

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-391 TO

PLANNED UNIT DEVELOPMENT

JULY 17, 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 **2014-391** to Planned Unit Development.

Location: Northeast intersection of Memorial Park Road and Normandy Boulevard

Real Estate Number(s): 010752-0030

Current Zoning District: Planned Unit Development (PUD 2007-371-E)
Commercial Office (CO)
Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

City Council District: The Honorable Reginald L. Brown, District 10

Applicant/Agent: Eric Almond, P.E.
Almond Engineering, P.A.
3609 Hendricks Avenue
Jacksonville, Florida 32207

Owner: First Southern Bank
212 Ponte Vedra Park Drive
Ponte Vedra Beach, Florida 32082

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-391** seeks to rezone approximately 59.81 acres of land from Commercial Office (CO) and PUD to PUD. The rezoning to PUD is being sought so that the property can be developed as a Golden Corral restaurant. A big box retailer, self-storage facility and several out parcels were intended for the current PUD. A majority of the parcel is in wetlands and the development never commenced.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The Community General Commercial (CGC) is a category 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. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

The Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall

be considered preferred locations for these uses.

Principal Uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; and Filling stations. Residential uses shall not be the sole use and shall not exceed 80 percent of a development.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma centers; Building trade contractors; Rescue missions; and Day labor pools.

Accessory Uses: Warehousing, light manufacturing and fabricating may be permitted provided it is part of a commercial retail sales or service establishment, and the accessory use shall be located on a road classified as collector or higher on the Functional Highway Classification Map.

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

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

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

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

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and

policies contained herein, including:

F.L.U.E. Policy 1.1.8 Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

F.L.U.E. Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

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 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.

F.L.U.E. Policy 3.2.8 The City shall encourage the reorientation and combined use of existing curb cuts and/or parking lots to minimize the negative impacts of non-residential development on adjacent residential uses and the transportation system.

(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. 11,066 square feet for a restaurant is reserved under City Development Number #3958.005 / CRC #85320.0 / Mobility #85320.1.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a commercial development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

The use of topography, physical environment and other natural features: A majority of the site contains wetlands, which will remain undeveloped.

Traffic and pedestrian circulation patterns: The site plan will share an access drive with Walgreens from Memorial Park Road. There is an existing sidewalk on the east side of Memorial Park Road stopping at the property boundary. The owner will construct a sidewalk along the frontage for pedestrian access.

The use and variety of building setback lines, separations, and buffering: The proposed development uses setbacks commonly found in the CCG-1 Zoning District.

The use and variety of building groupings: The proposed site plan only shows one building on the site.

The use and variety of building sizes and architectural styles: The developer has not provided examples of the architectural style. However there are a variety of architecture styles in the immediate area.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The written description indicates the development will comply with the landscape regulations in the Zoning Code.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The type, number and location of surrounding external uses: The proposed development is located in a commercial node near Normandy Boulevard and Interstate 295. Commercial development (restaurant) at this location complements the existing office, institutional and commercial uses and residential dwellings in the immediate area.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CSV	PUD (92-173)	Conservation/Undeveloped
South	CGC	CCG-1	Commercial uses, church
East	LDR	RLD-60	Single family dwellings
West	PBF	PBF-2	Riverside Memorial Park (cemetery)

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a commercial development. The PUD is appropriate at this location because it will support the existing offices, commercial and institutional uses in the area.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. No recreation area is required.

(8) Impact on wetlands

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

(9) Listed species regulations

The proposed development will not occur on the existing wetlands portion of the site.

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

The written description indicates that development will provide approximately 50 parking spaces above the number of required spaces. As there is no reduction in the required landscape, staff has determined the extra parking spaces are justified and will not create any adverse impact to the site or surrounding properties.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 7, 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 **2014-391** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated March 28, 2014.
2. The subject property shall be developed in accordance with the original written description dated June 4, 2014.
3. The subject property shall be developed in accordance with the original site plan dated March 31, 2014.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated June 13, 2014 or as otherwise approved by the Planning and Development Department.





