

FIRE & RESCUE DEPARTMENT



August 29, 2014

Mr. Andrew Hetzel, Senior Planner  
Planning and Development Department  
Ed Ball Bldg. 214 No. Hogan Street Ste. 300  
Jacksonville, FL 32202

**RE: Requested Review of Wicked Barley PUD Rezoning, Ordinance 2014-0547**

Dear Mr. Hetzel:

The Emergency Preparedness Division has reviewed the proposed zoning amendment for the 2.33 acres +/- of property located at Baymeadows Road and Goodby's Creek between San Jose Blvd. and Regina Road, and has the following comments:

**Properties: 1419236-0000**

This request for rezoning for the Planned Unit Development (PUD) is to accommodate the construction of office and retail uses, a 250-seat restaurant and boat dock (no permanent slips, no boat ramp/no launching facilities). No residential use is proposed.

One-third of the property adjacent to Goodby's Creek, is sited within a "0.2 PCT ANNUAL CHANGE FLOOD HAZARD" zone.<sup>1</sup> The property in its entirety is located in a CAT Level A Evacuation Zone.<sup>2</sup> This PUD request does not conflict with the known hazards of the area; hurricane storm surge and/or flooding. The PUD rezoning would not increase density in the CHHA (defined as the Category-1 storm surge zone). Therefore, there is no additional impact generated through the proposed PUD to create additional delays or additional emergency sheltering in this area.

If there are any questions regarding these comments please contact our office at 904-255-3110.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Woodard", is written over a horizontal line.

Steven C. Woodard, Director  
Emergency Preparedness Division

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1 City of Jacksonville: <http://jaxgis.coj.net/jaxgis/>

2 City of Jacksonville: <http://jaxgis.coj.net/jaxgis/>



JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone	A:
149236 0000	CAPITALSOUTH BANK	0 BAYMEADOWS RD JACKSONVILLE 32257	50100	2.08	1500001136	7529	37-3S-27E 2.33 PT LOT 1 SEC 29-3S-27E & PT DAVID SCURRY GRANT RECD O/R 14156-1972	0.2 PCT ANNUAL CHANCE FLOOD HAZARD AREA	Ni At Zc

Wicked Barley

1/3 of parcel in Flood 2% Chance area

*Sal*  
8/29/2014

JAXGIS Property Information



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Wicked Barty

100% of parcel in Evacuation Zone Level A

fed  
8/29/2014

### Application For Rezoning To PUD



#### Planning and Development Department Info

Ordinance # 2014-0547 Staff Sign-Off/Date AH / 08/04/2014

Filing Date 08/12/2014 Number of Signs to Post 2

**Hearing Dates:**

1st City Council 09/09/2014 Planning Commission 09/04/2014

Land Use & Zoning 09/16/2014 2nd City Council N/A

Neighborhood Association BETTER BAYMEADOWS, INC.; SUMMERFIELD CROSSING HOA

Neighborhood Action Plan/Corridor Study N/A

#### Application Info

Tracking # 644

Application Status PENDING

Date Started 05/23/2014

Date Submitted 05/23/2014

#### General Information On Applicant

Last Name	First Name	Middle Name
DUGGAN	WYMAN	R

**Company Name**  
 ROGERS TOWERS, P.A.

**Mailing Address**  
 1301 RIVERPLACE BOULEVARD, SUITE 1500

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
904	904	WDUGGAN@RTLAW.COM

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SEE	BELOW	

**Company/Trust Name**  
 CAPITALSOUTH BANK

**Mailing Address**  
 5310 STATE ROAD 64 EAST

City	State	Zip Code
BRADENTON	FL	34208

Phone	Fax	Email

#### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2007-1246-E

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



149236 0000	5	3	PUD	PUD
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Ensure that RE# is a 10 digit number with a space (##### #####)

**Existing Land Use Category**

RPI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 2.33

Development Number PENDING

Proposed PUD Name

WICKED BARLEY

**Justification For Rezoning Application**

SEE ATTACHED WRITTEN DESCRIPTION.

**Location Of Property**

**General Location**

BAYMEADOWS AND GOODBYS CREEK

House #	Street Name, Type and Direction	Zip Code
0000	BAYMEADOWS RD	32257

**Between Streets**

SAN JOSE BLVD. and REGINA ROAD

**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  
2.33 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee  
40 Notifications @ \$7.00 /each: \$280.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,310.00

