 single family dwellings. A Minor Modification, MM-10-18 was approved to allow for eight, one acre single family lots.

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 <u>2030 Comprehensive Plan?</u>

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the <u>2030 Comprehensive Plan</u>, Ordinance 2014-193 (Application 2014C-004) requesting to change the functional land use category of the subject property from Low Density Residential (LDR) to Business Park (BP). The Planning and Development Department has submitted its report on the companion Small-Scale Land Use Amendment 2014C-004 and recommends that the same be denied.

No. When applying the criteria of consistency with the 2030 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. The transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. This is especially important to a predominately single-family residential area where a new industrial use is being introduced, as is proposed in this Planned Unit Development. Therefore, the intensity and scale of the project is **not consistent** with the intent of the <u>2030 Comprehensive Plan</u>. A description of the category is noted below.

BP in the Suburban Area is intended to provide compact low to medium intensity office development. Development which includes low to medium density residential uses is preferred on sites located outside of areas identified as an Industrial Sanctuary. Plan amendment requests for new BP designations are preferred in locations which are supplied with full urban services and with site access to roads classified as arterial or higher on the Highway Functional Classification Map.

BP - GENERAL NEIGHBORHOOD PROTECTION

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. However, scale transition shall not be required where the Industrial Sanctuary or Situational Compatibility overlay zone buffer requirements, pursuant to Section 656.399 of the City of Jacksonville Zoning Code, exceed the buffers required under Part 12 of the City of Jacksonville Zoning Code. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element

Principal Uses: Offices; Business and professional offices; Banks; Financial institutions; Research and development activities; Radio and TV studios; Light manufacturing; fabrication and assembly; Commercial retail sales and service establishments; Major institutions; Light industrial; Warehousing; Hotels and motels; Off street parking lots and garages when combined with another principal use; and Uses associated with and developed as an integral component of TOD for sites located outside of areas identified as an Industrial Sanctuary.

Secondary Uses: Secondary uses shall be permitted pursuant to the Industrial land use introduction. In addition, the following secondary uses may also be permitted: Communication facilities; Utility plants and facilities; Off-street parking lots; Vocational trade, technical or industrial schools; and similar public facilities. The following secondary uses shall not be permitted: Bed and breakfast; Cemeteries, mausoleums, funeral homes or mortuaries; Driving ranges; Golf, yacht, tennis and country clubs; Commercial fishing or hunting camps; Dude ranches; Fairgrounds; Riding academies; Shooting ranges; Stadiums and arenas; Yard waste composting; Camping grounds; Crematoria; Private camps.

Accessory Uses: Outside storage accessory to a permitted use may be permitted provided it is visually screened pursuant to supplemental performance standards and criteria of the Land Development Regulations.

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

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

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

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-004 (Ordinance 2014-193) that seeks to amend the portion of land that is within the LDR land use category to BP. This proposed rezoning to Planned Unit Development is inconsistent with the <u>2030 Comprehensive Plan</u>, and does not further the following goals, objectives and policies contained herein, including:

F.L.U.E. Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

F.L.U.E. Policy1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

F.L.U.E. Policy 1.1.11 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.

F.L.U.E. Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

F.L.U.E. Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

F.L.U.E. Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

The proposed development is inconsistent with the Future Land Use Element as it introduces an industrial type use (BP) category into a Low Density Residential area, thereby creating an "island" of Business Park. Likewise, the site is not in an appropriate infill or nodal area nor is it part of a mixed use development. As such, the proposed amendment is inconsistent with FLUE Objective 1.1 and Policies 1.1.10, 1.1.11, and 3.2.1.

As previously noted, the area surrounding the subject site is predominantly residential in nature. The proposed amendment does not aid in maintaining the character of the surrounding area and is therefore inconsistent with FLUE Policy 3.2.7.

The proposed business park is not connected to another industrial type land use and approval of the land use change would set a president by encouraging similar uses in the into this residential area. In addition, the adjacent nearby residents may object to the sound of tractor trucks starting up in the early morning hours and driving through nearby residential areas. Therefore, the proposed land use amendment is inconsistent with FLUE Policies 1.1.14 and Policy 3.2.1.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a truck terminal. 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:

<u>The use of existing and proposed landscaping</u>: The written description indicates the development will comply with the landscape regulations of the Zoning Code.

Traffic and pedestrian circulation patterns: The site plan is proposing one access on Old Kings Road and a pedestrian sidewalk along the frontage of Old Kings Road.

<u>The use and variety of building setback lines, separations, and buffering</u>: The written description and site plan show setbacks that are larger than required in an IL Zoning District.

<u>The particular land uses proposed and the conditions and limitations thereon</u>: The written description is proposing only one use for the property and sets limitations on the square footage of the office, number of employees and number of tractor trailer trucks.

(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 **not** achieved by the following:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: The subject property is surrounded on all sides with either single family dwellings or a church. The nature of the proposed use is where drivers pick up their trucks, receive their destination, leave and return in the evening to park the truck overnight. The noise, vibration and odor generated by this use will create adverse impacts to the surrounding community. Although the vehicular use area is setback a minimum of 40 feet from the property line, no specific visual screen or buffer is proposed. The location of a proposed stormwater pond on the south property line will create the need to remove any vegetation and provide a clear view from the adjacent property owner into the subject property.

<u>The type, number and location of surrounding external uses</u>: The proposed development is located in an area where residential dwellings are the predominate use. A trucking terminal at this location is incompatible with the existing residential uses.

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

Adjacent	Land Use	Zoning	Current Use
Property	Category	District	
North	LDR	RLD-60	Single family dwellings, undeveloped
South	LDR	RLD-60	Single family dwellings, church
East	LDR	RR-Acre	Single family dwellings
	LDR	RLD-120	Single family dwellings
West	LDR	RLD-60	Single family dwellings

(6) Intensity of Development

The proposed development is **inconsistent** with the BP functional land use category as a trucking terminal. The PUD is not appropriate at this location because it will create additional truck traffic, noise and odors that are incompatible with the surrounding residential dwellings.

<u>The existing residential density and intensity of use of surrounding lands</u>: The surrounding area contains single family dwellings on lot sizes ranging from ½ acre to one acre. The Cornerstone Baptist Church is on 5 acres adjacent to the subject property. There is a 17 acre parcel located 300 feet to the east that is zoned Industrial light (IL), however the parcel remains undeveloped.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The Planning and Development Department completed a transportation analysis and determined that the proposed amendment results in an increase of 1,130 net new daily external tips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 *Development Standards for Impact Assessment*) versus the maximum development potential.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. The site plan indicates a 2.94 acre parcel on the west side of the property will remain undeveloped.

