

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2014-697 TO**  
**PLANNED UNIT DEVELOPMENT**  
**NOVEMBER 20, 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 **2014-697** to Planned Unit Development.

***Street Location:*** 4225 Roosevelt Boulevard  
Between St. Johns Avenue and Melrose Avenue.

***Present Zoning:*** Planned Unit Development (PUD)

***Requested Zoning:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community/General Commercial (CGC)

***Planning District:*** Southwest, District 4

***City Council District:*** The Honorable Jim Love, District 14

***Planning Commissioner:*** Chris Hagan

***Owner:*** First Coast Energy, LLP  
7014 A.C. Skinner Parkway, Suite 290  
Jacksonville, Florida 32256

***Agent:*** T.R. Hainline, Jr.  
Rogers, Towers, Bailey, Jones & Gay  
1301 Riverplace Boulevard, Suite 1200  
Jacksonville, Florida 32202

***Recommendation:*** **APPROVE with CONDITIONS**

## **GENERAL INFORMATION**

Application for Rezoning **Ordinance 2014-697** seeks to rezone 1.14 acres of land from PUD to PUD to permit the expansion of the existing (4,120) square foot retail convenience store. The property is currently developed with a convenience store, gas pumps, and a car wash as approved in PUD 2003-133-E. The purpose of the rezoning is to add approximately 400 square feet to the existing convenience store, as the previous PUD placed a limit on the maximum allowable square footage of convenience store area on site. All permitted uses, development criteria, and landscape buffering approved in the previous PUD will not change, with exception to the limitation on the maximum allowable square footage of the convenience store area. The additional square footage will be added to the eastern portion of the building, nearest to the Melrose Avenue frontage, between the existing dumpster pads and swale area.

## **CRITERIA FOR REVIEW**

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 thereof shall evaluate and consider the following criteria in evaluation and consideration of an application for rezoning to the Planned Unit Development district:

*(1) Consistency with the Comprehensive Plan.*

In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that the subject property is located in the Community/General Commercial (CGC), land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. A description of the category is as follows.

Community/General Commercial (CGC): This category allows for a wide range of retail sales and services including general merchandise, apparel, food and related items, including auto and gasoline sales, and car wash.

The proposed rezoning meets the intent of the following 2030 Comprehensive Plan (Future Land Use) policies:

Policy 1.1.8 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

The proposed PUD provides for a specific plan of development for a convenience store, carwash, and gasoline fueling area and incorporates specific buffering requirements, lighting standards, signage regulations, and traffic control measures.

Policy 1.1.16 Prohibit scattered, unplanned, urban sprawl development without provisions for facilities and services at levels adopted in the 2030 Comprehensive Plan in locations inconsistent with the overall concepts of the Future Land Use Element.

Therefore, it is the opinion of the Planning and Development Department that if the proposed small-scale land use amendment is approved, this Application for Rezoning would be 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.

(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 proposed development must meet the minimum requirements of the same.

(3) *Allocation of residential land use.*

The proposed PUD does not allow for any residential land use. Therefore, the same does not exceed the projected holding capacity reflected in the background data and analysis contained within the **Future Land Use Element** of the *Comprehensive Plan*.

(4) *Internal compatibility.*

Traffic and pedestrian circulation pattern:

The traffic and pedestrian circulation patterns will not change from the previously approved PUD.

The use and variety of building groupings:

According to the submitted site plan, all other structures will remain in their present locations.

The use and variety of building sizes and architectural styles:

Staff recommends the expansion of the main structure provide for compatibility of building materials with regard to color, style, and type of façade, and that the color palette shall consist of earth tones.

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

The written description and site plan for the intended plan of development provides

uncomplementary landscape buffering. Based on the setbacks, lighting standards, fencing and landscaping as approved in the original PUD, the Department supports the existing treatment of the uncomplimentary buffer and landscaping.

Traffic and pedestrian circulation pattern:

General traffic distribution and pedestrian circulation will not change from the plan approved by PUD 2003-133-E.

(5) *External Compatibility*

Based on the written description and site plan of the intended plan of development, the Planning and Development Department finds that external compatibility is generally achieved through similarity with existing and planned uses and zoning of surrounding properties, and consistency with the 2030 Comprehensive Plan.