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

# ORDINANCE \_\_\_\_\_

## Legal Description

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**A PART OF SECTION 29 AND PART OF THE DAVID SCURRY GRANT, SECTION 37, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF CRAVEN ROAD (FORMERLY PLOVER ROAD, COUNTY ROAD NO. 1460) WITH THE SOUTHERLY LINE OF GOODBY LAKE ROAD (COUNTY ROAD NO. 76), AS SAID INTERSECTION WAS ESTABLISHED IN APRIL 1955; THENCE SOUTH 79 DEGREES 18 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE OF GOODBY LAKE ROAD, 366.14 FEET; THENCE SOUTH 2 DEGREES 56 MINUTES WEST 7.2 FEET TO THE SOUTHERLY OF BAYMEADOWS ROAD (FORMERLY GOODBY LAKE ROAD) AND THE POINT OF BEGINNING FOR THE LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 2 DEGREES 56 MINUTES WEST, 315.83 FEET TO THE CENTERLINE OF A 25 FOOT EASEMENT FOR INGRESS AND EGRESS; THENCE NORTH 82 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG THE CENTERLINE OF SAID 25 FOOT EASEMENT FOR INGRESS AND EGRESS AND THE WESTERLY PROLONGATION THEREOF, 299.6 FEET; THENCE SOUTH 2 DEGREES 56 MINUTES WEST, 2.50 FEET; THENCE NORTH 82 DEGREES 30 MINUTES 10 SECONDS WEST, 85.6 FEET MORE OR LESS TO THE WATERS OF GOODBYS LAKE; THENCE NORTHERLY, ALONG SAID WATERS OF GOODBYS LAKE, 185 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID BAYMEADOWS ROAD; THENCE NORTH 79 DEGREES 18 MINUTES 10 SECONDS EAST, ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, 152 FEET MORE OR LESS TO A RIGHT OF WAY MONUMENT; THENCE CONTINUE ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, NORTH 69 DEGREES 50 MINUTES 25 SECONDS EAST, 60.83 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, NORTH 79 DEGREES, 18 MINUTES 10 SECONDS EAST, 182.06 FEET TO THE POINT OF BEGINNING. EXCEPTING ANY PORTION OF LOCATION LYING WITHIN LANDS DESCRIBED IN O/R 841 PAGE 179 BEING SUNSET LANE.**

6/9/2014



# EXHIBIT A

## Property Ownership Affidavit

Date: 6/9/14

### City of Jacksonville

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

Re: Ownership Certification

Gentlemen:

I, Neel Stacy, 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 land use amendment and/or rezoning and/or concurrency, submitted to the Jacksonville Planning and Development Department.

  
\_\_\_\_\_  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 9 day of June (month), 2014 (year) by Neel Stacy who is personally known to me or has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Notary Signature)



# EXHIBIT B

## Agent Authorization

Date: 6/9/14

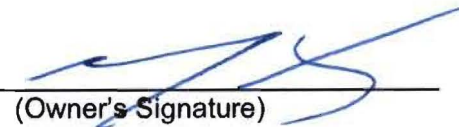
City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

RE #149236-0000

Gentlemen:

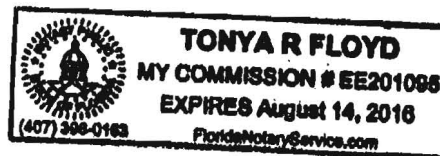
You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers Rogers Towers, P.A. to act as agent to file application(s) for land use amendment and/or rezoning and/or concurrency for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

  
\_\_\_\_\_  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing was sworn and subscribed before me this 9 day of June (month),  
2014 (year) by Neel Stacy, who is personally known to me or has  
produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Notary Signature)



# EXHIBIT C

## Binding Letter

Date: 6/9/2014

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

Re: Hop Properties Baymeadows 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: \_\_\_\_\_



**Excerpt from the Minutes of the Meeting  
of the Board of Directors  
held on July 16, 2013**

**RESOLVED** that the President and Chief Executive Officer, the named officers and any other officer as the President and Chief Executive Officer shall designate in writing, which designation may contain additional limitations, is authorized and empowered in his sole and absolute discretion to act for and on behalf of IBERIABANK in:

- (1) Executing and delivering limited warranty deeds, conveying, selling, transferring and/or exchanging properties, immovable or movable, and their component parts, acquired by dation en paiement, foreclosure, purchase or otherwise, all on such terms and conditions as the officer deems proper;
- (2) Receiving and receipting for the purchase price of any property, immovable or movable, sold; and
- (3) Doing any other act or thing appropriate or necessary to carry out the purposes of these resolutions.

