

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-0422

TO PLANNED UNIT DEVELOPMENT

AUGUST 7, 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 2014-0422** to Planned Unit Development.

Location: 1290 Dunn Avenue, 1286 Dunn Avenue
10663 Haverford Road, 10657 Haverford Road
10738 Wake Forest Avenue, 10730 Wake Forest Avenue
South on Dunn Avenue, between Haverford Road and
Wake Forest Avenue

Real Estate Number: 043185 0000 043186 0000
043187 0000 043188 0000
043189 0000 043190 0000

Current Zoning District: Commercial Community General-1 (CCG-1)
Commercial Office (CO)
Residential Low Density-60 (RLD-60)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR) and
Community General Commercial (CGC)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: North, District 6

City Council District: The Honorable Denise Lee, District 8

Applicant/Agent: L Charles Mann
Mann-Pellicer
165 Arlington Road
Jacksonville, Florida 32211

Owners: Willim T. Baisden
4319 Blue Heron Drive
Jacksonville, Florida 32082

Homer R Baisden
4319 Blue Heron Drive
Jacksonville, Florida 32082

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-0422** seeks to rezone approximately 1.21± acres of land between Dunn Avenue, Wake Forest Drive, and Haverford Place from CO, RLD-60, and CCG-1 to PUD. The rezoning to PUD is being sought for the purpose of developing commercial uses such as a drive-thru donut store and auto parts store. Additional permitted uses include professional and business office, establishments that permit the sale and service of beer or wine, personal property storage, and filling or gas stations. Permissible uses by exception include establishments that permit the sale of all alcohol, residential treatment facilities, crematories, service garages, and pawn shops. The PUD encompasses six parcels that are currently developed with single-family home structures: all of these buildings will be demolished.

East of the Property the land is zoned PUD (2008-552-E) which permits a multi-pump RaceTrac gas station and convenience store (completed). The land west of the Property is zoned CCG-1 and contains a convenience store and other retail. The land to the south of the Property is zoned RLD-60. The land across Dunn Ave. from the Property is zoned CCG-1 and RMD-C.

The subject property is located within the boundaries of the North Jacksonville Shared Vision and Master Plan.

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, **Ordinance 2014-0421 (Application 2014C-005)** requesting to change the functional land use category of the subject property from Low Density Residential (LDR) to Community General Commercial (CGC). The Planning and Development Department has submitted its report on the companion Small-Scale Land Use Amendment 2014C-005 and recommends that the same be **approved**.

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 Low Density Residential (LDR) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2014C-005 (Ordinance 2014-421) that seeks to amend the portion of the site that is within the LDR land use category to Community General Commercial (CGC). Staff is recommending that Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-005 be approved. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

The Community General Commercial (CGC) land use designation includes outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food and related items. General commercial uses include business and professional offices, financial institutions, highway commercial, mobile home/motor home rental and sales, off-street parking lots and garages, and boat storage and sales, among other similar types of commercial developments.

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

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

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

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code*, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Community General Commercial (CGC). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-005 (Ordinance 2014-421) that seeks to amend the portion of land that is within the LDR land use category to CGC. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination

Policy 1.1.2.2 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility 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 Management System Office (CMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development does not intend to utilize lands for residential use.

(4) Internal compatibility

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

The streetscape:

The proposed PUD will develop the property with commercial uses similar in form and compatible in intensity as the adjacent commercial service and shopping center uses.

The use of existing and proposed landscaping:

The project will be required to meet the minimal standards set forth in Section 656, Part 12. The applicant proposes along the south boundary of the property a fence will be 10 feet from the property line with landscaping between the fence and the property line. The Planning Department recommends this fence be at least 8 feet in height, and 100% opaque.

Traffic and pedestrian circulation patterns:

The Property shall be accessed from Dunn Ave or as approved by the Florida Department of Transportation and the Development Services Division of the City of Jacksonville Planning and Development Dept. In their attached memorandum dated July 18, 2014, the Development Services Division had the following comments:

- 1) **Dunn Avenue is an FDOT maintained roadway and thus not reviewed by City Traffic. Number, design and location of access from FDOT ROW require FDOT permit approval.**
- 2) **Driveway to Haverford Road shall be designed as an exit only to ensure that vehicles queuing at drive through will not encroach into roadway.**
- 3) **Drive through shall be a minimum of 16 feet in width.**
- 4) **Provide 5' sidewalk along frontage of Wake Forest Avenue and Haverford Road. Sidewalk shall meet required clear zone (4' from FOC or 6' where no curb/gutter).**

In their attached memorandum dated July 25, 2014, the Transportation Planning Division had the following comments:

“Dunn Avenue (SR 104), from Biscayne Boulevard to I-95, is the directly accessed functionally classified roadway. Dunn Avenue is a 6-lane divided class II arterial II in this vicinity and is currently operating at an unacceptable LOS D. Dunn Avenue has a maximum daily service volume of 50,900 vpd and a 2013 daily traffic volume

of 31,250 vpd. This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Access to this site via Dunn Avenue must be subject to FDOT access management requirements.

The land use of Community/General Commercial (CGC) for this 1.20 acres of ITE Land Use Code 820, Commercial, is estimated to be able to accommodate up to 18,295 square feet of development. The current proposal for 9,949square feet of development, which would generate a total of 1,515 vpd, does not exceed the amount of allowable trip generation for this property.”

The use and variety of building setback lines, separations, and buffering:

Applicant proposes a 35 feet building height maximum, which is 25 feet less than the maximum building height allowed in the CCG-1 Zoning District. No minimum front, rear, or side yard setbacks are proposed. However, the submitted conceptual site plan shows a 7 feet uncomplementary land use buffer. The Planning Department recommends a minimum ten feet uncomplementary land use buffer and 8 feet tall, 100% opaque fence.