(8) Impact on wetlands

According to the wetlands survey map submitted by the applicant there are approximately 0.65 acres of wetlands located in two areas of the land use amendment subject site. The smallest wetland area of 0.22 Acres is located in the south central area of the property while the larger wetland area of approximately 0.43 acres in located western edge of the subject site. This wetland area is a portion of a larger 1.08 acre wetland on the adjacent site. According to the Florida Land Use Code Classification System (FLUCCS) the property is classified as "Upland Scrub Brush" and not a wetland at all. This area was classified years ago and was in a transitional vegetative state where today it would be classified as "Upland Hardwood Forest" and "Wetland Forested Mixed. The "Category III" type wetlands have a low functional value but provide some water pollution and stormwater attenuation. The proposed site plan for the development indicates no alterations to the sites wetlands. However, any future alteration of wetlands from future expansion of the development will require mitigation from the St. Johns River Water Management District.

(9) Listed species regulations

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

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

The site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The site plan shows a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 2, 2014, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2014-194** be **DENIED**.



Aerial view of subject property.



View of propoerty from Old Kings Road. A portion of the site has been cleared.



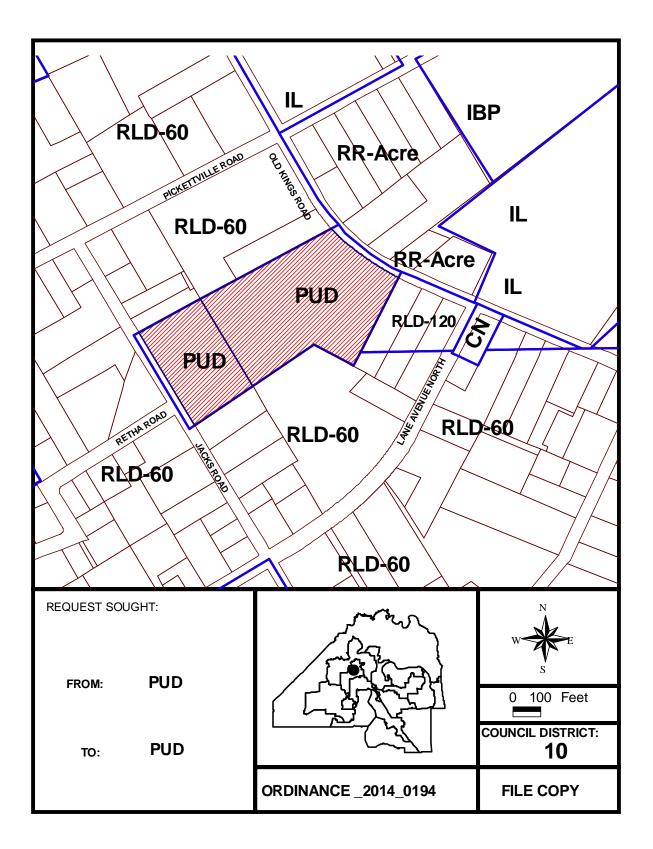
Single family residence across from property.



View along Jacks Road. The subject propoerty is on the right side.



View along Old Kings Road. The subject property is on the right side. Single family dwellings are on the left side.



DEVELOPMENT SERVICES



March 24, 2014

MEMORANDUM

- TO: Bruce Lewis, City Planner Supervisor Planning and Development Department
- FROM: Lisa King Traffic Technician Senior

Subject: Old Kings Road PUD R-2014-192 fka R-2007-260

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

1. If Parcel B is developed, a 5' sidewalk will be required along frontage of Jacks Rd.

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 10set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

R-2014-194 Old Kings Road PUD fka R-2007-260

PLANNING AND DEVELOPMENT

214 N. Hogan Street Suite 2100 Jacksonville, FL 32202 Phone: 904 255 8310 Fax: 904 255 8311 www.coj.net

Application For Rezoning To PUD

Planning ar	nd Developme	nt Department I	nfo	
Ordinance #	N/A Staff	Sign-Off/Date	BEL / N,	/A
Filing Date	03/05/2014 Num	ber of Signs to Po	st 2	
Hearing Date	s:			
1st City Coun	cil N/A Plann	ing Comission N/A		
Land Use & Z	oning N/A 2nd C	ity Council N/A		
Neighborhood	Association KIN	ILOCK CIVIC ASSOC	., PICKETTV	ILLE CIVIC ASSOC.
		rridor Study N/A		
Application	Info			
Tracking #	545	Applicati	on Status	SUFFICIENT
Date Started	01/13/2014	Date Sub	mitted	01/13/2014
General Inf	ormation On A	Applicant		
Last Name		First Name	м	liddle Name
DIETTRICH		LARA		ATHRYN
Company Nan	ne		,	
DIETTRICH PLA	NNING LLC			
Mailing Addre	SS			
1332 AVONDAI	E AVENUE			nin mar (n. (n. 1999)) (n. 1979) en fan de skrifteliker de streffeliker fan sen an a

· ·	City JACKSONVILLE		State FL	Zip Code	32205
	Phone	Fax	Email		
	9045516969	904	LARADIETTRICH	@GMAIL.C	MO

General	Information	On	Owner(s)
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		First Name	Middle Name
SELPH, JR.	· ////////////////////////////////////	EDWIS	nangengengengengen in anderen a
Company/Tru	st Name		
OLD KINGS RO	AD, LLC		
Mailing Addre	55		
6200 SOUTEL (COURT		
City		State	Zip Code
JACKSONVILLE			32219
Phone	Fax	Email	
8329719597		SELPHSR@PATRI	OT-LOGISTICS.COM

Мар	RE#	Council District	District	From Zoning District(s)	To Zoning District
Мар	083318 0000	10	5	PUD	PUD