**Those designated, authorized and empowered are as follows:**

<u>Name</u>	<u>Title</u>	<u>Name</u>	<u>Title</u>
Daryl G. Byrd	President & Chief Executive Officer	Chris Dorn	Vice President
Michael J. Brown	Vice Chairman, Chief Operating Officer	Nancy Dost	Vice President
Elizabeth A. Ardoin	Senior Executive Vice President	Bob Ferguson	Vice President
John R. Davis	Senior Executive Vice President	Joan Gowgiel	Vice President
Anthony J. Restel	Senior Executive Vice President	Brian Hamilton	Vice President
Taylor F. Barras	Executive Vice President	David Krage	Vice President
George J. Becker, III	Executive Vice President	William Neal	Vice President
David Doherty	Executive Vice President	Jennifer O'Neil	Vice President
Stephen (Steve) Franklin	Executive Vice President	Amy Popma	Vice President
James B. (Jim) Gburek	Executive Vice President	Mark Reiber	Vice President
Robert Head	Executive Vice President	Bruce Reid	Vice President
Karl E. Hoefler	Executive Vice President	John Roberts	Vice President
Paul Hutchinson	Executive Vice President	Patrice Roger	Vice President
Elise Latimer	Executive Vice President	Mike Schaefer	Vice President
H. Spurgeon Mackie, Jr.	Executive Vice President	Matt Seluk	Vice President
Pete Yuan	Executive Vice President	Kerry Shreffler	Vice President
William (Bill) Albanese	Senior Vice President	Neel Stacy	Vice President
Mark Collier	Senior Vice President	Robert Stone	Vice President
Robin Sanford-Eiler	Senior Vice President	Michael Strane	Vice President
Prentice R. (Bob) Jackson	Senior Vice President	John Walden	Vice President
Fred Malzahn	Senior Vice President	Tim Wilson	Vice President
David Pearson	Senior Vice President	Theresé Young	Vice President
Fran Sadini	Senior Vice President	Ennio Alonso	Assistant Vice President
Scott Stevens	Senior Vice President	Jennifer Cormier	Assistant Vice President
John Troyan	Senior Vice President	Kyle DeCiccio	Assistant Vice President
Paul Willson	Senior Vice President	Susan Elkins	Assistant Vice President
Steve Barnes	Vice President	Brennan Fournierat	Assistant Vice President
Dan Begley	Vice President	Jennyfer Goodnight	Assistant Vice President
Jason Block	Vice President	Jason Haire	Assistant Vice President
Brian Buczko	Vice President	Alexander Klotz	Assistant Vice President
Todd Bussey	Vice President	Shari Kurutz	Assistant Vice President
Lewis Compton	Vice President	Donia Orsolini	Assistant Vice President
Linda Cooper	Vice President	Deborah Pritchert	Assistant Vice President
Paul Coloni, Jr.	Vice President	Rhonda Prosser	Assistant Vice President
Karen DeRoche	Vice President	Mitch Moore	Banking Officer



**CERTIFICATE**

I, Robert B. Worley, Jr., Secretary of IBERIABANK, do hereby certify that the above and foregoing to be a true, correct and exact extract from and of the minutes of the regular meeting of the Board of Directors of IBERIABANK duly and legally called, convened and held in New Orleans, Louisiana on July 16, 2013, at which a quorum of Directors was present and acted throughout, and said resolution has not been amended, modified or revoked and continues in full force and effect.

WITNESS, my signature and seal of IBERIABANK at New Orleans, Louisiana on this 19<sup>th</sup> day of July, 2013;

Charlotte B. Vigier  
Witness

Robert B. Worley, Jr.  
Robert B. Worley, Jr., Secretary

## EXHIBIT D

### Wicked Barley PUD Revised Written Description August 4, 2014

#### I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: RPI
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. Real Estate Parcel: 149236-0000

#### II. SUMMARY DESCRIPTION OF THE PUD

The subject property (the "Property") is located on Baymeadows Road between Regina Road and Goodby's Creek, and is more particularly described in the legal description attached as Exhibit "1" to this application. The Property has an RPI land use category and is currently undeveloped. Existing and permitted uses in the surrounding area include commercial retail, restaurant, office, single family residential, and high rise multifamily residential uses.

The Applicant proposes to rezone approximately 2.33± acres of property from Planned Unit Development ("PUD") to PUD. PUD Ordinance 2007-1246-E approved a mix of up to 28,000 square feet of office and retail uses, including a 250 seat restaurant, and a boat dock. The proposed PUD seeks to permit the development of approximately 7,000± square feet of commercial retail, office and restaurant uses on the Property under a common development scheme incorporating shared access, parking, and signage for these permitted uses. A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan").

#### III. PUD DEVELOPMENT CRITERIA

##### A. Minimum Lot and Building requirements:

1. *Permitted uses and structures.* The permitted uses and structures are as follows:

- a. Medical and dental or chiropractor offices and clinics;
- b. Professional and business offices;
- c. Schools meeting the performance standards and development criteria set forth in Part 4;