Signage:

The property has approximately 240 feet of frontage along Dunn Avenue. Applicant proposes two double faced monument signs up to 120 square feet in area each, up to a maximum height of 20 feet. The Planning Department recommends a signage square footage maximum comparable with the Racetrac Gas Station PUD to the east, which is one sign of no greater than 200 square feet. The Planning Department recommends no more than two internally or externally illuminated signs, no greater than 100 square feet in area each and to a maximum height of 20 feet is permitted.

(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: North of the land use amendment site on the south side of Dunn Avenue are two small commercial offices and a single-family dwelling in a CGC land use category and Commercial Community/General-1 (CCG-1) and Commercial Office (CO) zoning districts. Further north and on the north side of Dunn Avenue are an auto parts store, a medical office, vacant land, a fast food restaurant, a shopping center and multi-family apartments in a CGC and Medium Density Residential (MDR) land use categories and CCG-1 and Residential Medium Density-C (RMD-C) zoning districts. East of the subject site on the south side of Dunn Avenue and east of Wake Forest Avenue is a RaceTrac convenience store/gas station and a shopping center. West of the property on the south side of Dunn Avenue and west of Haverford Road is a shopping center, an empty retail commercial center, fast food restaurants, and an auto service center in a CGC land use category and CCG-1 zoning district. Southwest, south, and southeast of the subject site are single-family subdivisions

whose dwellings were constructed in the 1950's in a LDR land use category and RLD-60 zoning district.

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

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	MDR	RMD-C	Multi-family
East	CGC	PUD (2008-552-E)	Gas /Convenience
South	LDR	RLD-60	Single-family
West	CGC	CCG-1	Retail commercial

(6) Intensity of Development

The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands:

The use is consistent with the residential density and intensity of surrounding lands. Southwest, south, and southeast of the subject site are single-family subdivisions whose dwellings were constructed in the 1950's in a LDR land use category and RLD-60 zoning district. The PUD will rezone six remnant residential properties along the commercial Dunn Avenue corridor.

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

The site is served by city sewer and water.

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 review and determined that the proposed amendment results in an increase of 186 net new daily external trips. 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. Potential traffic impacts will be addressed through the Concurrency and Mobility Management System Office.

There is a JTA bus stop, Route CT 1, which is present along Dunn Avenue. The bus stop consists of a bench, garbage can, and bus route indicator sign. The Planning Department recommends the bus stop be upgraded and improved as required by the JTA Mobility Access Plan or as otherwise reviewed and approved by the JTA Facilities Manager prior to receiving a certificate of occupancy for the first completed commercial building.

(7) Usable open spaces plazas, recreation areas.

There is no residential component to the development. No recreation area is required.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file did not identify any wetlands on-site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

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

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

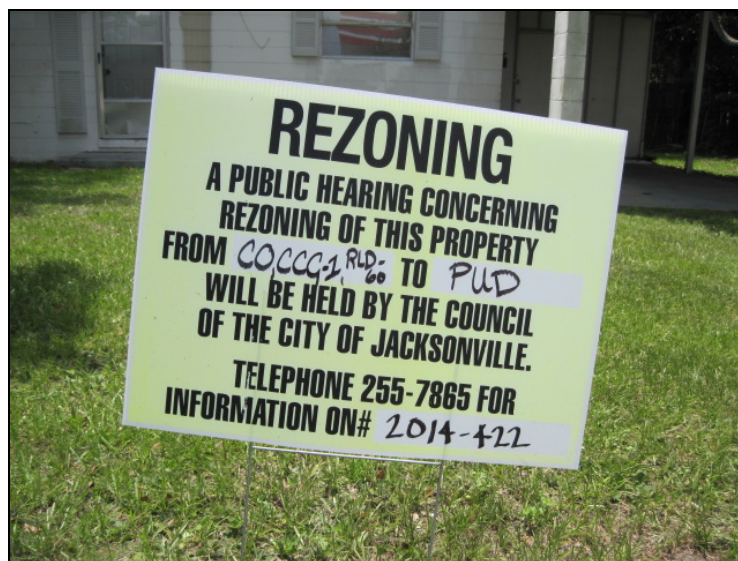
The site will be required to be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain an internal and external pedestrian system that meets the 2030 Comprehensive Plan. The Development Services Division recommends a 5' sidewalk along the frontage of Wake Forest Avenue and Haverford Road be constructed and that such sidewalk be required to meet the clear zone (4' from FOC or 6' where no curb/gutter).

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 23, 2014, the required Notice of Public Hearing sign was posted.



Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-422 be **APPROVED with the following conditions:**

- 1) **The subject property is legally described in the original legal description dated May 15, 2014.**
- 2) **The subject property shall be developed in accordance with the original written description dated April 17, 2014.**
- 3) **The subject property shall be developed in accordance with the original site plan dated January 22, 2014.**
- 4) **The subject property shall be developed in accordance with the Development Services Division Memorandum dated July 18, 2014 or as otherwise approved by the Planning and Development Department.**
- 5) **Off-street parking shall be required to meet the requirements of Part 6 of the Zoning Code.**
- 6) **Two internally or externally illuminated signs, not exceeding 100 square feet in area and 20 feet in height each is permitted.**
- 7) **Along the south property line there shall be a 10 feet wide uncomplementary buffer meeting Section 656.1216, Zoning Code, except the visual screen shall be a vinyl fence a minimum of 8 feet in height and 100% opaque. The required landscaping shall be located between the fence and the south property line.**
- 8) **All sag lenses, drop lenses, and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed ½ foot-candle when the building or parking areas are adjacent to residential uses, and shall not exceed one foot-candle when abutting non-residential properties. All lighting lamp sources within the parking/pedestrian areas shall be metal halide or compact fluorescent. The maximum light pole height in all parking areas shall not exceed 30 feet. An exterior lighting design plan for each project, including a photometrics plan and pole fixture schedules, shall be submitted at the time of verification of substantial compliance of the PUD for review and approval by the Planning and Development Department.**
- 9) **The Developer should upgrade or improve the existing bus stop along Dunn Avenue as required by the JTA Mobility Access Plan or as otherwise reviewed and approved by the JTA Facilities Manager.**



Single-family homes to be demolished along Dunn Avenue, between Wake Forest Avenue and Haverford Road.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



Single-family homes to be demolished along Wake Forest Avenue.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



Single-family homes to be demolished along Haverford Road.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



Existing single-family homes located just south of the project will be directly adjacent to the proposed 10 feet wide landscape buffer and staff recommended 8 feet tall fence.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



RaceTrac gas station east of the property (PUD 2008-552-E).