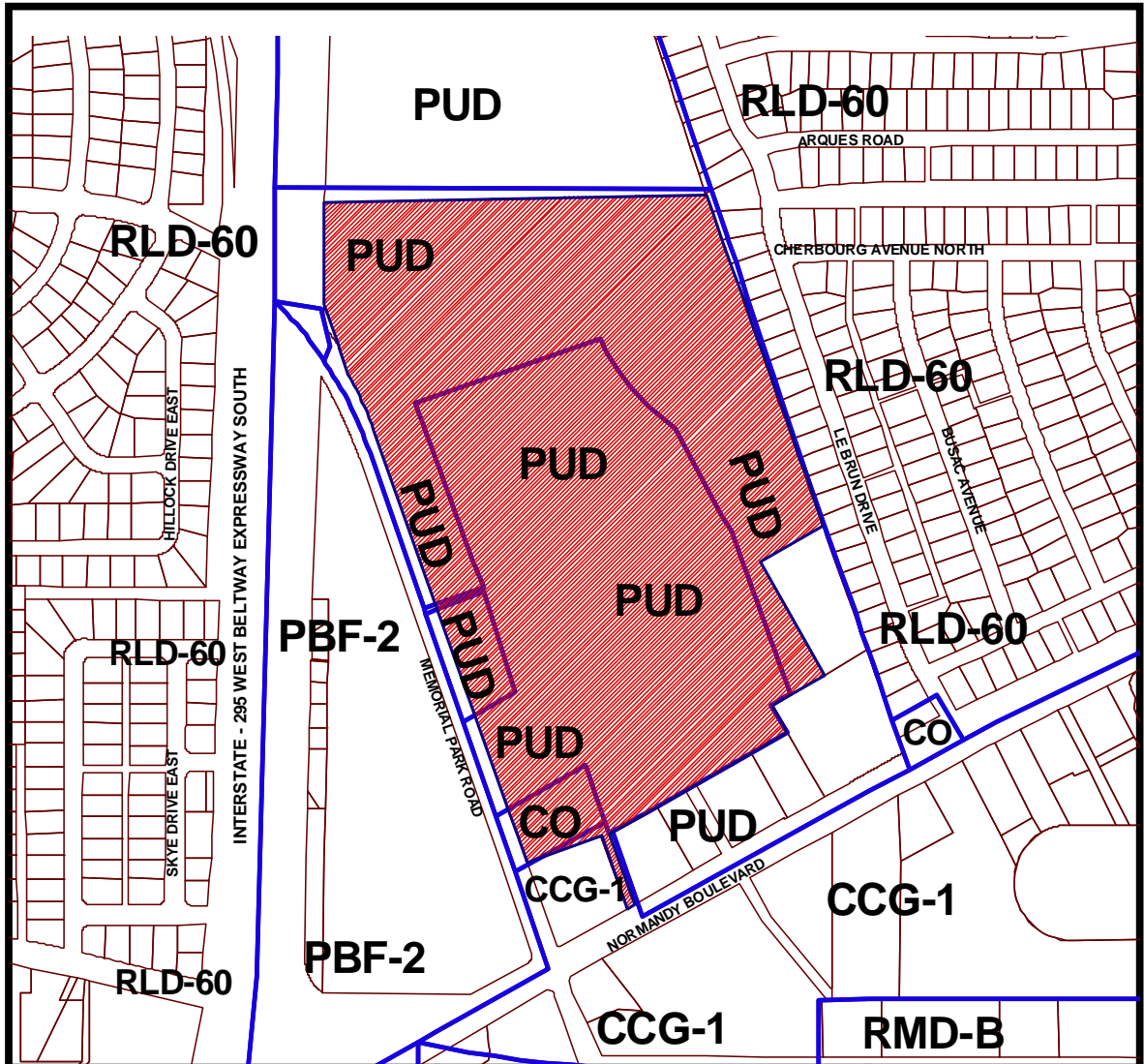
View of site and shared access drive on Memorial Park Road.

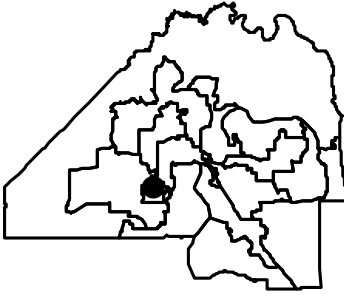



View of Walgreens adjacent to subject site.



View of subject site on right side, looking north along Memorial Park Road.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD, PUD, PUD, CO & CCG-1</p> <p>TO: PUD</p>		 <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 10</p> <p>ORDINANCE _2014_0391</p> <p>FILE COPY</p>
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June 13, 2014

MEMORANDUM

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

FROM: Lisa King
Traffic Technician Senior

Subject: **Golden Corral PUD**
R-2014-0391 fka R-2007-0371
CDN 3958

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

1. Provide a traffic study to determine if left and/or right turn lanes are warranted. Developer is responsible for all costs associated with the study and offsite improvements. If turn lane(s) are warranted, they are to be designed to FDOT Index 301 standards (minimum 100' queue required).
2. Landscaping, signs, fences, walls shall not obstruct horizontal line of sight at driveway connections.
3. The Walgreens on the corner of Normandy & Memorial Park was designed with at 24' internal cross access to the proposed Golden Corral site on the northeastern corner of Walgreens parcel. Traffic recommends that this second cross access be considered to provide better onsite circulation.

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.



MEMORANDUM

DATE: 07/01/2014

TO: Bruce Lewis
City Planner Supervisor

FROM: Soliman Peter Salem
City Planner II

SUBJECT: TRANSPORTATION REVIEW OF THE GOLDEN CORRAL PUD

Memorial Park Road, from Ramona Boulevard to Old Middleburg Road, is the directly accessed functionally classified roadway. Memorial Park Road is a 2-lane undivided class II collector in this vicinity and is currently operating at an acceptable LOS C. Memorial Park Road has a maximum daily service volume of 14,850 vpd and a 2013 daily traffic volume of 5,347 vpd. This road segment currently has sufficient capacity to accommodate the traffic generated by this development.

The land use of Community/General Commercial (CGC) for this 2.58 acres of ITE Land Use Code 932, High Turnover Restaurant, is estimated to be able to accommodate up to 39,334 square feet of development. The current proposal for 11,660 square feet of development, which would generate a total of 1,483 vpd, does not exceed the amount of allowable trip generation for this property.