- d. Vocational, trade or business schools (but not union halls);
- e. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4;
- f. Libraries, museums and community centers;
- g. Radio and television broadcasting studios and offices meeting the performance standards and development criteria set forth in Part 15;
- h. Banks, savings and loan institutions, mortgage brokers, stockbrokers and similar financial institutions;
- i. Art galleries, dance, art, gymnastics, fitness centers, martial arts and music studios, and theaters for stage performances (but not motion picture theaters);
- j. Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products either in conjunction with a professional service being rendered or in a stand alone structure not exceeding 4,000 square feet;
- k. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4;
- l. Employment office (but not a day labor pool);
- m. Drive-through facilities in conjunction with a permitted use or structure;
- n. Retail outlets for the sale of food and drugs, leather goods and luggage, jewelry (including watch repair but not pawn shops), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal kennels), musical instruments, television and radio (including repair incidental to sales), florist or gift shops, delicatessens, bake shops (but not wholesale bakeries), drugs and similar products, and dry cleaning pickup station;
- o. Restaurants, including the sale and service of beer, wine and cider/mead for either on-premises or off-premises consumption or both, including permanent outside sales and service of food and beer, wine and cider/mead;
- p. Boat dock with no permanent slips. No watercraft refueling, repair services, or sewage pumpout shall be permitted. Boat ramp/lauching facilities are not permitted.

q. Production of up to ten thousand (10,000) barrels per year of beer, mead and cider (aggregate). Up to seventy-five percent (75%) of total production may be distributed off-site to a licensed distributor.

r. Prohibited uses: Pawn shops, tattoo studios or parlors, used furniture stores, billiard parlors, labor halls, convenience stores, fuel pumps, massage parlors, lingerie modeling, adult book or video stores, adult theaters, flea markets, auction houses, bingo parlors, day labor pools, and laundromats.

2. *Permitted accessory uses and structures.* Accessory uses and structures are permitted as provided in Section 656.403, Zoning Code; provided that accessory uses and structures may be located in a required front or side yard.

3. *Minimum lot requirement (width and area).*

- a. Width - none.
- b. Area - none.

4. *Maximum lot coverage by all buildings.* None.

5. *Minimum yard requirements.* The minimum yard requirements will apply to the Property as a whole without regard to internal parcelization or uses.

- a. Front - ten (10) feet.
- b. Side - zero (0) feet.
- c. Rear - ten (10) feet.

*Note:* Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, stormwater facilities, and other similar improvements shall be permitted within the minimum building setbacks.

6. *Maximum height of structures.* Forty-five (45) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

**B. Neighborhood Quality of Life Measures:** The hours of operation for the retail sales and service of alcoholic beverages shall be 11 a.m – 11 p.m. Monday through Saturday and 10 a.m. – 9 p.m. on Sunday; provided, however, that sales and service may continue until 2 a.m. on New Year’s Eve and St. Patrick’s Day. Outside amplified music will cease at 10 p.m Monday through Saturday and at 8 p.m. on Sunday. Service delivery and distribution activities related to the brewing of beer and cider/mead products and involving vehicles with an FHWA rating of Class 5 or higher shall be limited to the hours of 9 a.m. – 3 p.m. Monday through Friday.

**C. Screening/Buffers/Landscaping:** The proposed building will be set back a minimum of sixty (60) feet from the right of way line of Sunset Drive North, and a minimum of



sixty (60) feet from the east property line. A twenty-five (25) wide naturally vegetated buffer will be provided along the vehicle use area adjacent to Sunset Drive North. Evergreen trees and shrubs will be planted within this buffer to create a visual barrier. As depicted on the Site Plan, an eight (8) foot tall, 95% opaque stucco wall will be placed between the buffer and the vehicle use area. The buffer and fencing shall be installed prior to any building construction. The landscaping will comply with the requirements of Part 12.

D. **Vehicular Access/Boat Dock:** As indicated on the Site Plan, access to the Property will be from Baymeadows Road. There will be no access from Sunset Drive North. The location and design of all access points will be subject to the review and approval of the City Traffic Engineer and the Planning and Development Department. The location of the access points shown on the conceptual Site Plan are schematic and may be subject to realignment and relocation prior to development. The boat dock will be for patrons of retail uses on the Property and will not be available to the general public.

E. **Parking:** A total of seventy-three (73) off-street parking spaces (standard and ADA) will be provided. Parking within the PUD may be shared between uses and parcels as long as the PUD in its entirety provides sufficient parking for all proposed uses.

F. **Pedestrian Access:** External sidewalks are already in place on both sides of Baymeadows Road.

G. **Lighting:** Lighting shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on any residential zoning districts outside of the PUD. Directional lighting fixtures (shoebox design with full cut-offs) designed to cast illumination downward and within the site shall be used rather than broad area illumination. Light poles shall be a maximum of eight (8) feet in height