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



Existing buffering between RaceTrac and the residential neighborhood to the south.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



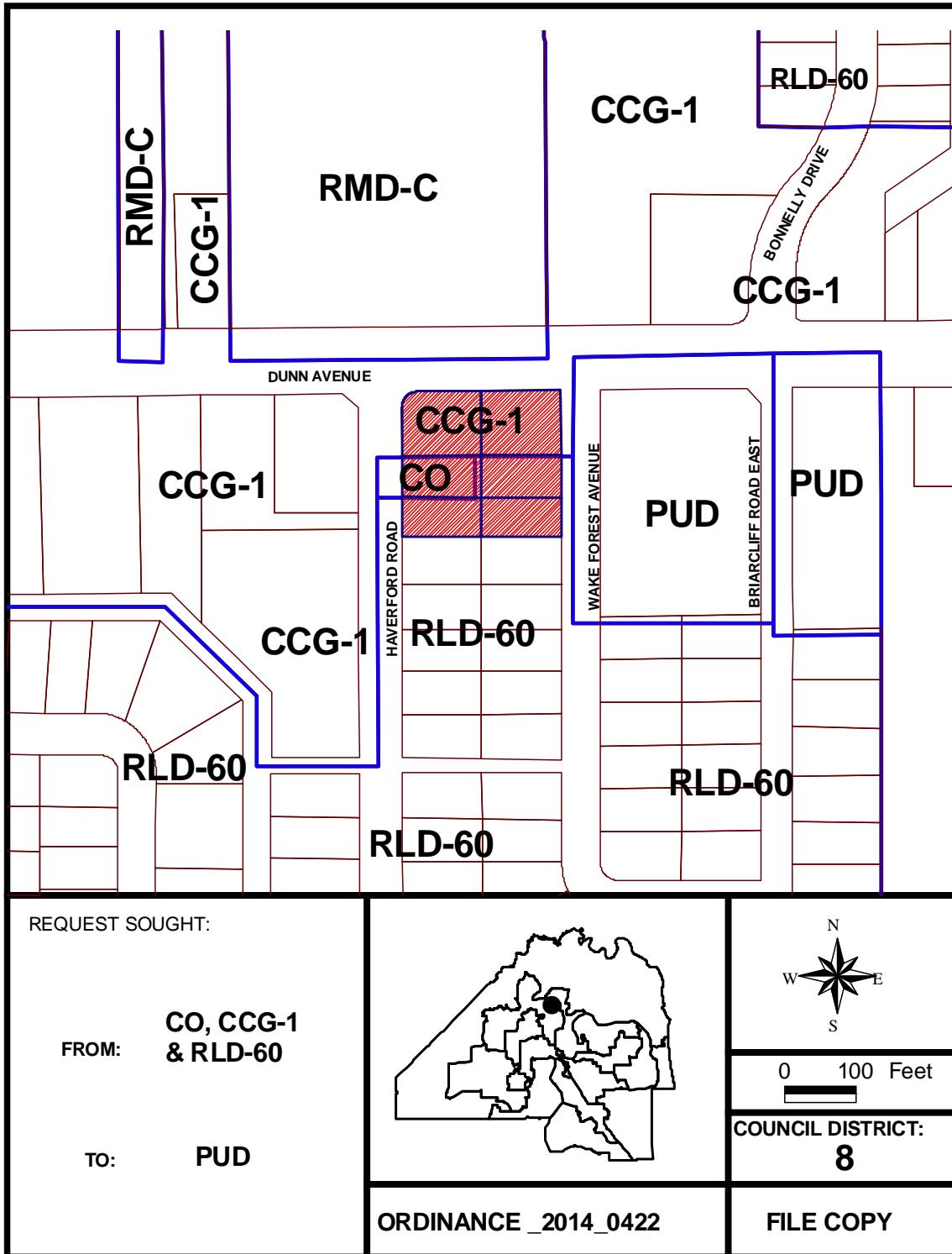
Commercial Shopping Center to the West across Haverford Road.

*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



Bus stop along Dunn Avenue.

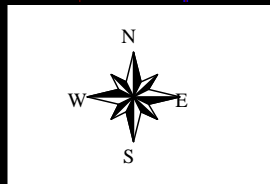
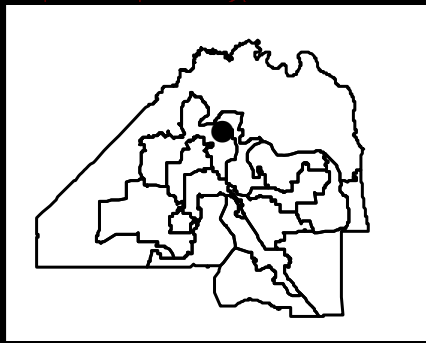
*Source: City of Jacksonville Planning and Development Department
Date: July 23, 2014*



REQUEST SOUGHT:

FROM: **CO, CCG-1 & RLD-60**

TO: **PUD**



0 100 Feet

A graphic scale bar representing a distance of 100 feet.

COUNCIL DISTRICT:
8

ORDINANCE 2014_0422

FILE COPY



MEMORANDUM

DATE: 07/25/2014

TO: Aaron A. Glick, LEED® AP
City Planner II

FROM: Soliman Peter Salem, MPA
City Planner II

**SUBJECT: TRANSPORTATION REVIEW OF THE DUNN AVENUE AUTO PARTS
PUD**

Dunn Avenue (SR 104), from Biscayne Boulevard to I-95, is the directly accessed functionally classified roadway. Dunn Avenue is a 6-lane divided class II arterial II in this vicinity and is currently operating at an unacceptable LOS D. Dunn Avenue has a maximum daily service volume of 50,900 vpd and a 2013 daily traffic volume of 31,250 vpd. This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Access to this site via Dunn Avenue must be subject to FDOT access management requirements.