(ITE 932 High Turnover Restaurant – 11,660 square feet)

Application For Rezoning To PUD



Planning and Development Department Info

Ordinance # 2014-0391 Staff Sign-Off/Date BEL / 05/22/2014

Filing Date N/A Number of Signs to Post 5

Hearing Dates:

1st City Council 07/22/2014 Planning Commission 07/17/2014

Land Use & Zoning 08/05/2014 2nd City Council N/A

Neighborhood Association ROLLING HILLS, WEST JAX CIVIC ASSOC.

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 593 Application Status PENDING

Date Started 04/02/2014 Date Submitted 04/02/2014

General Information On Applicant

Last Name First Name Middle Name

Company Name

Mailing Address

City State Zip Code

Phone Fax Email

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name

Company/Trust Name

Mailing Address

City State Zip Code

Phone Fax Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map				

Map

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

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

Development Number

Proposed PUD Name

Justification For Rezoning Application

PLEASE SEE EXHIBIT D "WRITTEN DESCRIPTION"

Location Of Property

General Location

House # Street Name, Type and Direction Zip Code

Between Streets

and

Required Attachments For Formal, Complete application

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

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

Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.

Exhibit F Land Use Table

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

Supplemental Information

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

Exhibit H Aerial Photograph.

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

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

Exhibit K Site Location Map.

Public Hearings And Posting Of Signs

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

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

Application Certification

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

Agreed to and submitted

Filing Fee Information

- | | |
|---|------------|
| 1) Rezoning Application's General Base Fee: | \$2,000.00 |
| 2) Plus Cost Per Acre or Portion Thereof | |
| 59.81 Acres @ \$10.00 /acre: | \$600.00 |
| 3) Plus Notification Costs Per Addressee | |
| 85 Notifications @ \$7.00 /each: | \$595.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$3,195.00 |

NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description

A PART OF THE WILLIAM SILCOX DONATION, SECTION 39, TOWNSHIP 2 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF NORMANDY BOULEVARD (STATE ROAD NO. 228, A VARIABLE WIDTH RIGHT-OF-WAY PER S.R.D. RIGHT-OF-WAY MAP, SECTION 72120-2507, DATED 5-7-81) WITH THE EASTERLY RIGHT-OF-WAY LINE OF MEMORIAL PARK ROAD (AN 80 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 80°22'28" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 270.83 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 12005, PAGE 2089, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY AND THE POINT OF BEGINNING; THENCE NORTH 19°31'53" WEST, ALONG LAST SAID LINE, 262.48 FEET TO THE NORTHERLY LINE OF LAST SAID LANDS; THENCE SOUTH 70°28'07" WEST, ALONG LAST SAID LINE, 266.65 FEET TO THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF MEMORIAL PARK ROAD; THENCE NORTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES; COURSE NO. 1: NORTH 19°31'53" WEST, 1546.79 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 2: NORTHWESTERLY ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1186.28 FEET, AN ARC DISTANCE OF 45.29 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 20°37'30" WEST, 45.28 FEET TO THE POINT OF TANGENCY OF LAST SAID CURVE; COURSE NO. 3; NORTH 21°43'07" WEST, 30.00 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 4: NORTHWESTERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTHWESTERLY LINE OF THOSE LANDS DESIGNATED PARCEL "C" AND DESCRIBED AND RECORDED IN OFFICIAL RECORDS 6099, PAGE 1749 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1227.98 FEET, AN ARC DISTANCE OF 233.67 FEET, SAID ARC BEING SUBTENDE BY A CHORD BEARING AND DISTANCE OF NORTH 28°54'09" WEST, 233.31 FEET TO THE WESTERLY LINE OF SAID SECTON 39; THENCE NORTH 19°31'53" WEST, ALONG LAST SAID LINE, 150.39 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERESTATE HIGHWAY NO. 295 (A VARIABLE WIDTH RIGHT-OF-WAY, AS NOW ESTABLISHED); THENCE NORTH 00°10'56" WEST, ALONG LAST SAID LINE, 349.37 FEET TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN BEING THE NORTHERLY LINE OF A 50 FOOT EASTMENT FOR UTILITIES TO THE FLORIDA POWER AND LIGHT COMPANY, OBTAINED DECEMBER 2, 1942; THENCE NORTH 88°49'17" EAST, ALONG LAST SAID LINE, 1314.19 FEET TO THE NORTHWESTERLY CORNER OF A 50 FOOT DRAINAGE AND UTILITY RIGHT-OF-WAY AS SHOWN ON THE PLAT OF NORMANDY-UNIT THREE, AS RECORDED IN PLAT BOOK 26, PAGES 71 AND 71A OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY AND THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 1999, PAGE 268, AND OFFICIAL RECORDS 7126, PAGE 381, ALL OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 19°30'06" EAST, ALONG LAST SAID LINE, 1183.01 FEET TO THE SOUTHEASTERLY LINE OF THE CONSERVATION EASEMENT PROPERTY DESCRIBED AND RECORDED IN OFFICIAL RECORDS 9346, PAGE 2063 OF SAID PUBLIC RECORDS; THENCE SOUTHWESTERLY AND SOUTHEASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES; COURSE NO. 1: SOUTH 60°22'28" WEST, 245.23 FEET: COURSE NO. 2: SOUTH 29°37'32" EAST, 440.41 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 10754, PAGE 1774 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 60°22'28" WEST, ALONG LAST SAID LINE, 204.53 FEET TO THE WESTERLY LINE OF LAST SAID LANDS; THENCE SOUTH 29°37'32" EAST, ALONG LAST SAID LINE, 106.94 FEET TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 11473, PAGE 996 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 60°22'28" WEST ALONG LAST SAID LINE AND THE NORTHERLY LINES OF THOSE RECORDS 9500, PAGE 351, AND OFFICIAL RECORDS 10220, PAGE 642, ALL OF SAID CURRENT PUBLIC RECORDS, 690.92 FEET TO THE WESTERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 10220, PAGE 642 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 19°31'53" EST, ALONG LAST SAID LINE, 253.93 FEET TO THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF NORMANDY BOULEVARD; THENCE SOUTH 60°22'28" WEST, ALONG LAST SAID LINE, 29.16 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH RECIPROCAL EASEMENT AGREEMENT WITH CONVENANTS, CONDITIONS AND RESTRICTIONS IN OFFICIAL RECORDS BOOK 12005, PAGE 2093, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