H. **Signage:** One externally illuminated, double-faced, monument style sign is permitted on the Baymeadows Road frontage. The sign shall not exceed fifteen (15) feet in height and one hundred (100) square feet in area. Multiple tenants and/or uses may be identified on the sign without regard to parcelization. Wall signs are also permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or side of the building. Wall signs shall be similar in size and appearance, using similar materials and shapes. One (1) under the canopy sign per occupancy not exceeding a maximum of eight (8) square feet in area is permitted; provided, however, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs. Directional signs, real estate signs and construction signs are permitted. One externally illuminated, double-faced, monument style sign is permitted at the Goodby's Creek dock. The sign shall not exceed six (6) feet in height and twenty-four (24) square feet in area.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the

outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

I. **Architectural Controls:** Satellite dishes and other antennas which could be used for reception of television and other similar broadcasts are prohibited unless such satellite dishes or antennas are located either on the rooftop or a side of a building which is not adjacent to a public right of way. Satellite dishes or antennas must be screened from view from adjacent property. Satellite dishes or antennas located on the side of a building must be screened from any roadways by landscaping and/or opaque fencing which is aesthetically compatible with the other structures located, or to be located, on the Property.

Dumpsters, propane tanks, and similar appurtenances shall be kept behind substantially opaque enclosures composed of the same material and painted the same color as the structures located, or to be located, on the Property, such that the dumpster, propane tank, and similar appurtenances are screened from view from surrounding roadways and adjacent properties. Utility tracts, maintenance areas and loading/unloading zones shall be screened from surrounding roadways by landscaping and/or opaque fencing which is aesthetically compatible with the other structures located on the Property.

J. **Stormwater Retention:** Retention shall meet the requirements of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District. Stormwater retention areas may be located on or off-site and may be shared with other parcels provided the stormwater design for the entire PUD meets the standards and requirements of the City of Jacksonville and the St. Johns River Water Management District.

K. **Modifications:** Amendments to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as allowed by Section 656.341 of the Zoning Code; provided, however, that the Site Plan may be revised to decrease the size of the building(s) and to increase the size of the parking area without an administrative modification, minor modification, or rezoning, as long as the revised site plan meets the PUD Development Criteria provided herein. Additional uses may be permitted through a PUD rezoning.

L. **Conceptual Site Plan.** The plans and other visual illustrations in this PUD application are conceptual. The Site Plan, as submitted, reflects the best current thinking and planning for the site. It is possible, however, that revisions to the Site Plan, including but not limited to access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review. Therefore, the Site Plan is labeled as conceptual, recognizing that future changes will be subject to further review and approval by the Planning and Development Department.

M. **Temporary Uses:** Temporary sales, leasing and construction office(s) and trailers shall be allowed.

#### IV. PUD DEVELOPMENT CRITERIA

A. **Consistency with the Comprehensive Plan:** The proposed uses are consistent with the RPI land use category, and with the following Policies of the Future Land Use Element of the 2030 Comprehensive Plan: 1.1.1, 1.1.9, 1.1.10, 1.1.11, 1.1.18, 1.1.20, 1.1.22, and 3.2.2.

B. **Consistency with the Concurrency Management System:** The development will comply with the requirements of the Concurrency Management System.

C. **Allocation of Residential Land Use:** No residential development is proposed.

D. **Internal Compatibility:** This application proposes a “downzoning” from the current PUD development standards. It contains limitations on the uses permitted on the subject property as well as a common development scheme and unified architectural theme that contains special provisions for signage, landscaping, and other issues relating to the common areas and vehicular and pedestrian traffic. Access to the Property is available from Baymeadows Road. Final design and location of the access point is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

E. **External Compatibility/Intensity of Development:** The proposed development is consistent and compatible with planned and permitted development in the area. The Property fronts on an arterial road and is primarily bordered by commercial, office and residential uses. To the south and east of the Property is single family housing with RLD-90 zoning. The planned Goodby’s Cove highrise condo development and parcels zoned RMD-A are to the west and southwest, across Goodby’s Creek. The La Terrazza townhome and zero lot line development is to the northwest, just across Baymeadows. The node of retail commercial and office uses at the Baymeadows Road/San Jose Boulevard intersection, with CN, CCG-1, and CCG-2 zoning, begins approximately 700 feet to the west. Commercial and office uses are immediately adjacent to the east and north, and “cattycorner” across Baymeadows, with CO and CRO zoning. The proposed restaurant, retail and office uses are compatible in both intensity and density with these surrounding uses and zoning districts, and would be an amenity to the adjacent residential and office uses.

F. **Maintenance of Common Areas and Infrastructure:** Common areas will be maintained by the owner.

G. **Impact on Wetlands:** Development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

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

I. **Off-Street Parking Including Loading and Unloading Areas:** A total of seventy-three (73) off-street parking spaces (standard and ADA) will be provided. Parking within the PUD may be shared between uses and parcels as long as the PUD in its entirety provides sufficient parking for all proposed uses.