The land use of Community/General Commercial (CGC) for this 1.20 acres of ITE Land Use Code 820, Commercial, is estimated to be able to accommodate up to 18,295 square feet of development. The current proposal for 9,949 square feet of development, which would generate a total of 1,515 vpd, does not exceed the amount of allowable trip generation for this property.

(ITE 820 Commercial – 9,949 square feet)



July 18, 2014

MEMORANDUM

TO: Aaron Glick, City Planner II
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Dunn Avenue Auto Parts PUD
R-2014-422**

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

1. Dunn Avenue is a FDOT maintained roadway and thus not reviewed by City Traffic. Number, design and location of access from FDOT ROW requires FDOT permit approval.
2. Driveway to Haverford Road shall be designed as an exit only to ensure that vehicles queuing at drive through will not encroach into roadway.
3. Drive through shall be a minimum of 16 feet in width.
4. Provide 5' sidewalk along frontage of Wake Forest Avenue & Haverford Road. Sidewalk shall meet required clear zone (4' from FOC or 6' where no curb/gutter).

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



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450
Transmitted Electronically

ANANTH PRASAD, P.E.
SECRETARY

July 22, 2014

Aaron A. Glick LEED AP, AICP
Current Planning Division
Planning and Development Department
214 N. Hogan St. Suite 300
Jacksonville, Florida 32202

RE: Dunn Avenue Auto Parts PUD (2014-422)

To Mr. Glick:

The Florida Department of Transportation has reviewed Dunn Avenue Auto Parts PUD for impacts to state facilities and we offer the following comments for your consideration in reviewing this PUD Application:

Project Description: The Applicant for Dunn Avenue Auto Parts PUD is proposing to rezone approximately 1.20 acres from Commercial Community/General-1(CCG-1), Commercial Office (CO) and Residential Low Density-60 (RLD-60) to Planned Unit Development (PUD). The PUD Preliminary Site Plan proposes 7,381 square feet of retail and a 2,568 square foot donut shop to be constructed on the site.

Location: The subject property is located adjacent and to the south of Dunn Avenue approximately one half mile west of Interstate 95.

Estimated Trips: The FDOT estimated the trips by using the Automobile Parts Sale (ITE Code 843) and Coffee/Donut Shop with Drive-Through Window (ITE Code 937) Land Uses. A 50% pass-by percentage was subtracted from the Donut Shop Land Use. By using the procedures outlined within the ITE Trip Generation 9th Edition, the FDOT estimates 1,498 daily trips with 145 AM and 98 PM Peak Hour Trips.

LOS & Impacts: The trips associated with this development will impact SR-104/Dunn Avenue. Based on the FDOT State Highway System Level of Service Report (October 2013), SR-104/Dunn Avenue includes the following capacity:

- SR-104/Dunn Avenue, from Biscayne Boulevard to I-95 with an adopted LOS standard of "E" (this segment has a daily capacity of 39,800 daily trips), is currently operating at LOS "C". The year 2012 count was 31,250 daily trips; the segment has a v/c ratio of 0.79.

FDOT Comments: The Preliminary Site Plan shows a full access driveway connection to SR-104/Dunn Avenue. Based on the Site Plan provided, FDOT Traffic Operations Engineers recommend a right-in/right-out only driveway to SR-104/Dunn Avenue. A driveway permit is required. The FDOT Growth

and Development Staff recommend the Applicant coordinate with the Department's Permit Engineer, Sean Kelly, who can be contacted by phone: (904)360-5205 or e-mail: Sean.Kelly@dot.state.fl.us

The FDOT Growth and Development Staff also recommend that the sidewalk curb ramps on Dunn Avenue are reconstructed to be compliant with ADA requirements. The FDOT Transportation Systems Coordinator is Derek Dixon who can be contacted by email: Derek.Dixon@dot.state.fl.us or phone: (904)360-5653

Please clarify the use of the retail building. The Site Plan indicates the use as retail; however, the PUD title is Dunn Avenue Auto Parts. The use has a significant bearing on the number of trips generated by the site.

Thank you for coordinating the review of the PUD application with FDOT. If you have any questions, please do not hesitate to contact me by email: Richard.Prindiville@dot.state.fl.us or phone: (904)360-5664.

Sincerely,



Richard Prindiville, FDOT Traffic/LOS Analyst

Cc: Ameera Sayeed, AICP, GISP FDOT Growth and Development/Modeling Coordinator
Sean Kelly, PE FDOT Jacksonville Maintenance Permits Engineer
David Lynch, PE FDOT Traffic Operations
Derek Dixon FDOT Transportation Systems Coordinator

Application For Rezoning To PUD



Planning and Development Department Info

Ordinance # 2014-422 Staff Sign-Off/Date AAG / 06/06/2014

Filing Date 06/24/2014 Number of Signs to Post 3

Hearing Dates:

1st City Council 08/12/2014 Planning Commission 08/07/2014

Land Use & Zoning 08/19/2014 2nd City Council 08/26/2014

Neighborhood Association EDEN PARK, INC

Neighborhood Action Plan/Corridor Study DUNN AND MAIN

Application Info

Tracking # 618 Application Status PENDING

Date Started 04/28/2014 Date Submitted 04/28/2014

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

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				
Map				
Map				
Map				
Map				

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

Land Use Category Proposed?

If Yes, State Land Use Application # Land Use Category

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

Development Number

Proposed PUD Name

Justification For Rezoning Application

SO THAT THE SITE MAY BE DEVELOPED FOR COMMERCIAL USES

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 | |
| 1.20 Acres @ \$10.00 /acre: | \$20.00 |
| 3) Plus Notification Costs Per Addressee | |
| 30 Notifications @ \$7.00 /each: | \$210.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,230.00 |

NOTE: Advertising Costs To Be Billed to Owner/Agent

Zoning Difference
Dunn Avenue Auto Parts PUD

Currently the Property has two (2) Land Uses and three (3) different Zoning Categories. The two Land Use Categories are CCG and LDR. The three Zoning Categories are CCG-1, CO, and RLD-6O. We are proposing Land Use Change to CCG and a Rezoning to Planned Unit Development (PUD).