Ensure that R	E# is a 10 digit number w	ith a space (###	### ####)
	egory Proposed?		
Contraction of the second seco	and Use Application #	Land Use Ca	tegory
2014C-004		LI	
Tota	I Land Area (Nearest 1/10	00th of an Acre)	10.13
	Devel	opment Number	,
Proposed F	PUD Name OLD KINGS ROA	ND, LLC	
THE PROPOSE RELOCATED OF (1) MILE NORT PERMANENT ST OFFICE, EIGHT THE TRACTOR	n For Rezoning Application PUD REZONING PERMITS T FICE FOR PATRIOT LOGISTIC H ON SOUTEL COURT. THE P FRUCTURE OF APPROXIMATE (8) PARKING SPACES FOR S TRAILER TRUCKS MEASURIN SERVE AS THE PARKING AND	HE PROPERTY TO B CS, INC. WHICH IS ROPOSED USE WO LY 2,000 SQUARE F TAFF, AND THIRTY G 12 FEET IN WIDT	CURRENTLY LOCATED ONE ULD CONTAIN ONE (1) EET SERVING AS THE (30) PARKING SPACES FOR TH AND 70 FEET IN LENGTH.
Location O		,	
	CION = OLD KINGS ROAD, BETWEE	N PICKETVILLE RO	AD AND LANE AVENUE NOR
WEST SIDE OF			
House #	Street Name, Type and Di	rection	Zip Code
0	OLD KINGS RD		32219
Between Stre	ets		
The following in prescribed belowing page numbering the page number in	ttachments For Formal tems must be labeled as exhi bw. All pages of the application of by the staff as prescribed i m below and the PUD Check	bits and attached t on must be on 8½" n the application in	o application in the order X 11" paper with provision for structions manual. Please
Exhibit 1	be only and entirely placed of	on the JPⅅ forma	ion of the property that must atted forms provided with the be either lot and block or metes
Exhibit A 📝	Property Ownership Affidavi	t – Notarized Letter	(s).
Exhibit B 🕎	Agent Authorization - Notari	zed letter(s) design	nating the agent.
Exhibit C	Binding Letter.		
Exhibit D 🕎	Written description in accord dual page numbering by the		Checklist and with provision for
Exhibit E 🗾	drawn at a scale large enoug	sion for dual page r	numbering by the JPⅅ staff te the following: (a) North arrow
	and building lot coverage; (((f) All ingress and egress loc	and dimensions of d) Parking area; (e) cations (driveways, ts and rights-of-wa	 the site; (c) Building locations Required Landscaped Areas; alleys and easements) within y; (h) jurisdictional wetlands;
Exhibit F	and building lot coverage; ((f) All ingress and egress loc 660 feet; (g) Adjacent stree	and dimensions of d) Parking area; (e) cations (driveways, ts and rights-of-wa	 the site; (c) Building locations Required Landscaped Areas; alleys and easements) within y; (h) jurisdictional wetlands;

Sup	plemen	al In	Iform	ation
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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	Ø	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	. ,
10.13 Acres @ \$10.00 /acre:	\$110.00
3) Plus Notification Costs Per Addressee	
35 Notifications @ \$7.00 / each:	\$245.00
4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):	\$2,345.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION:

A PORTION OF THE SEYMOUR PICKETT GRANT, SECTION 38, TOWNSHIP 1 SOUTH, RANGE 26 EAST, AND SECTION 53, TOWNSHIP 2 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

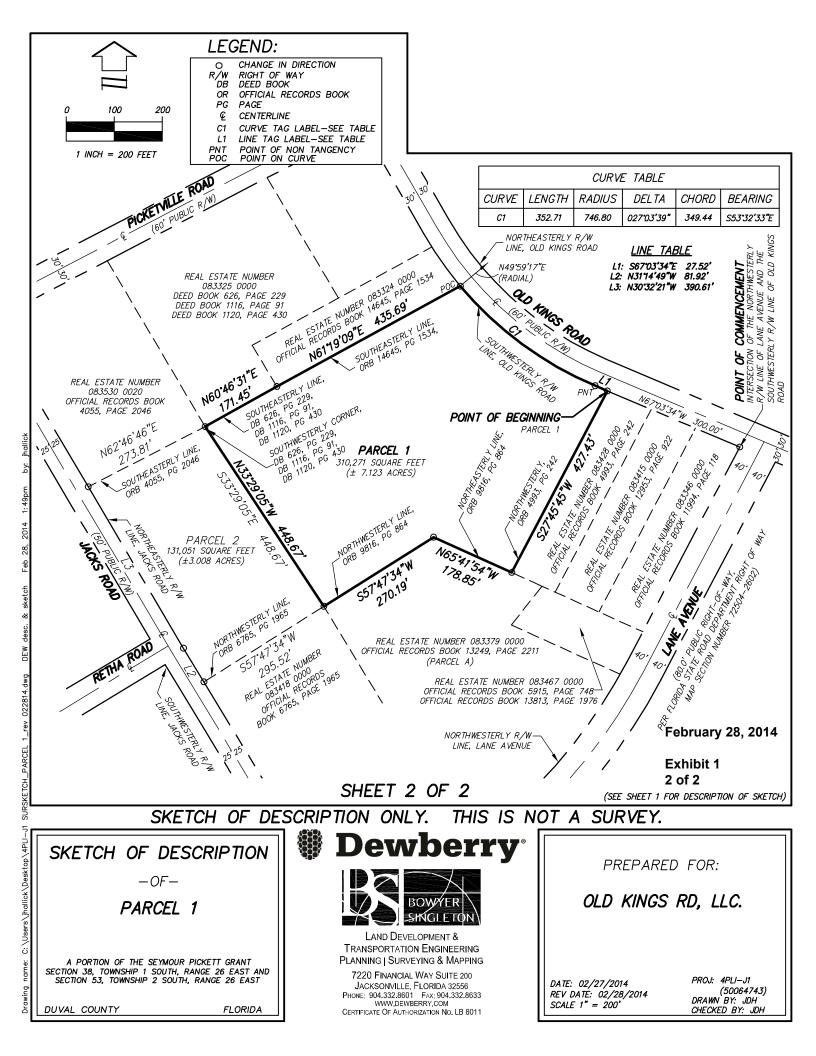
COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LANE AVENUE, AN 80 FOOT WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 72504-2602, WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF OLD KINGS ROAD, A 60.00 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE RUN NORTH 67'03'34" WEST, ALONG THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4993, PAGE 242, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE RUN SOUTH 27"45'45" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 427.43 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816. PAGE 864, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN NORTH 65'41'54" WEST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 178.85 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816, PAGE 864; THENCE RUN SOUTH 57'47'34" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 270.19 FEET; THENCE RUN NORTH 33'29'05" WEST, DEPARTING SAID NORTHWESTERLY LINE, A DISTANCE OF 448.67 FEET TO THE SOUTHWESTERLY CORNER OF THE LANDS DESCRIBED IN DEED BOOK 626, PAGE 229, DEED BOOK 1116, PAGE 91, AND DEED BOOK 1120, PAGE 430, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN NORTH 60'46'31" EAST, ALONG THE SOUTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 171.45 FEET; THENCE RUN NORTH 61"19'09" EAST, ALONG THE SOUTHEASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 14645, PAGE 1534, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, A DISTANCE OF 435.69 FEET TO A POINT ON THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF OLD KINGS ROAD, SAID POINT BEING A POINT ON A 746.80 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 49'59'17" EAST; THENCE ALONG THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF OLD KINGS ROAD THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27'03'39" AN ARC DISTANCE OF 352.71 FEET TO A POINT OF NON-TANGENCY; 2) THENCE RUN SOUTH 67'03'34" EAST, A DISTANCE OF 27.52 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 310,272 SQUARE FEET (7.123 ACRES) MORE OR LESS.