March 28, 2014

EXHIBIT A

Property Ownership Affidavit

Date: May 7, 2014

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

Re: Ownership Certification

Address: Real Estate Number: 010752-0030

Gentlemen:

I, JAMES GREGORY OLIVIER, SEVP, FIRST SOUTHERN BANK hereby certify that I am the Owner of the property described in the above address or the attached legal description, **Exhibit 1** in connection with filing application(s) for a rezoning submitted to the Jacksonville Planning and Development Department.

JG, SEVP, FIRST SOUTHERN BANK
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ PB

The foregoing affidavit was sworn and subscribed before me this 15 day of May (month), 2014 (year) by James Gregory Olivier who is personally known to me or has produced _____ as identification.

[Signature]
(Notary Signature)

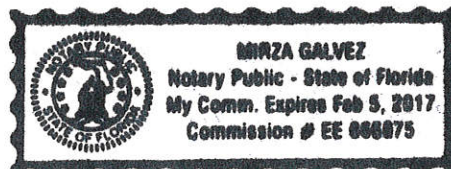


EXHIBIT B

Agent Authorization

Date: May 7, 2014

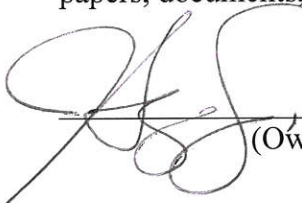
City of Jacksonville
Planning and Development Department
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

Golden Corral PUD – 0 Memorial Park Road (Real Estate Number: 010752-0030)

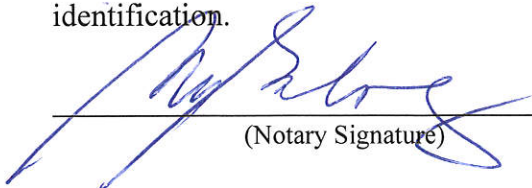
Gentleman:

You are hereby advised that the undersigned is the owner of the property described above. Said owner hereby authorizes and empowers; Almond Engineering, P.A. to act as agent to file application(s) for a rezoning for the property described in Exhibit 1 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.


SEVP, FIRST SOUTHERN BANK
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ PB

The foregoing affidavit was sworn and subscribed before me this 15 day of May (month), 2014 (year) by James Gregory Oliver, who is personally known to me or has produced _____ as identification.


(Notary Signature)

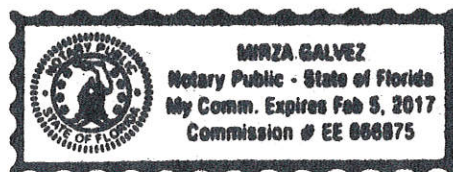


EXHIBIT C

Binding Letter

Date: May 7, 2014

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

RE:

Ladies and Gentleman;

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

Sincerely,


By:  FIRST SOUTHERN BANK
Its: SEVP

EXHIBIT D
PUD Written Description

GOLDEN CORRAL PUD
June 4, 2014
City Development Number: (3958.000)