J. **Sidewalks, Trails and Bikeways:** External sidewalks are already in place on both sides of Baymeadows Road.

V. **ADDITIONAL § 656.341 DATA**

A. **Professional Consultants:** Planner/architect/engineer: RS&H. Developer: Hop Properties, LLC.

B. **Differences from the Usual Application of the Zoning Code:** The current development standards for the Property are as set forth in Ord. 2007-1246-E. This application reduces the maximum development square footage from the 28,000 square feet approved therein to approximately 7,000 square feet. The proposed development parameters generally will be consistent with the Commercial Neighborhood zoning district, a permitted secondary zoning district in the RPI land use category, except for the minimum lot requirements and maximum lot coverage, which shall be “none” instead of 75 feet/7,500 square feet and 50%, respectively.

C. **Land Coverage of All Buildings and Structures/Nonresidential Floor Area:** The proposed structure will have approximately 7,000 s.f. of enclosed space, 2,000 s.f. of outdoor seating area, and a dock and elevated walkway.

D. **Amount of Public and Private Rights of Way:** The internal circulation consists of private drives and parking areas.

E. **Operation and Maintenance of Areas and Functions:** The Property is privately owned and will remain so.

F. **Recreation and Open Space:** Per § 656.419(b), three hundred fifty (350) square feet of recreational and open space is required and will be provided.



WF25

SWEGUM+22

WF24

Proposed  
Outdoor  
Deck

Proposed  
Building

Approx. 7,000 s.f.

Potential  
Garden

WF22

WF23

8

8

1

LIVOAK+2

LIVOAK+24

1

LIVOAK+28

LAUROAK+12

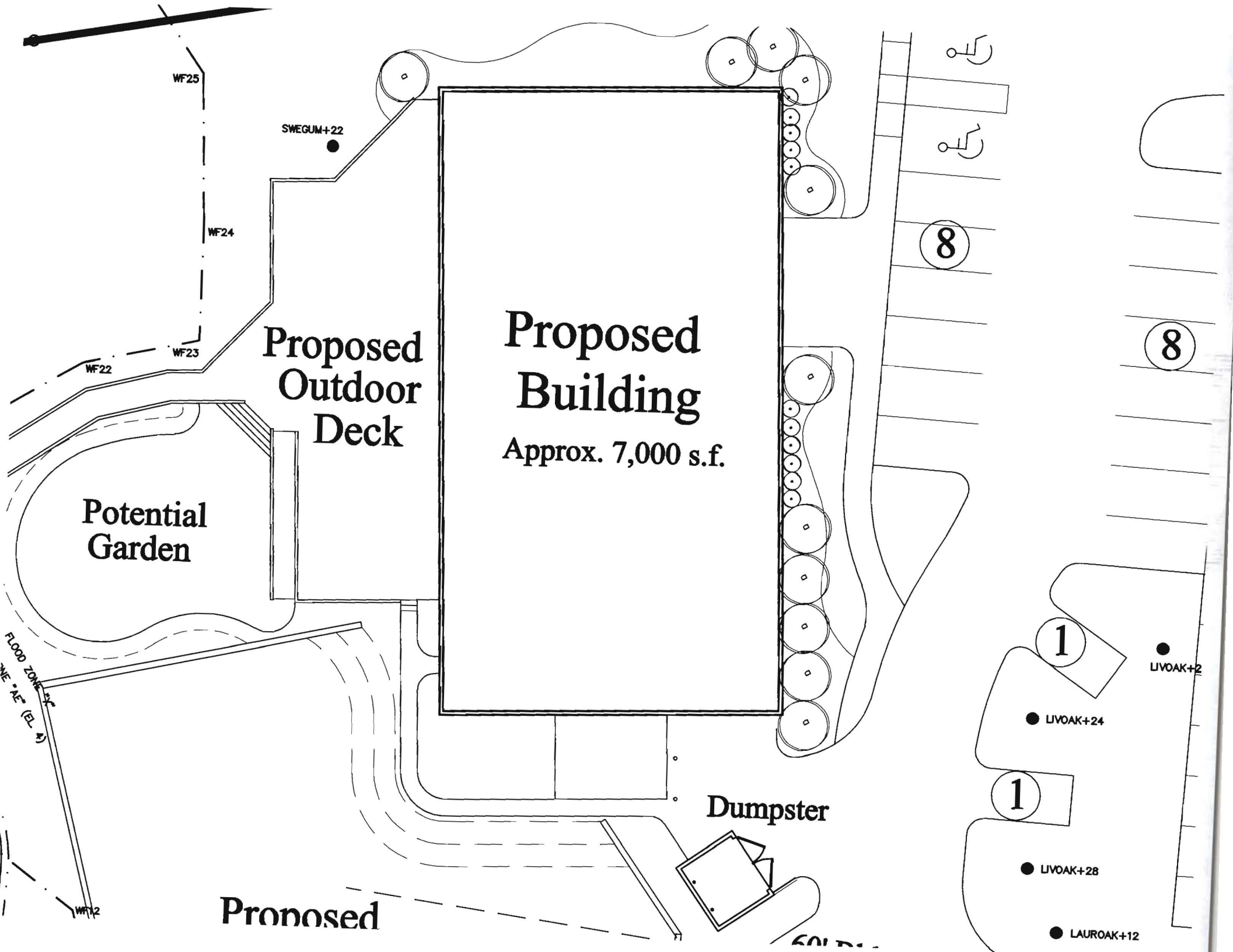
Dumpster

Proposed

FLOOD ZONE  
"AE" (EL. 4)