The Current Zoning CCG-1 for general retail and service uses by right these uses are denoted in Section 656-313 Commercial/Community General-1 Sub Section (A). Uses by exception are denoted in Sub Section (C). These uses deal with more intense retail uses such as pawn shops etc. and service uses such as recycling centers and blood donor stations.

The CO uses are denoted in 656.312 Sub Section (A) which allow for general office use such as professional offices as in medical, dental, etc. and service uses such as cosmetology, production of eye glasses. Permissible uses by exception allow for daycare centers, churches, and parking lots.

The RLD-6O allows for single-family homes built on a 60-foot wide and 100 foot deep lot, containing 6000 square feet. Uses by exception allow for churches, daycare, etc.

We are preparing to change the Land Use to CCC and the zoning to PUD. The zoning will conform to the CCG-1 Zoning District. The following Uses will be allowed:

A. Permitted Uses

1. Commercial retail sales and service establishments-drive through windows will be allowed in conjunction with the service of food.
2. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
3. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
4. Art galleries, museums, community centers, dance, art or music studios.
5. Vocational, trade or business schools and similar uses.
6. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
7. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
8. An establishment or facility which includes the retail sale and service of beer and wine for off-premises consumption or for on-premises conjunction with a restaurant.
9. Retail plant nurseries including outside display, but not on site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.

10. Express or parcel delivery offices and similar uses (but not freight or truck terminals).
11. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
12. Personal property storage establishments meeting the performance development criteria set forth in Part 4.
13. Retail outlets for the sale of used wearing apparel, toys, book, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
14. Essential services including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
15. Churches, including a rectory or similar use.
16. Outside retail sales of holiday items, subject to the performance standards and development set forth in Part 4.
17. Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.
18. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
19. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
20. Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.

B. Permissible uses by exception

1. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
2. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
3. Residential treatment facilities and emergency shelters.
4. Multi-family residential integrated with a permitted use.
5. Crematories.
6. Service garages for minor or major repairs.
7. Car wash or auto laundry.
8. Pawn shops (limited to items permitted in the CCG-1 Zoning District).
9. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
10. Retail sales of new or used automobiles.

11. Blood donor stations, plasma centers and similar uses.
12. Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.
13. Billiard parlors.
14. Service and repair of general appliances and small engines.
15. Schools meeting the performance standards and development criteria set forth in Part 4.

EXHIBIT D

PUD Written Description

DUNN AVE AUTO PARTS PUD

April 17, 2014

I. PROJECT DESCRIPTION

The subject property, hereafter referred to as the "Property", is legally described on Exhibit 1. The Property is identified as land described under Real Estate Numbers 043185-0000, 043186-0000, 043187-0000, 043188-0000, 043189-0000, and 043190-0000, of the Duval County Tax Assessor's Map. The Property is titled in the name of Homer R. Basiden and William .T. Basiden. The Property contains 1.20 +/- acres. The existing improvements will be removed once development begins. The site is located at 1286 & 1290 Dunn Ave, 10663 & 10657 Havorford, and 10738 and 10730 Wake Forest between Haverford Road and Wake Forest Rd. East of the Property the land is zoned PUD(2008-552-E) to allow for a new multiple pump Race Track gas station and convenience store. The land west of the Property is zoned CCG-1 and contains a convenience store and other retail. The land to the south of the Property is zoned RLD-60. The land across Dunn Ave. from the Property is zoned CCG-1 and RMD-C. The site plan attached to this application is conceptual in design. All development of the Property will be controlled by the approval of this application or the governmental agency having authority.

II. USES AND RESTRICTIONS

A. Permitted Uses:

1. Commercial retail sales and service establishments-drive through windows will be allowed in conjunction with the service of food.
2. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
3. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
4. Art galleries, museums, community centers, dance, art or music studios.
5. Vocational, trade or business schools and similar uses.
6. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
7. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
8. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.
9. Retail plant nurseries including outside display, but not on site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.

10. Express or parcel delivery offices and similar uses (but not freight or truck terminals).
11. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
12. Personal property storage establishments meeting the performance development criteria set forth in Part 4.
13. Retail outlets for the sale of used wearing apparel, toys, book, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
14. Essential services including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
15. Churches, including a rectory or similar use.
16. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
17. Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.
18. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
19. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
20. Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.

B. Accessory Structures

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

C. Permissible uses by exception

1. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
2. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
3. Residential treatment facilities and emergency shelters.
4. Multi-family residential integrated with a permitted use.
5. Crematories.
6. Service garages for minor or major repairs.
7. Car wash or auto laundry.
8. Pawn shops (limited to items permitted in the CCG-1 Zoning District).
9. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
10. Retail sales of new or used automobiles.
11. Blood donor stations, plasma centers and similar uses.

12. Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.
13. Billiard parlors.
14. Service and repair of general appliances and small engines.
15. Schools meeting the performance standards and development criteria set forth in Part 4.

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:* None
7. *Maximum height of structure:* 35 feet
8. The site plan is conceptual. Final site plan approval is subject to the review and approval of the Planning and Development Dept. of the City of Jacksonville. However, the Property may be divided into two parcels with shared access, parking, and cross easements for interior site circulation.