SURVEY NOTES:

- 1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICA DATUM, 2007 ADJUSTMENT, AS ESTABLISHED FROM THE TRIMBLE VRS NETWORK, AS A REFERENCE FOR THIS SKETCH, THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816, PAGE 864 AND OFFICIAL RECORDS BOOK 6765, PAGE 1965 HAS A BEARING OF SOUTH 57*47'34" WEST.
- 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
- 3. THIS IS NOT A BOUNDARY SURVEY. THE MEASUREMENTS SHOWN HEREON ARE BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY DRAWING PREPARED BY THIS FIRM ON 01/28/2014.

JEREMA HALLICK PROFESSIONAL SURVEYOR & MAPPER LICENSE NUMBER 6715 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL I FLORIDA LICENSED SURVEYOR AND MAPPER	D2/28/2014 DATE RAISED SEAL OF A SHEET 1 OF 2	February 28, 2014 Exhibit 1 1 of 1 (SEE SHEET 2 FOR SKETCH OF DESCRIPTION)
SKETCH OF DE	SCRIPTION ONLY. THIS IS	N <u>OT A SURVEY.</u>
SKETCH OF DESCRIPTION -OF- PARCEL 1	Dewberry Bowyrer Bowyrer Skieffon	PREPARED FOR: OLD KINGS RD, LLC.
A PORTION OF THE SEYMOUR PICKETT GRANT SECTION 38, TOWNSHIP 1 SOUTH, RANGE 26 EAST AND SECTION 53, TOWNSHIP 2 SOUTH, RANGE 26 EAST DUVAL COUNTY FLORIDA	LAND DEVELOPMENT & TRANSPORTATION ENGINEERING PLANNING SURVEYING & MAPPING 7220 FINANCIAL WAY SUITE 200 JACKSONVILLE, FLORIDA 32556 PHONE: 904.332.8601 FAX: 904.332.8633 WWW.DEWBERRY.COM CERTIFICATE OF AUTHORIZATION NO. LB 8011	PROJ: 4PLI–J1 DATE: 02/27/2014 (50064743) REV DATE: 02/28/2014 DRAWN BY: JDH CHECKED BY: JDH



LEGAL DESCRIPTION:

A PORTION OF THE SEYMOUR PICKETT GRANT, SECTION 38, TOWNSHIP 1 SOUTH, RANGE 26 EAST, AND SECTION 53, TOWNSHIP 2 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LANE AVENUE, AN 80 FOOT WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 72504-2602, WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF OLD KINGS ROAD, A 60.00 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE RUN NORTH 67'03'34" WEST, ALONG THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4993, PAGE 242, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN SOUTH 27'45'45" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 427.43 FEET TO THE NORTHEASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816, PAGE 864, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN NORTH 65'41'54" WEST, A DISTANCE OF 178.85 FEET TO THE NORTHWESTERLY LINE OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816, PAGE 864; THENCE RUN SOUTH 57'47'34" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 270.19 FEET TO THE POINT OF BEGINNING AND A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6765, PAGE 1965, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN SOUTH 57'47'34" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 295.52 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF JACKS ROAD, A 50.00 FOOT WIDE RIGHT-OF-WAY; THENCE ALONG THE AFORESAID NORTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN NORTH 31"14'49" WEST, A DISTANCE OF 81.92 FEET; 2) THENCE RUN NORTH 30.32'21" WEST, A DISTANCE OF 390.61 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4055, PAGE 2046, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA: THENCE RUN NORTH 62'46'46" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 273.81 FEET TO THE SOUTHWESTERLY CORNER OF THE LANDS DESCRIBED IN DEED BOOK 626, PAGE 229, DEED BOOK 1116, PAGE 91, AND DEED BOOK 1120, PAGE 430, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE RUN SOUTH 33'29'05" EAST, DEPARTING SAID SOUTHEASTERLY LINE, A DISTANCE OF 448.67 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 131,051 SQUARE FEET (3.009 ACRES) MORE OR LESS.

SURVEY NOTES:

- . BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICA DATUM, 2011 ADJUSTMENT, AS ESTABLISHED FROM THE TRIMBLE VRS NETWORK, AS A REFERENCE FOR THIS SKETCH, THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9816, PAGE 864 AND OFFICIAL RECORDS BOOK 6765, PAGE 1965 HAS A BEARING OF SOUTH 57'47'34" WEST.
- 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
- 3. THIS IS NOT A BOUNDARY SURVEY. THE MEASUREMENTS SHOWN HEREON ARE BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY DRAWING PREPARED BY THIS FIRM ON 01/28/2014.

JEREMA HALLICK PROFESSIONAL SURVEYOR & MAPPER LICENSE NUMBER 6715 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL FLORIDA LICENSED SURVEYOR AND MAPPER	SHEET 1 OF 2	February 28, 2014 Exhibit 1 3 of 3 (SEE SHEET 2 FOR SKETCH OF DESCRIPTION)
SKEICH OF DI	ESCRIPTION ONLY. THIS IS	
SKETCH OF DESCRIPTION -OF- PARCEL 2	BOWVER BO	• PREPARED FOR: OLD KINGS RD, LLC.
SECTION 38, TOWNSHIP 1 SOUTH, RANGE 26 EAST AND SECTION 53, TOWNSHIP 2 SOUTH, RANGE 26 EAST DUVAL COUNTY FLORIDA	7220 FINANCIAL WAY SUITE 200 JACKSONVILLE, FLORIDA 32556 PHONE: 904.332.8601 FAX: 904.332.8633 WWW, DEWBERRY, COM CERTIFICATE OF AUTHORIZATION NO, LB 8011	DATE: 02/27/2014 REV DATE: 02/28/2014 REV DATE: 02/28/2014 CHECKED BY: JDH