I. PROJECT DESCRIPTION

The property that this application proposes for rezoning is located in the northeast quadrant of Normandy Blvd and Memorial Park Road (RE# 010752_0030), and was formerly known as the Memorial Park PUD. The property is currently undeveloped, mostly jurisdictional wetlands, with uplands located principally along Memorial Park. The Applicant proposes to rezone approximately 59.81 acres from CO, CCG-1, and PUD to Planned Unit Development (PUD) to allow for the development of a commercial restaurant facility project (the Proposed Golden Corral) known as Golden Corral PUD. This proposed commercial restaurant will replace the existing, adjacent Golden Corral currently located at 7043 Normandy Blvd. (the adjacent Golden Corral). The majority of the master parcel is jurisdictional wetlands; however there are pockets of uplands along Memorial Park Road and an existing storm water pond. The applicant proposes to utilize the upland areas for the development of the Proposed Golden Corral with minor wetland impacts incidental to parking lot and pond construction, and to reserve the right to develop outparcels along Memorial Park Road. Outparcel Development along Memorial Park Road would be considered in a future PUD rezoning. Outparcel Development along Memorial Park Road is not part of this rezoning application. The proposed use of this PUD application will be one commercial restaurant, the Proposed Golden Corral, on approximately 2.53 acres +/- of the total 59.81 +/- acres located immediately north of the existing Walgreens facility (located at the NE quadrant of the intersection of Normandy Blvd and Memorial Park), together with the construction of site signage along Normandy Blvd and Memorial Park Road. In addition to the 2 site signs on Normandy and Memorial Park, a third offsite sign located near the Interstate 295 right-of-way, on lands owned by the applicant, is also proposed. This PUD application contemplates the preservation of a majority of the wetlands, providing natural floodway attenuation, and also a large natural buffer between the proposed development and adjacent residential neighborhood to the east.

The proposed PUD is in general conformity with the zoning code; however because the existing property is already zoned PUD, CCG-1, and CO, we must modify the original PUD to include the addition of the CO and CCG-1 parcel of property and to submit a new site plan for the new project's site configuration. The previously approved PUD allowed for an intense, big box commercial retail shopping facility with outparcels (approximately 280,000 SF of combined gross floor area). The proposed PUD contemplates a single, free standing commercial restaurant not to exceed 12,000 SF. The only areas of the zoning code where we seek relief from strict compliance would be with respect to allowing: (a) increased signage square-footage on Normandy Blvd; and (b) more than the required maximum parking by code.

II. USES AND RESTRICTIONS

A. Permitted Uses:

The existing property has two separate and distinct Comprehensive Plan designations. The parcel has a mixed Land Use of LDR and CGC. The proposed commercial restaurant use within the PUD is contained in the portion of the property which has the underlying Land Use of CGC. The purpose of this application for PUD approval is to allow for a use of the property, specifically a restaurant that is consistent with the CGC category of the Comprehensive Plan, which is also consistent with the surrounding commercial development along Normandy Blvd. The maximum square footage will be 12,000 sf.

B. Accessory Structures:

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

C. Restrictions on Uses:

No permitted restrictions on use as described in A and B above.

III. DESIGN GUIDELINES

A. Lot Requirements:

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None
- (3) *Maximum lot coverage:* None
- (4) *Minimum front yard:* None
- (5) *Minimum side yard:* None
- (6) *Minimum rear yard:* 10 Feet
- (7) *Maximum height of structures:* 60 Feet

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The Proposed Golden Corral commercial restaurant will require additional parking above the required minimum to meet the private

corporate requirements for a feasible project. The proposed commercial restaurant will have 400 seats and 100 employees (approximately 33 per shift). The currently allowed number of Off Street Parking Requirements spaces (per 656.604) would total a maximum of 1 space per 4 restaurant seats and 1 space per every 3 employees. This would equate to a maximum total of 111 spaces.

This PUD application seeks to increase the total allowable parking for the proposed commercial restaurant from 111 parking spaces to no more than 200 parking spaces, including 3 spaces to accommodate buses, to meet Golden Corral corporate requirements.

(2) Vehicular Access.

- a. Vehicular access to the Property shall be by way of a shared driveway on Memorial Park Road, substantially as show in the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.
- b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

(3) Pedestrian Access.

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

C. Signs.

- (1)** The number, location, height and size of signage on the property shall generally meet the Sign Ordinance of the City of Jacksonville (656.1303), except as follows. The master parcel has frontage on Memorial Park Road as well as limited frontage on Normandy Blvd. The proposed signage with this PUD application requests that the signage on Normandy Blvd be equal to the existing, adjacent Golden Corral parcel located at 7043 Normandy Blvd. The corporate Golden Corral approval of this project is contingent upon COJ approving signage similar in size to the existing, adjacent Golden Corral facility, which will be abandoned, and replaced with the restaurant in this PUD. The existing sign to be re-used will be a maximum of 26'9" height, will have a maximum square footage of 126 sf (9' high x 14' long dual sided) and will be illuminated by neon (as it is currently). The Maximum area will be limited to 1,350 sf (12' x 48', dual sided), and this sign shall not exceed 65' in height.

Signage on Memorial Park Road: Shall be in accordance with the Sign Ordinance of the City of Jacksonville (656.1303). * In accordance with (2) below.

Signage on Normandy Blvd: Applicant shall be allowed to remove and to relocate/replace existing Golden Corral sign from the Golden Corral located at 7043 Normandy Blvd and place this sign within the frontage of the master parcel having frontage on Normandy Blvd.

(2) In addition to the 1,350 SF sign on Normandy, one (1) street frontage sign per lot (which is defined for this PUD as consisting of the Proposed Golden Corral, and no outparcel) not to exceed one (1) square foot for each linear foot of street frontage, to a maximum size of two hundred (200) square feet in area for every two hundred (200) linear feet of street frontage or portion thereof, is permitted provided such signs are located no closer than two hundred (200) feet apart, as provided in the Zoning Code. Such freestanding signs shall be of a monument style or as otherwise approved by the Planning and Development Department, not to exceed twenty-five (25) feet in height, and shall have architectural elements and design consistent with the buildings with which they are associated.