B. Ingress, Egress and Circulation:

1. *Parking Requirements:*
 - a. The parking shall be consistent as built per the site plan.
2. *Vehicular Access:*
 - a. The Property shall be accessed from Dunn Ave or as approved by the Florida Dept of Transportation or the Development Services Division of the City of Jacksonville Planning and Development Dept.
3. *Pedestrian Access:*
 - a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

C. Signs

1. The Property has approximately 240 feet of road frontage on Dunn Ave. Signage is essential to maintaining the sustainability of the property for commercial uses.
2. The site will be allowed two double faced monument signs; with 120 sq. ft of sign face internally illuminated not more than 20 feet high. The site has 240 feet of frontage on Dunn Ave.
3. Existing wall signage will be permitted. In the future, 10% of the gross square footage of the front of the building facing Dunn Ave. shall be allowed.
4. Directional and information signs as currently exist will be allowed. All future directional or informational sign will be subject to the review and approval of the Planning and Development Department of the City of Jacksonville,

D. Landscaping

1. Current landscaping as currently exist will meet the requirement of Part 12 Landscape Regulations of the Zoning Code.
2. Along the south boundary of the property the fence will be 10 feet from the property line with landscaping between the fence and the property line.

E. Recreation and Open Space:

1. Usable open spaces, plazas and recreation areas shall be constructed as per the Goals, Objectives, & Policies of the 2030 Comprehensive Plan or as otherwise approved by the Planning and Development Department.

F. Utilities

1. Water will be provided by Jacksonville Electric Authority
2. Sanitary sewer will be provided by private sewer system
3. Electric will be provided by Jacksonville Electric Authority

G. Wetlands

1. Wetlands will be permitted according to local, state and federal requirements.

H. The site is to be cleared and developed in the future therefore we do not have a construction schedule or construction team.

1. Developer unknown
2. Architect Taylor & White, Inc.
3. Engineer unknown
4. Planner unknown

L. Maintenance Schedule

Maintenance will be performed on the grounds and buildings as needed.

IV. DEVELOPMENT PLAN APPROVAL

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

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 2013 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community as:

- A. It is more efficient than would be possible through strict application of the Zoning Code.
- B. It is compatible with surrounding land uses and will improve the characteristics of the surrounding area.
- C. It will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.

VII. PUD PREVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* According to the Future Land Use Map Series (FLUMs) of the 2030 Comprehensive Plan, the designated Land Use Category is Community General (CGC) which allows for the above listed uses. If the PUD is approved, the site will be consistent with the CGC Land Use Category and the 2030 Comprehensive Plan.
- B. *Consistency with the Concurrency Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency Management System Office (CMSO), and it has been assigned City Development Number _____.
- C. *Allocation of Commercial Land Use.* 100%
- D. *Internal Compatibility/Vehicular Access.* The PUD allows additional uses to ensure the sustainability of the site. The Property to the North, East & West developed as commercial and the site will have landscape buffering consistent with Part 12 of the Zoning Code. The PUD will not create any additional adverse impacts upon the surrounding property.

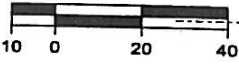
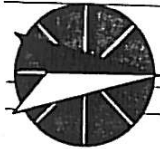
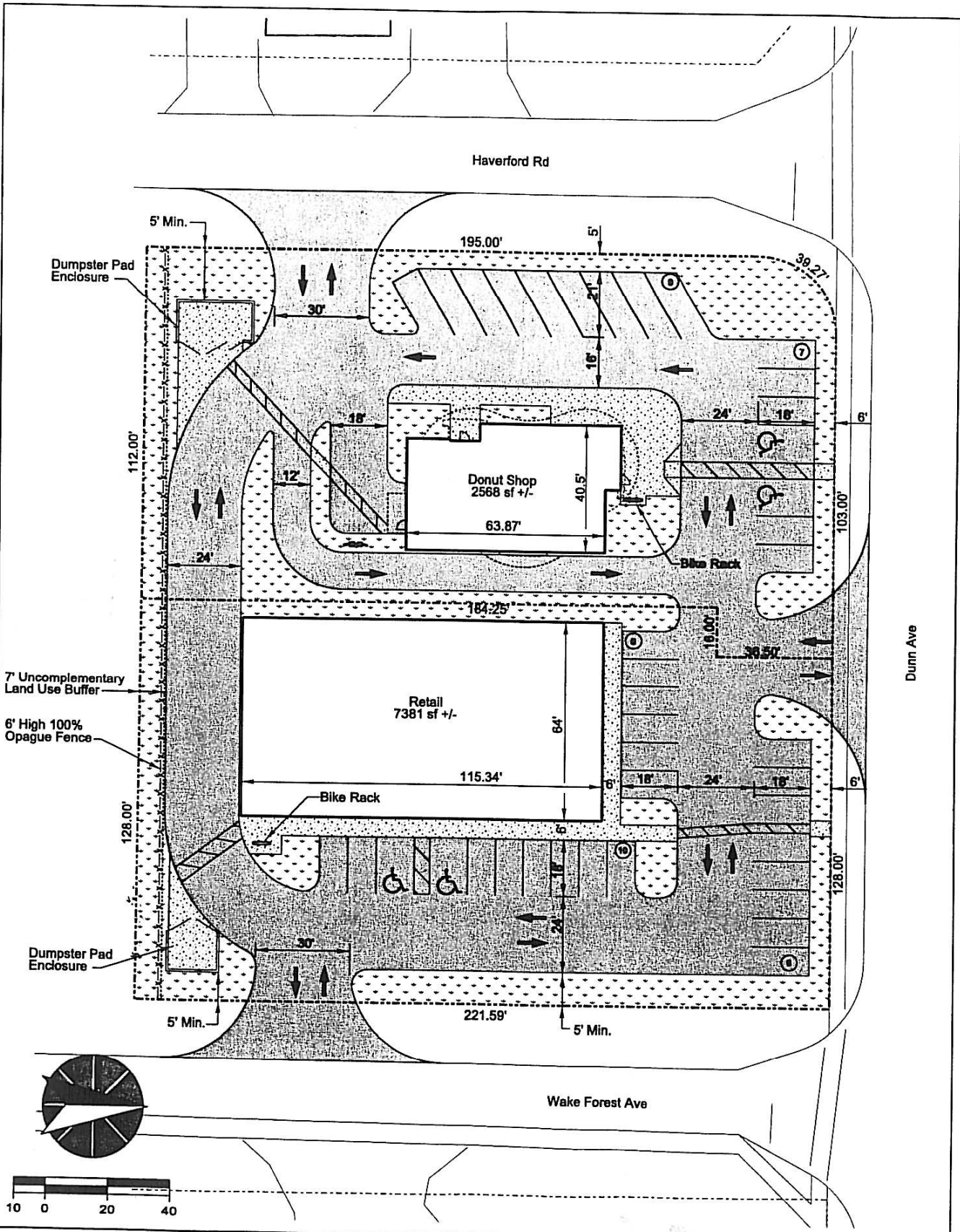
- E. *External Compatibility/Intensity of Development.* The project allows for CCG-1 Zoning uses in keeping with other developments along Dunn Ave. As designed, the site serves as a buffer between the commercial development along Dunn Ave. and residential uses to the South.
- F. *Recreation/Open Space.* Usable open spaces, plazas, and recreation areas will be constructed as per the Goals and Objective of the 2030 Comprehensive Plan or as otherwise approved by the Planning and Development Department.
- G. *Impact on Wetlands.* Development that would impact wetlands will be permitted through the local, state, and federal agencies with jurisdiction.
- H. *Listed Species Regulations.* The Property contains less than 50 acres and therefore a listed species survey is not required.
- I. *Off-Street Parking and Loading Requirements.* The site will comply with Part 6 of the Zoning Code or as otherwise approved by the Planning and Development Department.
- J. *Sidewalks, Trails, and Bikeways.* Sidewalks shall be as they exist per the site plan consistent with the 2030 Comprehensive Plan.
- K. *Stormwater Retention.* Retention shall meet the requirement of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District.
- L. *Utilities.* JEA will provide electric sewer, and water.