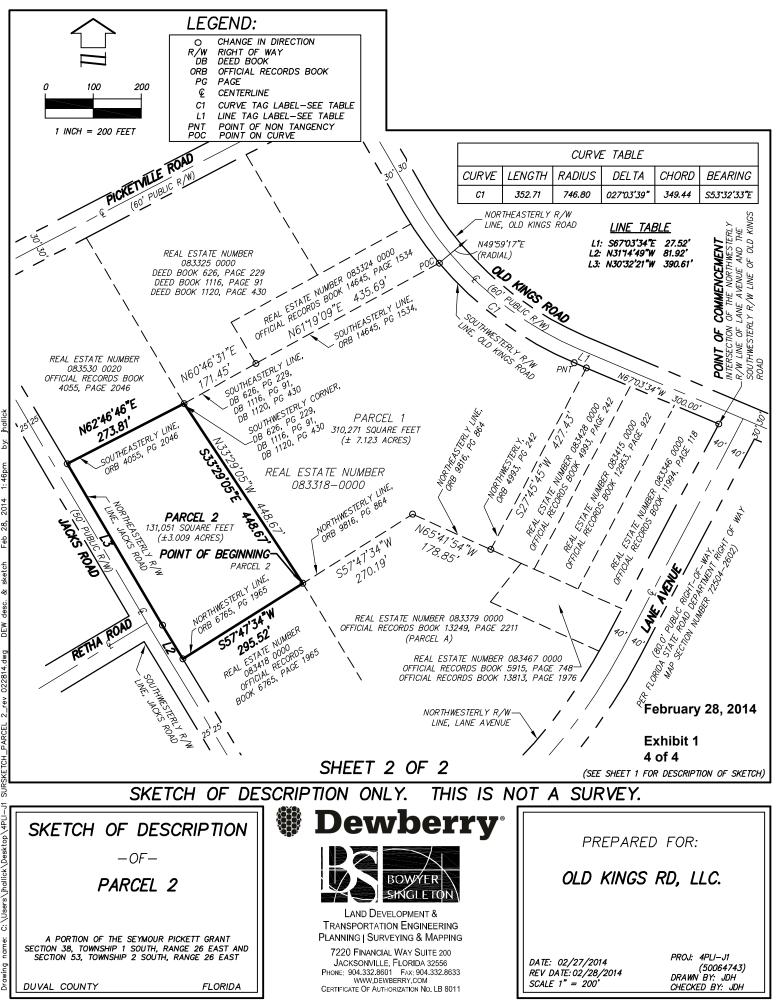


EXHIBIT A

Property Ownership Affidavit

Date: 1-7-14

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

1, OLA KINGS BOAS 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 SMALL SCALE LAND USE AMENDMENT, submitted to the Jacksonville Planning and Development Department.

(Owner's Signature)

STATE OF FLORIDA COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me	this 7th day of January (month).
2014 (year) by Edwis L. Selph	who is personally known to me or has
produced TEXAS Driver License as iden	tification.
Anda ann Talons (Notary Signature)	LINDA ANN MARTINEZ Notary Public, State of Texas My Commission Expires JULY 07, 2017

EXHIBIT B

Agent Authorization

Date: 1-7-14

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

Re: Agent Authorization for the following site location: ED PARCEL NO. 083318-0000

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 DIETTRICH attached hereto. Said owner hereby authorizes and empowers <u>PLANNING</u> <u>LLC</u> to act as agent to file application(s) for <u>Sman SCARE LANN VSE AMENTED</u> 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.

(Owner's Signature)

STATE OF FLORIDA COUNTY OF DUVAL

The foregoing affidavit was swom and subscribe	d before me this <u>7th</u> day of <u>Danuary</u>
an acult from the Editis L.	, seloh, who is personally
(month), <u>2014</u> (year) by <u>certains</u> known to me or has produced Texas DVI	Ver License as identification.

(Notary Signature)

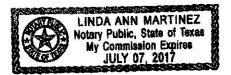


EXHIBIT B

Agent Authorization

Date: 1-2-14

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

Re: Agent Authorization for the following site location:

OLD KINGS CORD PARCEL NO. 083318-0000

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
as agent to file application(s) for SMM SCALE LAND VSE AMENT 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.

Elec (Owner's Signature)

STATE OF FLORIDA COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this	7th day of January
(month), 2014 (year) by Educis L. Selph	, who is personally
known to me or has produced TPAGS Driver Ucense	as identification.

Kinda ann Marting (Notary Signature)

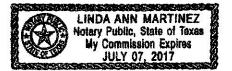


EXHIBIT C

Binding Letter

Date: 1-7-14

City of Jacksonville Planning and Development Department Jacksonville, Florida 32202

ING CORTS/PATRIOT LOGISTICS PUD Re:

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,

inhature)

tts: <u>MEMBER</u>

EXHIBIT "D"

Application for a Planned Unit Development Old Kings RD, LLC PUD Written Description March 7, 2014

I. SUMMARY DESCRIPTION OF THE PROJECT

- A. Current Land Use Designation: LDR
- **B.** Current Zoning District: PUD
- C. Requested Zoning District: PUD
- **D.** RE #: 083318-0000 (a portion of; being recorded into two parcels)
- E. Owner: Old Kings RD, LLC, Edwis Selph, Sr., President
- F. Project Planner/Authorized Agent: Lara Diettrich, Diettrich Planning, LLC
- G. Project Attorney/Authorized Agent: Wyman Duggan, Rogers Towers Law Firm
- H. Project Engineer: Doug Skiles, P.E., Envision Design + Engineering
- I. Project Scientist: Patrick Pierce, Environmental Services, Inc.
- J. Project Surveyor: Jeremy Hallick, Dewbery/Bowyer-Singleton
- K. Total Acreage of Parent Parcel: 10.131 +/- acres (bifurcated into two parcels)
 Parcel A 7.123 acres and Parcel B 3.009 acres
- L. Total number of dwelling units by each type: None; non-residential use proposed.
- M. Total amount of non-residential floor area: 2,000 square feet.
- **N.** Total amount of recreation area: None; non-residential use proposed.
- **O.** Total amount of open space: None; non-residential use proposed.
- **P.** Total amount of public/private rights of way: None; non-residential use proposed.
- **Q.** Total amount of land coverage of all buildings and structures: 2,000 square feet.
- **R.** Phase schedule of construction: One phase.

The purpose of a Planned Unit Development (PUD) being submitted instead of a conventional rezoning application is to better control the proposed use and development on the site due to the adjacent residential uses. By submitting a PUD, the applicant has included setbacks, side yards, frontage and height that would be in keeping with the character of the area, in fact exceeding it, including the design of the proposed office building being similar to a residential style structure. In addition, the majority of the trees and wetlands on the site will serve as a natural buffer between the subject parcel and adjacent parcels. The conditions of the PUD will preclude any deviations if the proposed use and land owner were to sell the property or discontinue the use for any other uses. This allows the City of Jacksonville and the surrounding property owners to have confidence in what will be able to occur on the subject parcel. Due to the nature of the proposed use, there will be no common areas as all of the property is privately owned.

II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 10.131 acres of property from Planned Unit Development (PUD) to Planned Unit Development (PUD). The Property is located between Pickettville Road and Lane Avenue North, as shown on Exhibit "K" (the "Property"). A site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan").

It is important to note that there is a companion Small Scale Land Use Amendment (SS LUA) submitted with this PUD application. For purposes of preserving the balance of property not being impacted by the proposed development, the SS LUA proposes to change the land use only for what is referred to as "Parcel A" and not propose a change in land use to "Parcel B", allowing it to remain in its current land use of Low Density Residential (LDR). This provides assurance to the surrounding land owners that the proposed development will remain where it is being proposed on the site plan depicting the development to be solely on "Parcel A". The total acreage of the parent parcel is 10.131 acres, having been split depicting "Parcel A" as being 7.123 acres and "Parcel B" as being 3.009 acres. This PUD application takes into consideration that it is more prudent to rezone the entire parent parcel than to only consider "Parcel A" so that the existing PUD be cleanly updated instead of being severed for future administrative purposes.