(3) Wall signs whose square footage is not to exceed ten percent (10%) of the square footage of the wall of the building abutting or fronting a public right-of-way are permitted.

(4) One (1) under-the-canopy sign per occupancy, not exceeding a maximum of eight (8) square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the building in question.

(5) Directional signs shall not exceed four (4) square feet.

D. Landscaping:

The requirements of the City of Jacksonville Code 656 Part 12 shall apply; however, landscaping may be relocated to provide for efficient development of the site as approved by the Planning and Development Department.

E. Recreation and Open Space:

Not applicable as this is a non-residential development.

F. Utilities

Water will be provided by JEA.

Sanitary sewer will be provided by JEA.

Electric will be provided by JEA.

Natural gas and/or propane will be provided by TECO.

G. Wetlands

Storm water retention/detention systems and any proposed wetland impacts shall be designed and constructed in accordance with the current requirements of the City of Jacksonville and the St. Johns River Water Management District.

IV. DEVELOPMENT PLAN APPROVAL

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

V. 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 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

- A. The proposed PUD would relocate an existing, established, and successful Golden Corral facility to an adjacent parcel better suited to accommodate any potential building expansion, and to better serve their current customers and growing business;
- B. This PUD application replaces a current PUD of substantial commercial development. The proposed PUD has a far less intensive use, while still being developed as commercial development, which through wetland preservation provides a large buffer from the commercial and public buildings and facilities activities along Memorial Park Road to the west, and residential uses to the east;
- C. The proposed PUD allows for an efficient use of land in a commercial use;
- D. The proposed PUD enhances the appearance of the area through development of an infill location;
- E. The PUD application submitted conforms to the Goals, Objectives and Policies of the Jacksonville Comprehensive Plan.

VI. PUD REVIEW CRITERIA

DESCRIBE THE PROJECT AS IT RELATES TO EACH CRITERIA

- A. *Consistency with Comprehensive Plan.* The PUD application submitted conforms to the Goals, Objectives and Policies of the Jacksonville Comprehensive Plan.
- B. *Consistency with the Concurrency and Mobility Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency and Mobility Management System Office (CMMSO), and it has been assigned City Development Number (In review).
- C. *Allocation of Residential Land Use.* Not applicable as this is a non-residential development.
- D. *Internal Compatibility/Vehicular Access.* Proposed Vehicular Access will be via the existing driveway on Memorial Park Road (as depicted in the attached site plan). The proposed project will have a shared driveway with the existing commercial facilities on Memorial Park Road. Internal vehicular circulation and parking space layout shall be subject to review and approval by the City of Jacksonville through the commercial site review permitting processes.
- E. *External Compatibility/Intensity of Development.* The zoning of all lands is commercial and PUD, CO and CCG-1 (commercial uses) to the south, residential to the east, and PBF-2 to the west. The residential property to the east is buffered by a large contiguous wetland system. The proposed development shall provide adequate buffers to accommodate adjoining incompatible uses, including all buffers as required. All utilities are available for the proposed PUD. The proposed PUD is located on Memorial Park Road and has convenient access to Interstate 295 and Normandy Blvd.
- F. *Recreation/Open Space.* Not applicable as this is a non-residential development.
- G. *Impact on Wetlands.* Storm water retention/detention systems and any proposed wetland impacts shall be designed and constructed in accordance with the current requirements of the City of Jacksonville and the St. Johns River Water Management District.
- H. *Listed Species Regulations.* Prior to development, a listed species survey will be performed by an Environmental Scientist. Impacts, if any, will conform to the current Federal, State and local permitting requirements.
- I. *Off-Street Parking & Loading Requirements.* The proposed commercial restaurant will require additional parking above the required minimum to meet the private corporate parent requirements for a feasible project. The proposed commercial restaurant will have 400 seats and 100 employees (approximately 33 per shift). The current Off Street Parking

Requirements (per 656.604) would allow a maximum of 1 space per 4 restaurant seats and 1 space per every 3 employees. This would equate to a maximum total of 111 spaces.

This PUD application seeks to increase the total allowable parking for the proposed commercial restaurant from 111 parking spaces to no more than 200 parking spaces, including spaces to accommodate buses.

- J. *Sidewalks, Trails, and Bikeways.* Required sidewalks within the right-of-way of Memorial Park Road shall be limited to the development area of the proposed restaurant (2.53 acres +/-) and not the full property frontage along Memorial Park Road.
- K. *Storm water Retention.* Storm water retention/detention systems and any proposed wetland impacts shall be designed and constructed in accordance with the current requirements of the City of Jacksonville and the St. Johns River Water Management District.
- L. *Utilities.* JEA will be able to provide water, sewer and electric. TECO will be able to provide natural gas and/or propane for the facility.
- M. *Continued Operation and Maintenance (not provided, operated or maintained by the City).* All facilities and corresponding functions owned and operated by Golden Corral will be maintained by Golden Corral on a daily basis. The storm water management facility will be maintained by a jointed owned maintenance entity comprised of members whose properties directly drain into the storm water management facility.
- N. *Phase Schedule of Construction.* The project will be constructed in a single phase. The anticipated start of construction will be the summer of 2014, with an anticipated construction completion date of December 2014.