VIII. GOALS AND POLICIES

Specifically, the PUD complies with the following Goals, Objectives, and Policies of the Comprehensive Plan, Future Land Use Element:

POLICY 3.2: Continue to promote and sustain the viability of existing and emerging commercial and industrial area in order to achieve an integrated land use fabric with will offer a full range employment, shopping, and leisure opportunities to support the City's residential area.

POLICY 3.2.2: The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.



1/22/2014 10:53:55 AM
 R:\2013\13115 Krazy Kreme Dunn Ave\Site Planning\dschwp05.s



Taylor & White, Inc.
 Civil Design & Consulting Engineers
 6006 Historic Kings Road S., Suite 102
 Jacksonville, Florida 32237
 T: (904) 348-0671 F: (904) 348-3051
 www.taylorandwhite.com

1286 Dunn Avenue Preliminary Site Plan

Scale:	1"=40'
Project No.:	13315
Date:	January 22, 2014
Sheet No.:	SP-5

DO NOT SCALE THIS DRAWING - DIMENSIONS AND NOTES TAKE PRECEDENCE

EXHIBIT F

PUD Name Denn Ave Auto Parts PUD

Land Use Table

Total gross acreage	<u>1.20</u>	Acres	100 %
Amount of each different land use by acreage			
Single family	<u>NA</u>	Acres	<u>0</u> %
Total number of dwelling units	<u>NA</u>	D.U.	
Multiple family	<u>NA</u>	Acres	<u>0</u> %
Total number of dwelling units	<u>NA</u>	D.U.	
Commercial	<u>1.20</u>	Acres	<u>100</u> %
Industrial	<u>NA</u>	Acres	<u>0</u> %
Other land use	<u>NA</u>	Acres	<u>0</u> %
Active recreation and/or open space	<u>None</u>	Acres	<u>0</u> %
Passive open space	<u>None</u>	Acres	<u>0</u> %
Public and private right-of-way	<u>None</u>	Acres	<u>0</u> %
Maximum coverage of buildings and structures	<u>9949</u>	Sq. Ft.	<u>A</u> %

EXHIBIT A

Property Ownership Affidavit

Date: 1-3-14

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:

I, WILLIAM THOMAS BAISEN 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 Change And Rezoning
submitted to the Jacksonville Planning and Development Department.

Will Thomas Baisden

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of
January (month), 2014 (year) by William Thomas Baisden
who is personally known to me or has produced FL DL B235-938-49-264-0
as identification.

Yesel Walker
(Notary Signature)

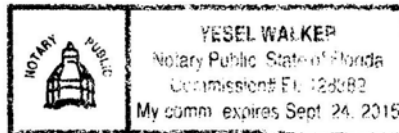


EXHIBIT B

Agent Authorization

Date: 1-3-14

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:

1290 And 1286 Dunn Ave, 10738 And 10730 Wake
Forest Ave, And 10657 And 10663 Haverford Road

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 H. Charles Mann to act as agent to file application(s) for Small scale land use Change And Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

William Thomas Bisher
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of January (month), 2014 (year) by William Thomas Bisher who is personally known to me or has produced FLDL as identification.

Yesel Walker
(Notary Signature)

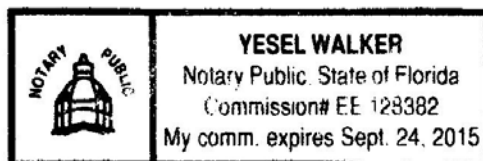


EXHIBIT A

Property Ownership Affidavit

Date: 1-3-14

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:

I, Homer RAY BAISDEN 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 Change And Rezoning
submitted to the Jacksonville Planning and Development Department.

Homer Ray Baisden
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of
January (month), 2014 (year) by Homer Ray Baisden
who is personally known to me or has produced FL DC B235-336-1B-260-0
as identification.

Yesel Walker
(Notary Signature)

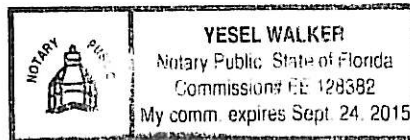


EXHIBIT B

Agent Authorization

Date: 1-3-14

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:

1290 And 1286 Dunn Ave, 10738 And 10730 Wake
Forest Ave, And 10657 And 10663 Haverford Road

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 H. Charles Mann to act as agent to file application(s) for Small Scale Land Use Change And Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Homer Ray Bairden
(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of January (month), 2014 (year) by Homer Ray Bairden, who is personally known to me or has produced ADL as identification.