The proposed PUD rezoning permits "Parcel A" to be developed as a relocated office for Patriot Logistics, Inc. which is currently located one (1) mile north on Soutel Court. The proposed use would contain one (1) permanent structure of approximately 2,000 square feet serving as the office, eight (8) parking spaces for staff, and thirty (30) parking spaces for the tractor trailer trucks measuring 12 feet in width and 70 feet in length. This would serve as the parking and interface office for drivers to arrive each morning to pick up their schedules and trucks, returning at the end of the day to park the trucks. The proposed development is intended to be located on the cleared area of the subject parcel. "Parcel B" is to be left in-tact as much as possible to serve as a natural buffer between the proposed development and the adjacent residential uses. If any development were to impact wetlands, they will be permitted in accordance with local, state and federal requirements.

While the subject parcel has a land use designation of Low Density Residential, its zoning designation was changed from Rural Residential to Planned Unit Development (PUD) in 2007. Ordinance 2007-260-E was approved to allow for up to thirty-seven (37)

single family lots averaging 6,000 square feet. Due to the housing market and economy, the 37 homes were never built. In 2010, a Minor Modification was approved to modify the existing PUD to reduce the number of single family lots within the subdivision from thirty-seven (37) single family lots to eight (8) one-acre single-family lots. This modification was submitted as the owner felt that minimizing the amount of single family lots may be more marketable as the housing market slowly re-emerged. These eight (8) single-family lots were never sold nor developed either. The proposed use is far less dense or intense than previously approved PUD.

The subject parcel is located on a minor arterial roadway, Old Kings Road, which is utilized predominantly by multiple axle commercial vehicles. While the immediate adjacent parcels have a land use designation of Low Density Residential, hundreds and hundreds of acres of parcels with land use designations of Light Industrial (LI), Heavy Industrial (HI), Community/General Commercial (CGC), and Medium Density Residential (MDR) are located beginning only four hundred (400) feet from the subject parcel. Surrounding uses include: residential, light and heavy industrial businesses, tractor trailer parking, trucking companies, lawn mower repair, convenient store, and auto and truck repair. In addition, the subject parcel is adjacent to the Industrial Sanctuary and would be an extension of the Situational Compatibility boundary as shown on Map L-23 of the 2030 Comprehensive Plan.

III. PUD DEVELOPMENT CRITERIA

- A. Description of Uses.
 - 1. A 2,000 square foot permanent structure to serve as an office for Patriot Logistics, Inc.
 - 2. Parking for eight (8) employees and for thirty (30) tractor trailer trucks measuring twelve (12) feet in width by seventy (70) feet in length.
 - 3. Essential services including water, sewer, telephone, stormwater management facilities, electric, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code.
- **B. Permitted Accessory Uses and Structures.** Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

C. Minimum Lot and Building Requirements.

- 1. *Minimum Lot Requirements:* 100 feet and 10,000 square feet (width and area).
- 2. *Maximum Lot Coverage by all buildings.* 2,000 square feet.
- 3. *Minimum Yard Requirements. 50* feet front, 40 feet side, 60 feet rear.
- 4. *Maximum Height of Structures.* 35 feet.

NOTE: Setbacks, side yards, frontage, and height are incorporated into the Site Plan to take into consideration the adjacent residential uses.

- **D.** Access. Access to the site will be from Old Kings Road. As indicated on the Site Plan, the Property will have one (1) access point. The design of the access point and internal circulation as shown on the Site Plan may vary prior to development; provided, however, that the final design of both shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer.
- E. Pedestrian Circulation. There is already an existing sidewalk that runs the length of the proposed parcel's frontage on Old Kings Road. Therefore, a sidewalk will not be required to be constructed as it already is.
- F. Recreational/Open Space. No on-site recreational area will be provided.
- **G. Signage.** The PUD shall be permitted one double-faced externally-illuminated monument sign, not to exceed twenty-four (24) square feet in area and ten (10) feet in height, at the entrance of Old Kings Road.
- **H. Parking and Loading Requirements.** The proposed PUD will provide integrated parking facilities to support the proposed staff, drivers' vehicles, and tractor trailer truck parking. Parking within the PUD will be provided in accordance with the City's off-street parking and loading requirements as set forth in Part 6 of the City of Jacksonville Zoning Code. There will be no loading provisions as there will be no on-site storage of any materials.

Modifications to parking requirements within the PUD may be permitted by an administrative modification.

- I. Landscaping/Fencing/Screening. The development will comply with Part 12 of the Zoning Code unless otherwise approved by the Planning and Development Department; provided, however, that any required perimeter landscaping and buffer may be placed within the building setbacks and yard requirements.
- **J. Architectural Design.** Buildings, structures and signage shall be constructed and painted with materials that are aesthetically compatible and blend in with the character of the surrounding area.
- **K.** Lighting. PUD lighting shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on any adjacent residential uses.
- L. Stormwater Retention. Stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District.
- **M. Utilities.** Electric power is available to the site provided for by the JEA. Water and sewer services will be provided by the JEA.
- **N. Temporary Uses.** Temporary construction office trailer shall be allowed within the PUD.

- **O. Modifications.** Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.
- **P. Conceptual Site Plan.** The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.
- **Q. Phasing.** The development will be achieved in one (1) phase.

IV. PUD REVIEW CRITERIA

A. Consistency with Comprehensive Plan. The Property is currently within the LDR land use category, which permits residential development at a density of up to 7 units per acre. The site was previously approved for 37 dwelling units, which is far more dense and intense than the proposed use.

The following are a selection of Goals, Objectives and/or Policies from the City of Jacksonville's 2030 Comprehensive Plan that support the proposed companion Small Scale Land Use Amendment and this Planned Unit Development:

FUTURE LAND USE ELEMENT

Policy 1.1.11

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.

Policy 1.1.12

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

Policy 2.6.1

Require railroad companies to locate general yards in areas that will not create major vehicular traffic or land use impacts. Give preference in land use permitting to siting such facilities in the rural or industrial areas of the City.

Policy 3.2.1

The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.4

The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

TRANSPORTATION ELEMENT

10.6.2

The City, through Land Development Regulations, shall encourage new development involved in the import and export of heavy or bulk goods or recyclable goods to be located, when economically feasible, on sites near or adjacent to port, rail, or air facilities to help minimize the number of heavy trucks on the region's highway system.

10.6.4

The City shall designate truck routes to minimize the impact of traffic through residential areas and maximize the flow of intermodal shipment of goods.