WF12

501 P...



WICKED BARLEY PUD

May 22, 2014

Total gross acreage	2.33 Acres	100%
Amount of each different land use by acreage	RPI: 2.33 Acres	100%
Total number and type of dwelling units by each type of same	0 d.u.	0%
Total amount of active recreation and/or open space	0 Acres	0%
Total amount of passive open space	1.02Acres	43%
Amount of public and private rights-of-way	Private: 2.33 Acres	100%
Maximum coverage of buildings and structures at ground level	46,000 Sq. Ft.	50.8%

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 2009-CA-5553

DIVISION: CV-E

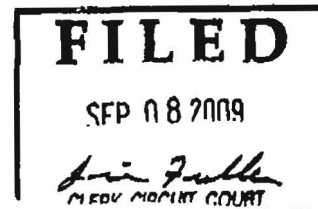
CAPITALSOUTH BANK, f/k/a  
MONTICELLO BANK,

Plaintiff,

vs.

GOODBY'S LANDING, LLC, and  
DAMON G. BRUSH,

Defendants.



CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a Certificate of Sale in this action on AUG 19 2009, 2009, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The property described on the attached Exhibit "A" was sold to CapitalSouth Bank, f/k/a Monticello Bank.

WITNESS my hand and the seal of the court on this SEP 08 2009 day of SEP 08 2009, 2009.



Thomas B. Lawrence, Esq.  
M. B. Thomas, Esq.  
Fla. Bar No.: 994898  
1301 Riverplace Boulevard, Suite 1630  
Jacksonville, Florida 32207  
(904) 632-0077 - ph.  
(904) 632-0730 - fx

Clerk of the Court

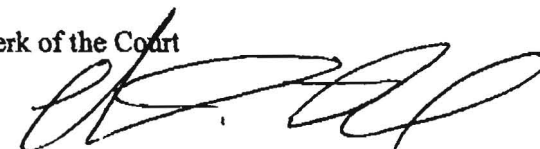
By   
As Deputy Clerk

EXHIBIT "A"

A PART OF SECTION 29 AND PART OF THE DAVID SCURRY GRANT, SECTION 37, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF CRAVEN ROAD (FORMERLY PLOVER ROAD, COUNTY ROAD NO. 1460) WITH THE SOUTHERLY LINE OF GOODBY LAKE ROAD (COUNTY ROAD NO. 76), AS SAID INTERSECTION WAS ESTABLISHED IN APRIL 1955; THENCE SOUTH 79 DEGREES 18 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE OF GOODBY LAKE ROAD, 366.14 FEET; THENCE SOUTH 2 DEGREES 56 MINUTES WEST 7.2 FEET TO THE SOUTHERLY OF BAYMEADOWS ROAD (FORMERLY GOODBY LAKE ROAD) AND THE POINT OF BEGINNING FOR THE LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 2 DEGREES 56 MINUTES WEST, 315.83 FEET TO THE CENTERLINE OF A 25 FOOT EASEMENT FOR INGRESS AND EGRESS; THENCE NORTH 82 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG THE CENTERLINE OF SAID 25 FOOT EASEMENT FOR INGRESS AND EGRESS AND THE WESTERLY PROLONGATION THEREOF, 299.6 FEET; THENCE SOUTH 2 DEGREES 56 MINUTES WEST, 2.50 FEET; THENCE NORTH 82 DEGREES 30 MINUTES 10 SECONDS WEST, 85.6 FEET MORE OR LESS TO THE WATERS OF GOODBYS LAKE; THENCE NORTHERLY, ALONG SAID WATERS OF GOODBYS LAKE, 185 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID BAYMEADOWS ROAD; THENCE NORTH 79 DEGREES 18 MINUTES 10 SECONDS EAST, ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, 152 FEET MORE OR LESS TO A RIGHT OF WAY MONUMENT; THENCE CONTINUE ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, NORTH 69 DEGREES 50 MINUTES 25 SECONDS EAST, 60.83 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY LINE OF BAYMEADOWS ROAD, NORTH 79 DEGREES, 18 MINUTES 10 SECONDS EAST, 182.06 FEET TO THE POINT OF BEGINNING. EXCEPTING ANY PORTION OF LOCATION LAYING WITHIN LANDS DESCRIBED IN O/R 841 PAGE 179 BEING SUNSET LANE.