*The type, number and location of surrounding external uses:*

The adjacent use, zoning, and land use categories are as follows:

	<u>Uses</u>	<u>Zoning</u>	<u>Land Use Category</u>
North	JEA Utilities, and a hair salon	CCG-1 and RLD-60	CGC and RPI
South	Commercial shopping, Single-family	CCG-1 and RLD-60	CGC and LDR
East	Single-family dwellings	RLD-60	RPI and LDR
West	Shopping center	CCG-2	CGC

*Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of land surrounding the proposed Planned Unit Development, which includes any existing or planned use of such lands:*

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is generally achieved through compatibility of uses, buffering, and compatibility with surrounding zoning districts.

(6) *Intensity of Development.*

The proposed density and intensity of the proposed PUD includes a convenience store consisting of approximately 4,520 square feet, an automated car wash, and self-service gasoline fueling dispensers with four (4) fueling islands and a canopy covering the same.

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

The proposed PUD does not provide for dedicated open space.

*(8) Impact on wetlands*

Any development impacting wetlands shall be subject to review and approval of the appropriate government agencies, including the St. Johns River Water Management District and the City.

*(9) Listed species regulations.*

A listed species study is required for developments of fifty (50) or more acres. The subject property contains 1.14 acres.

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

Off-street parking will meet the requirements of Part 6 of the Zoning Code.

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

Sidewalks will be provided along all three roadways fronting the subject property in accordance with City requirements.

### SUPPLEMENTAL INFORMATION

It should be noted that upon visual inspection of the subject property on November 12, 2014 by the Planning and Development Department, the required notice of public hearing signs were posted.



*Source: Planning and Development Department  
Date: November 12, 2014*

### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for **Rezoning 2014-697** be **APPROVED**, subject to the **FOLLOWING CONDITIONS**:

- 1) **The subject property is legally described in the original legal description dated September 24, 2014.**
- 2) **The subject property shall be developed in accordance with the written description dated September 24, 2014.**
- 3) **The subject property shall be developed in accordance with the site plan dated September 24, 2014.**