Yesel Walker
(Notary Signature)



EXHIBIT C

Binding Letter

Date: 1-3-14

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: Dunn Ave Auto Parts PUD

Ladies and Gentlemen:

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

Sincerely,

By: Willie Thom Baker
(Owner's Signature)

Its: _____

EXHIBIT C

Binding Letter

Date: 1-3-14

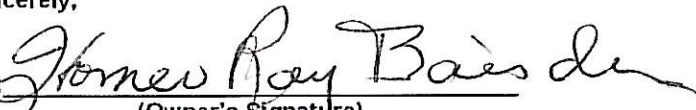
City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: Dann Ave Auto Parts PUD

Ladies and Gentlemen:

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

Sincerely,

By: 
(Owner's Signature)

Its: _____

This instrument prepared by:
Keith Watson, Attorney
Law Offices of Keith Watson
1566-2 Dunn Avenue
Jacksonville, Florida 32218
RE PARCEL ID #: 43190-0000
BUYER'S TIN: [REDACTED]

VOL 6914 760374

RECORD AND RETURN TO:
Offices of Keith Watson
1566-2 Dunn Avenue
Jacksonville, Florida 32218

OFFICIAL RECORDS

This Warranty Deed made the nineteenth day of May, 1990 by
Betty J. Cummins, James H. Eggers, Jack M. Eggers, Mae Marie Dew,
Barbara Jon Shubeck, Harrison D. Eggers and Myra Ray Gilliam,
conveying property which is not their constitutional homestead,
hereinafter called the Grantor, to
Homer A. Bledson and Norma Bledson, his wife,
whose post office address is: 1744 Shore View Drive West, Jacksonville, Florida 32218
hereinafter called the Grantee:

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

Witnesseth: That the Grantor, for and in consideration of the sum of \$10 and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Duval County, Florida, viz:

Lot 56, HIGHLANDS, Unit No. 8, according to plat thereof as recorded in Plat Book 25, page 71, of the current public records of Duval County, Florida.
The real property described in this instrument is not the constitutional homestead nor the primary physical residence, nor contiguous thereto, of the Grantor(s) nor of any member of their immediate family.



3

Subject to covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

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

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

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1989.

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

Signed, sealed and delivered in our presence:

Jackie Jordan
Witness as to Betty J. Cummins
Mae Marie Dew
Witness as to Betty J. Cummins
Charles A. Ferguson
Witness as to James H. Eggers
Homer A. Bledson
Witness as to James H. Eggers
Mae Marie Dew
Witness as to Jack M. Eggers
Norma Bledson
Witness as to Jack M. Eggers
Barbara Jon Shubeck
Witness as to Mae Marie Dew
Elizabeth S. Bradshaw
Witness as to Mae Marie Dew
Harrison D. Eggers
Witness as to Barbara Jon Shubeck
Myra Ray Gilliam
Witness as to Barbara Jon Shubeck
Elizabeth S. Bradshaw
Witness as to Harrison D. Eggers
Elizabeth S. Bradshaw
Witness as to Myra Ray Gilliam

Betty J. Cummins L.S.
Betty J. Cummins
James H. Eggers L.S.
James H. Eggers
Jack M. Eggers L.S.
Jack M. Eggers
Mae Marie Dew L.S.
Mae Marie Dew
Barbara Jon Shubeck L.S.
Barbara Jon Shubeck
Harrison D. Eggers L.S.
Harrison D. Eggers
Myra Ray Gilliam L.S.
Myra Ray Gilliam

500
Judy

STATE OF Kentucky
COUNTY OF Harlan

The foregoing instrument was acknowledged before me this 24th day of May, 1990 by

James D. Howard
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID
My commission expires: 8/21/92

(Notary Seal)



OFFICIAL RECORDS
#016914 P60375

STATE OF Florida
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 4 day of May, 1990 by

Rosemary [Signature]
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID
My commission expires: 1/29/92

(Notary Seal)



STATE OF KY
COUNTY OF HARRAN

The foregoing instrument was acknowledged before me this 22 day of May, 1990

James D. Howard
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID
My commission expires: 8/21/92

(Notary Seal)



STATE OF Kentucky
COUNTY OF Harlan

The foregoing instrument was acknowledged before me this 29 day of May, 1990

James Bandy
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID
My commission expires:

(Notary Seal)



California
Santa Barbara
The foregoing instrument was acknowledged before me this
Barbara Shubeck

_____ 30th day of May 1990 by

DEBRA A. ALLIS
Notary Public
Santa Barbara County
California

Debra A. Allis
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID
My commission expires:

STATE OF *Texas*
COUNTY OF *Adams*

The foregoing instrument was acknowledged before me this 31 day of May by

VOL 6914 P 60376

OFFICIAL RECORDS

Johnna M. Lambert
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID.
My commission expires: 7/22/93

(Notary Seal)
"OFFICIAL SEAL"
JOHNNA M. LAMBERT
Notary Public, State of Illinois
My Commission Expires 7/22/93

STATE OF *Kentucky*
COUNTY OF *Warren*

The foregoing instrument was acknowledged before me this 29th day of May 1990 by

Joseph Banks
NOTARY PUBLIC DULY AUTHORIZED IN JURISDICTION AFORESAID.
My commission expires:

(Notary Seal)
NOTARY PUBLIC
STATE OF ILLINOIS

061270

FILED AND RECORDED
IN PUBLIC RECORDS
OF DUYER COUNTY FLA

JUN 11 4 21 PM '90

FILED & RECORDED
Thompson
CLERK OF DISTRICT

ORDINANCE _____

Legal Description

Lot51, Lot52, Lot53, Lot54 (Ex pt in st. rd.)

Lot 55, and Lot 56 Highland Unit No.8 as per Plat Book 25 Page 71 current public records Duval County Florida

EXHIBIT 1