O. *Project Architect/Planner:*

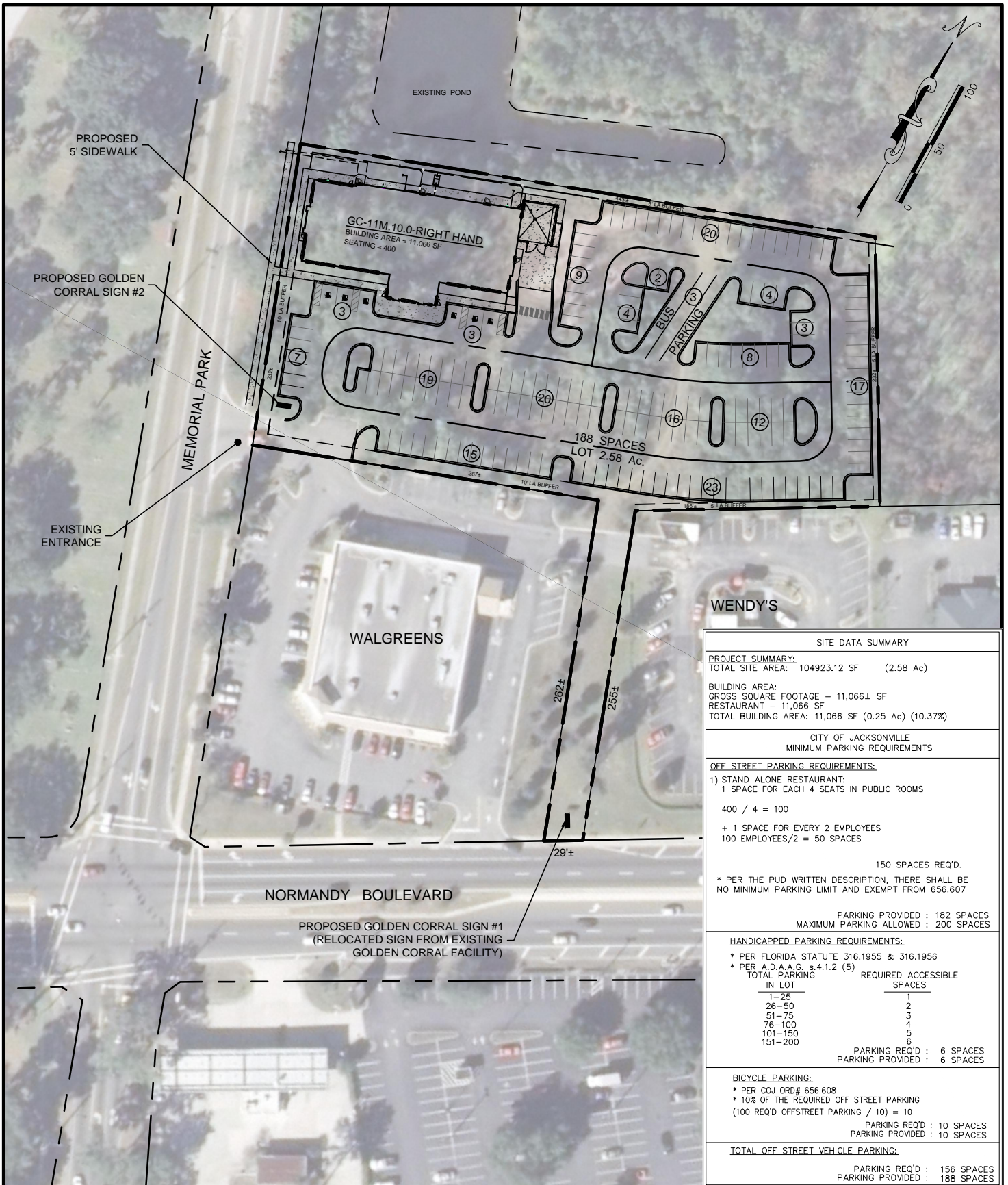
Joanne Williams – LMHT Associates, Inc.
2805 Meridian Parkway
Durham, NC 27713
919-544-0087

P. *Project Engineer:*

Eric J. Almond, P.E.
Almond Engineering, P.A.
3609 Hendricks Avenue
Jacksonville, FL 32207
EAlmond@AlmondEngineering.com
904-306-0162

Q. *Project Developer:*

Janet Murphy
Cardinal Corral of Jax, Inc. dba Golden Corral #F681
2400 Stoney Glen Dr.
Orange Park, FL 32003
904-449-2423/904-215-9434