**Existing Daily's and Shell fueling station.**

*Source: Planning and Development Department  
Date: November 12, 2014*



**Commercial Shopping Center south of the property.**

*Source: Planning and Development Department  
Date: November 12, 2014*



**400 square feet of store space will be added along the eastern portion of the building.**

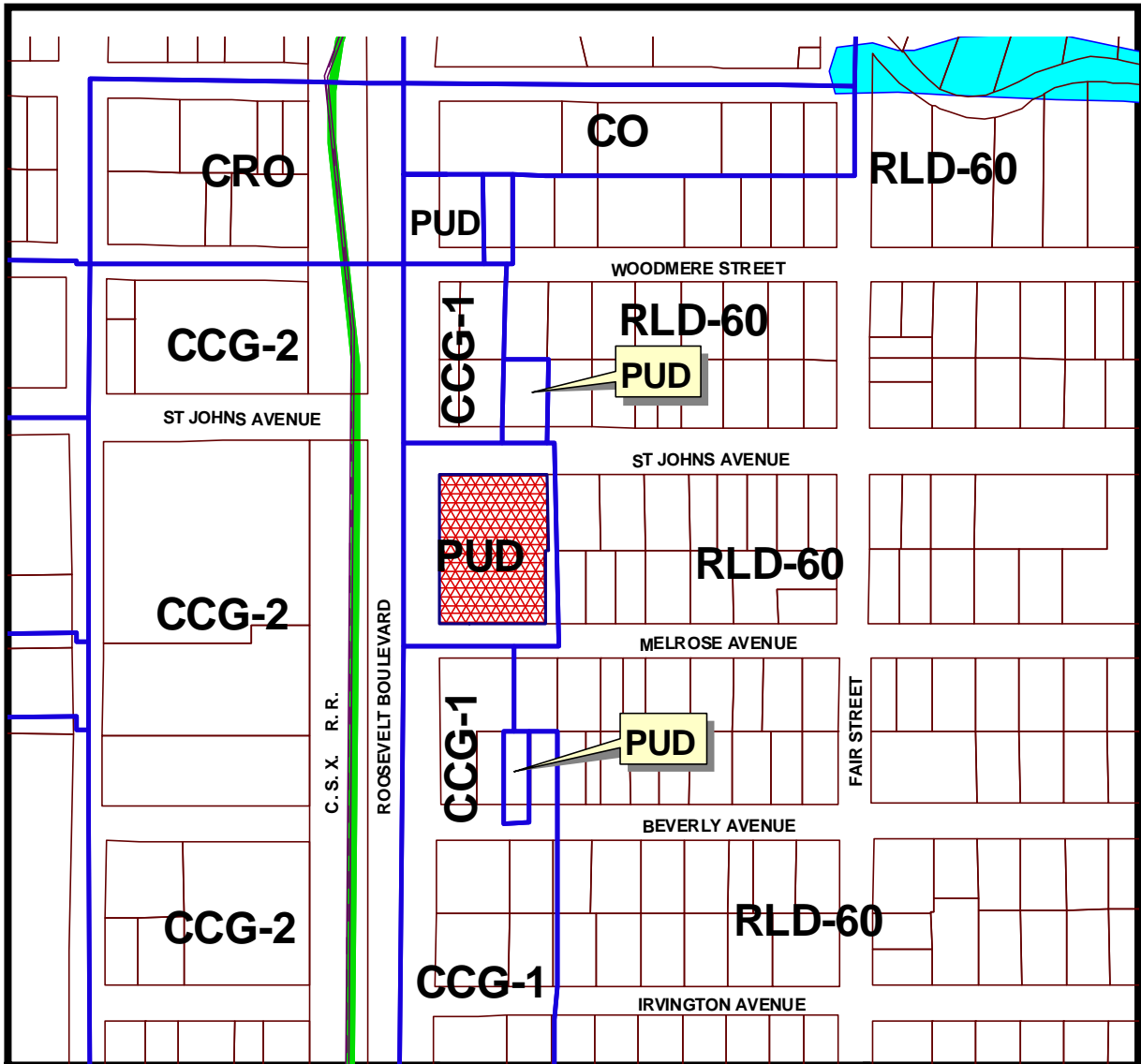
*Source: Planning and Development Department  
Date: November 12, 2014*



**View of the expansion area from Melrose Avenue.**

*Source: Planning and Development Department  
Date: November 12, 2014*





<p>REQUEST SOUGHT:</p>		
<p>FROM: PUD</p> <p>TO: PUD</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT:  <b>14</b></p>
<p>ORDINANCE -2014-0697</p>		<p>FILE COPY</p>

## Application For Rezoning To PUD



### Planning and Development Department Info

Ordinance # 2014-0697 Staff Sign-Off/Date AAG / 10/21/2014

Filing Date 10/28/2014 Number of Signs to Post 3

**Hearing Dates:**

1st City Council 11/18/2014 Planning Commission 11/20/2014

Land Use & Zoning 12/02/2014 2nd City Council 12/09/2014

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study NONE

### Application Info

Tracking # 700 Application Status FILED COMPLETE

Date Started 09/24/2014 Date Submitted 09/24/2014

### General Information On Applicant

Last Name First Name Middle Name

Company Name

Mailing Address

City State Zip Code

Phone Fax Email

### General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name

Company/Trust Name

Mailing Address

City State Zip Code

Phone Fax Email

### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

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

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

**Existing Land Use Category**

**Land Use Category Proposed?**

**If Yes, State Land Use Application #**

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

**Development Number**

**Proposed PUD Name**

**Justification For Rezoning Application**

SEE EXHIBIT "D" ATTACHED.