CONCLUSION

The proposed land use is consistent with its surrounding area. The subject parcel is located adjacent to the Industrial Preservation Sanctuary and the Situational Compatibility boundary; is amidst other large areas of light and heavy industrial land uses; and is located on a minor arterial roadway that serves as one of the main corridors for rail yard trucking. The Property is at the confluence of three significant transportation corridors: 1-295, Old Kings Road, and Lane Avenue; and being in close proximity to the Westlake industrial park and CSX intermodal yard.

Surrounding uses consist of: residential dwelling units; various light and heavy industrial uses, including tractor trailer truck and tractor trailer parking and logistics services; lawn mower repair; automotive/truck repair; and a convenience store. These uses make the proposed development compatible and ideal for this location. The 2030 Comprehensive Plan promotes such land uses in these locations to avoid impacting alternative routes which causes undue harm on inappropriate infrastructure and promotes land uses that are consistent with the character of its surrounding area. Furthermore, compatibility will be enhanced through PUD zoning incorporating site design techniques geared to lessen impacts on nearby land uses.

- **B.** Roadways / Consistency with the Concurrency Management System. The development of the Property will comply with the requirements of the Concurrency Management System.
- C. Allocation of Residential Land Use. There is no residential use proposed for this site.
- **D.** Internal Compatibility / Vehicular Access. The Site Plan attached as Exhibit "E" addresses access and circulation within the site. The Property will have one access point from Old Kings Road. The location and final design of the access points are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- E. External Compatibility / Intensity of Development. The proposed development is consistent with and comparable to approved and pending development in the area. The proposed use is less intense and dense than the previously approved PUD allowing for thirty-seven (37) single family homes, which would create far more traffic, noise, light, consumption of services and creation of waste. The Property is at the confluence of three significant transportation corridors: 1-295, Old Kings Road, and Lane Avenue. The existing Westlake industrial park and CSX intermodal yard are in close proximity to the Property.
- F. Recreation/Open Space. No on-site recreational area will be provided, nor will the proposed development create any additional demands for Recreation/Open Space facilities.
- G. Impact on Wetlands. The proposed development is intended to be located on the cleared area of the subject parcel. Trees and wetlands will be left in-tact as much as possible to serve as a natural buffer between the proposed development and the adjacent residential uses. If any development were to impact wetlands, they will be permitted in accordance with local, state and federal requirements.
- **H.** Listed Species Regulations. The Property is less than fifty acres and therefore a listed species survey is not required.
- I. Off-Street Parking & Loading Requirements. The proposed PUD will provide integrated parking facilities to support the proposed staff, drivers' vehicles, and tractor trailer truck parking. Parking within the PUD will be provided in accordance with the City's off-street parking and loading requirements as set forth in Part 6 of the City of Jacksonville Zoning Code. There will be no loading provisions as there will be no on-site storage of any materials.
- J. Sidewalks, Trails, and Bikeways. Due to the nature of the proposed use, no sidewalks, trails, or bikeways will be provided.
- **K. Stormwater Retention.** Stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District.

L. Utilities. Electric power is available to the site provided for by the JEA. Water and sewer services will be provided by the JEA.

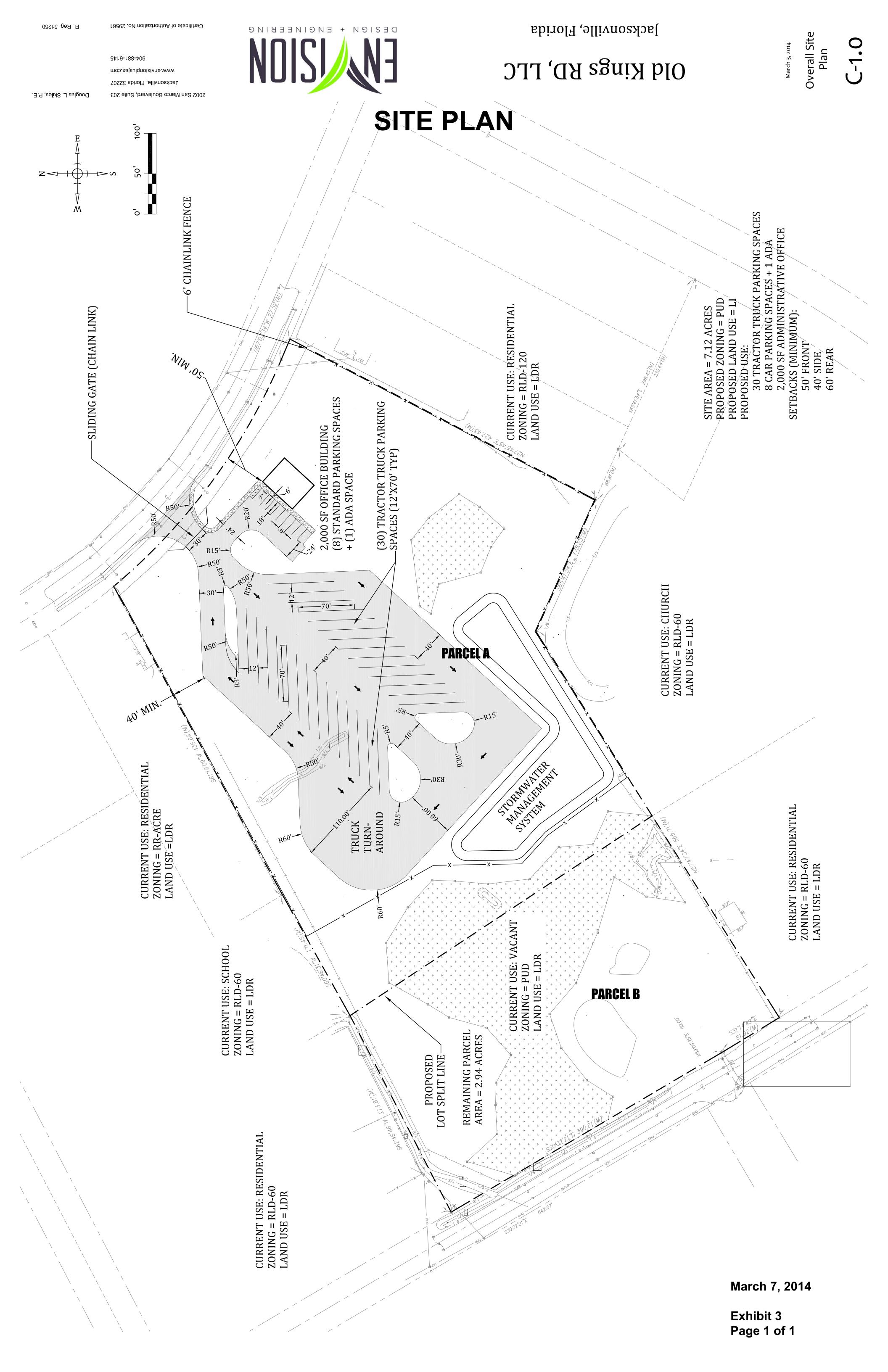


EXHIBIT F

PUD Name

Old Kings Road, LLC

Land Use Table

Total gross acreage	10.13	Acres	100 %	
Amount of each different land use by acreage				
Single family	0	Acres	0	%
Total number of dwelling units	0	D.U.		
Multiple family	0	Acres	0	%
Total number of dwelling units	0	D.U.		
Commercial	0	Acres	0	%
Industrial	7.12	Acres	70	%
Other land use	0	Acres	0	%
Active recreation and/or open space	0	Acres	0	%
Passive open space	3.01	Acres	30	%
Public and private right-of-way	0	Acres	0	%
Maximum coverage of buildings and structures	2,000	Sq. Ft.	0.4	%