SITE DATA SUMMARY	
PROJECT SUMMARY:	
TOTAL SITE AREA:	104923.12 SF (2.58 Ac)
BUILDING AREA:	
GROSS SQUARE FOOTAGE -	11,066± SF
RESTAURANT -	11,066 SF
TOTAL BUILDING AREA:	11,066 SF (0.25 Ac) (10.37%)
CITY OF JACKSONVILLE MINIMUM PARKING REQUIREMENTS	
OFF STREET PARKING REQUIREMENTS:	
1) STAND ALONE RESTAURANT:	
1 SPACE FOR EACH 4 SEATS IN PUBLIC ROOMS	
$400 / 4 = 100$	
+ 1 SPACE FOR EVERY 2 EMPLOYEES	
$100 \text{ EMPLOYEES} / 2 = 50 \text{ SPACES}$	
150 SPACES REQ'D.	
* PER THE PUD WRITTEN DESCRIPTION, THERE SHALL BE NO MINIMUM PARKING LIMIT AND EXEMPT FROM 656.607	
PARKING PROVIDED : 182 SPACES MAXIMUM PARKING ALLOWED : 200 SPACES	
HANDICAPPED PARKING REQUIREMENTS:	
* PER FLORIDA STATUTE 316.1955 & 316.1956	
* PER A.D.A.A.G. s.4.1.2 (5)	
TOTAL PARKING IN LOT	REQUIRED ACCESSIBLE SPACES
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
PARKING REQ'D : 6 SPACES PARKING PROVIDED : 6 SPACES	
BICYCLE PARKING:	
* PER COJ ORD# 656.608	
* 10% OF THE REQUIRED OFF STREET PARKING	
$(100 \text{ REQ'D OFFSTREET PARKING} / 10) = 10$	
PARKING REQ'D : 10 SPACES PARKING PROVIDED : 10 SPACES	
TOTAL OFF STREET VEHICLE PARKING:	
PARKING REQ'D : 156 SPACES PARKING PROVIDED : 188 SPACES	



3609 HENDRICKS AVENUE
 JACKSONVILLE, FL 32207
 (904) 306-0162 PHONE -
 (904) 306-2185 FAX
 CERTIFICATE OF
 AUTHORIZATION NO.: 27254

PUD SITE PLAN

GOLDEN CORRAL

Exhibit 3
Page 1 of 2

JOB NO. 14-15

MARCH 31, 2014



TOTAL 59.8± ACRES
RE# 010752-0030

EXISTING GOLDEN CORRAL

LIMITS OF PROPOSED
GOLDEN CORRAL
2.88 Ac.

FUTURE
OFFSITE
SIGN

PROPOSED
ENTRANCE
DRIVE

SIGNAGE
(MEMORIAL PARK RD.)

EXISTING
DRIVE

STAFF
HALL

MEDICAL
OFFICE

LABORATORY

WALDRIP
HALLS

SIGNAGE
RELOCATED SIGN FROM EXISTING
GOLDEN CORRAL - NORMANDY BLVD

INTERSTATE HIGHWAY 295

NORMANDY BOULEVARD

NORMANDY BOULEVARD

EXHIBIT F

PUD Name

Golden Corral PUD

Date

Apr 2, 2014

Land Use Table

Total gross acreage	59.81	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	2.58	Acres	4 %
Industrial	0	Acres	0 %
Other land use	0	Acres	0 %
Active recreation and/or open space	0	Acres	0 %
Passive open space, wetlands, pond	57.23	Acres	96 %
Public and private right-of-way	0	Acres	0 %
Maximum coverage of non-residential buildings and structures	11,660	Sq. Ft.	10 %

Prepared by and Return to:
Winfield A. Gartner
Gartner, Brock and Simon
1660 Prudential Drive
Suite 203
Jacksonville, Florida 32207

SPECIAL WARRANTY DEED

THIS DEED, made as of the 28th day of November, 2008, by and between HST VENTURES, INC., a Florida corporation, whose address is 751 Oak Street, Suite 600, Jacksonville, Florida 32204 (the "Grantor") and NORMANDY RETAIL INVESTORS, LLC, a Florida limited liability company, whose address is 751 Oak Street, Suite 600, Jacksonville, Florida 32204 (the "Grantee");

WITNESSETH:

That Grantor, for and in consideration of the purchase price and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the Grantee, its heirs, successors and assigns, forever, those certain tracts or parcels of land, situate, lying and being in the County of Duval, State of Florida, more particularly described on Exhibit A attached hereto and by this reference incorporated herein, subject only to those matters set forth on Exhibit B hereto;

RE# 010752-0000
010720-0000
010724-0000

TO HAVE AND TO HOLD the same in fee simple; and the said 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 the Grantor, but not otherwise.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal, the day and year first above set out.

Signed, sealed and delivered in the presence of:

HST VENTURES, INC., a Florida corporation

Print Name: Winfield A. Gartner

By: R. Lamar Shaw, Jr., as Vice President

Print Name: Tristan G. Curley

20081128/1015089

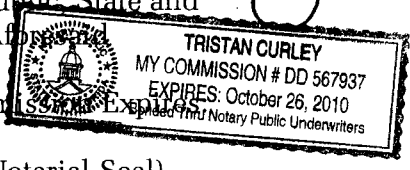
STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 28th day of November, 2008, by R. Lamar Shaw, Jr., as the Vice President of HSI Ventures, Inc., a Florida corporation, on behalf of the corporation, who is either personally known to me or has produced _____ identification.

Tristan G. Curley

Name: Tristan G. Curley
Notary Public, State and
County of _____

My Commission Expires _____



(Notarial Seal)



0 Memorial Park
Road
Jacksonville, FL
32205