DB



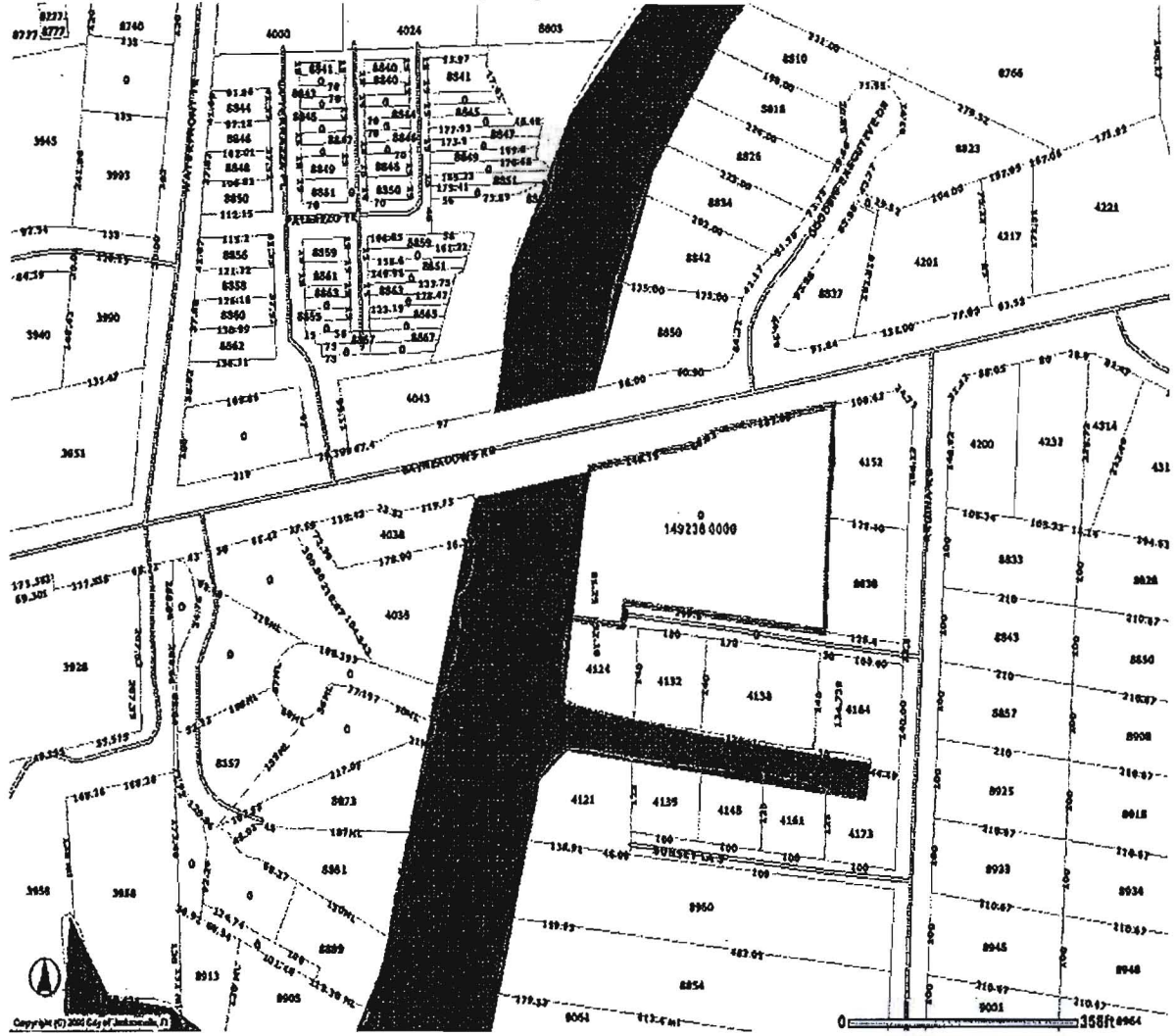
### JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone	AshSite	JEDC Zone
149236 0000	CAPITALSOUTH BANK	0 BAYMEADOWS RD JACKSONVILLE	50100	2.08	1500001136	7529	37-3S-27E 2.33 PT LOT 1 SEC 29-3S- 27E & PT DAVID SCURRY GRANT RECD O/R 14156-	0.2 PCT ANNUAL CHANCE FLOOD HAZARD AE	Not in AshSite Zone	Not in Enterp Zone



### JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone
149236 0000	CAPITALSOUTH BANK	0 BAYMEADOWS RD JACKSONVILLE 32257	50100	2.08	1500001138	7529	37-3S-27E 2.33 PT LOT 1 SEC 29-3S- 27E & PT DAVID SCURRY GRANT RECD O/R 14156- 1972	0.2 PCT ANNUAL C