Prepared By/Record and Return To: Brandon C. Rosser, Esquire Rogers Towers, P.A. 1301 Riverplace Blvd., Suite 1500 Jacksonville, Florida 32207

Portion of Parcel ID No.: 083318-0000

NOTE TO CLERK: This deed is being given to split the parcel referenced as Parcel ID No. 083318-0000 into two (2) separate parcels and evidences a conveyance of unencumbered property from Grantor to Grantee for no consideration other than nominal consideration (\$10.00) and is subject only to minimum documentary stamp taxes pursuant to Florida Administrative Code Rules 12B-4.012(6) and 12B-4.014(2).

QUIT-CLAIM DEED

This Quit-Claim Deed is made this $1 \leq 1 \leq 1$ day of March, 2014, between OLD KINGS RD. LLC, a Florida limited liability company ("Grantor"), whose address is 4301 Eastpark Drive, Houston, TX 77028, and OLD KINGS RD. LLC, a Florida limited liability company ("Grantee"), whose address is 4301 Eastpark Drive, Houston, TX 77028;

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by the said Grantee, the receipt and sufficiency whereof is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the said Grantee, and its legal representatives, successors and assigns forever, the following described land, situate, lying and being in Duval County, Florida (the "Property"), to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

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

Grantee, by the acceptance of this Quit-Claim Deed, acknowledges that in giving this Quit-Claim Deed, Grantor makes no representations or warranties, expressed or implied, with respect to title to the Property.

(Remainder of page intentionally left blank)

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

Signed, sealed and delivered in the presence of:

Print Name:

OLD KINGS RD. LLC, a Florida limited liability company

By: Name: Its: mITR

STATE OF <u>Levas</u> COUNTY OF <u>Fort Bend</u>

The foregoing instrument was acknowledged before me this \perp day of \underline{March} 2014, by $\underline{Cours Selph}$, the \underline{March} of **OLD KINGS RD. LLC**, a Florida limited liability company, on behalf of the company and corporation. He (check one) \Box is personally known to me, or \underline{A} has produced a valid driver's license as identification.

Print Name: (Mas va



Notary Public, State and County Aforesaid My Commission Expires: 11.17.2017 Commission Number:

Exhibit "A"

A portion of the Seymour Pickett Grant, Section 38, Township 1 South, Range 26 East, Duval County, Florida, being more particularly described as follows:

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LESS AND EXCEPT:

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SAID LANDS CONTAINING 131,051 SQUARE FEET (3.009 ACRES) MORE OR LESS.

Prepared By/Record and Return To: Brandon C. Rosser, Esquire Rogers Towers, P.A. 1301 Riverplace Blvd., Suite 1500 Jacksonville, Florida 32207

Portion of Parcel ID No.: 083318-0000

NOTE TO CLERK: This deed is being given to split the parcel referenced as Parcel ID No. 083318-0000 into two (2) separate parcels and evidences a conveyance of unencumbered property from Grantor to Grantee for no consideration other than nominal consideration (\$10.00) and is subject only to minimum documentary stamp taxes pursuant to Florida Administrative Code Rules 12B-4.012(6) and 12B-4.014(2).

QUIT-CLAIM DEED

This Quit-Claim Deed is made this $1^{\underline{ST}}$ day of March, 2014, between OLD KINGS RD. LLC, a Florida limited liability company ("Grantor"), whose address is 4301 Eastpark Drive, Houston, TX 77028, and OLD KINGS RD. LLC, a Florida limited liability company ("Grantee"), whose address is 4301 Eastpark Drive, Houston, TX 77028;

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by the said Grantee, the receipt and sufficiency whereof is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the said Grantee, and its legal representatives, successors and assigns forever, the following described land, situate, lying and being in Duval County, Florida (the "Property"), to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

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

Grantee, by the acceptance of this Quit-Claim Deed, acknowledges that in giving this Quit-Claim Deed, Grantor makes no representations or warranties, expressed or implied, with respect to title to the Property.

(Remainder of page intentionally left blank)

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

Signed, sealed and delivered in the presence of:

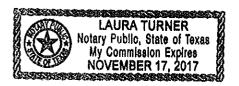
DILNE ecent, Print Name:

OLD KINGS RD. LLC, a Florida limited liability company

By: ξ Name: ENWIS Its: MGR

STATE OF era Band COUNTY OF

The foregoing instrument was acknowledged before me this [day of March, 2014, by Carch, 2014, by Carch, Carch, Carch, Carch, Carch, 2014, by Carch, Carch, Carch, Carch, 2014, by Carch, Carch, Carch, 2014, by Carch



Print Name: <u>Loura Turner</u> Notary Public, State and County Aforesaid My Commission Expires: <u>11.17.2017</u> Commission Number:

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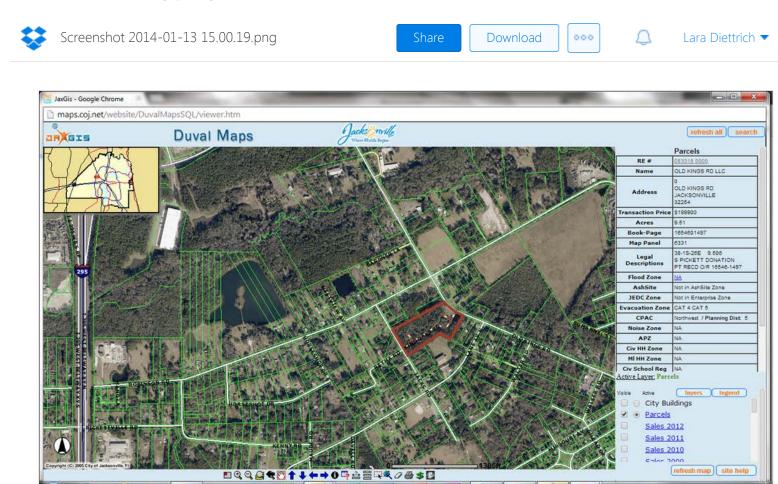
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