**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**

- |  |            |
|--|------------|
| <b>1) Rezoning Application's General Base Fee:</b>                     | \$2,000.00 |
| <b>2) Plus Cost Per Acre or Portion Thereof</b>                        |            |
| 1.14 Acres @ \$10.00 /acre:  | \$20.00    |
| <b>3) Plus Notification Costs Per Addressee</b>                        |            |
| 48 Notifications @ \$7.00 /each:                                       | \$336.00   |
| <b>4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):</b> | \$2,356.00 |

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

**EXHIBIT “D”**

**FCE #1008-Shell Station @ St. Johns Park PUD**

**Written Description**

**Date: September 24, 2014**

**I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A. Current Land Use: CGC
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. Real Estate Number: 069208-0010

**II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY**

The applicant proposes to rezone a total of 1.14 acres of property (the “Property”) from PUD to PUD. The Property is located at 4225 Roosevelt Boulevard between St. Johns Avenue and Melrose Avenue as shown on Exhibit “K” and is developed with a convenience store, gas pumps and a car wash. The Property is more particularly described in the legal description attached as Exhibit “1” to this application. The purpose of this rezoning is to add approximately 400 square feet to the existing convenience store. The rest of the site will remain as shown on the site plan attached to Ordinance 2003-133-E; specifically, the buffer, rear yard and building setbacks will remain as provided in Ordinance 2003-133-E. A conceptual site plan of the proposed development is attached as Exhibit “E” to this application (the “Site Plan”). A plan showing the space being added to the convenience store is attached as Exhibit “J” to this application.

The Property is located in the Community/General Commercial (CGC) land use category and in the Urban Area of the 2030 Comprehensive Plan which permits filing stations and associated uses.

**III. SITE SPECIFICS**

The Property is currently developed with a convenience store, gas pumps and car wash. Surrounding land use designations, zoning districts, and existing uses are as follows:

	Land Use	Zoning	Uses
South	CGC, LDR	CCG-1, RLD-60	Shopping center, single family residential
East	LDR, RPI	RLD-60	Single family residential, vacant
North	CGC, RPI, LDR	CCG-1, PUD,	Single family residential,

		RLD-60	utilities
West	CGC	CCG-2	Offices, shopping centers

#### IV. PUD DEVELOPMENT CRITERIA

##### A. Description of Uses and Development Criteria

1. *Permitted uses.* The uses remain identical to those permitted in Ordinance 2003-133-E, as follows:
  - a. Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but no animal boarding kennels), musical instruments, florist or gift shops, delicatessens, bakeries (but not wholesale bakeries), home furnishing and appliances (including repair incidental to sales), office equipment or furniture antiques, hardware, new automobile parts (including rebuilt parts, not installation, repair or rebuilding of parts), and accessories and similar uses.
  - b. Service establishments such as barber or beauty shops, shoe repair shops, restaurants, interior decorators, reducing salons or gymnasiums, self-service laundries or dry cleaners, tailors or dressmakers, laundries or dry cleaning pickup stations, dry cleaning and laundry package plants, in completely enclosed buildings, using nonflammable liquids such as perchloroethylene and with no odor, fumes or steam detectable to normal senses from off the premises blueprinting, job printing (but not newspaper), radio and television repair shops, travel agencies, employment offices, home equipment rental and similar uses.
  - c. Banks (including drive-through tellers), loan companies, mortgage brokers, stockbrokers and similar financial institutions.
  - d. All types of professional and business offices, newspaper offices (but not printing), and employment offices.
  - e. Art galleries, museums, community centers, dance, art or music studios, vocational, trade or business schools and similar uses.

- f. Service/gas stations with car wash/dryer and vacuum facility.
2. *Permitted accessory uses and structures.* None.
3. *Minimum lot requirement (width and area).*
  - a. Width: 250 feet
  - b. Area: 49,963 square feet.
4. *Maximum lot coverage by all buildings.* 30%.
5. *Minimum yard requirements and building setbacks.*
  - a. Front: None.
  - b. Side: None.
  - c. Rear: 21 feet behind the car wash;  
30 feet behind the convenience store;  
19 feet behind the portion of the convenience store closest to the car wash as shown on the site plan.
6. *Maximum height of structure.* 35 feet.

**B. Overall Development Criteria.**

1. *Access.* As shown on the Site Plan, access to the Property utilizes existing drives and access points along St. Johns Avenue and Roosevelt Boulevard. The site was constructed with a right-in/right-out access on Melrose Avenue which will remain as provided in Ordinance 2003-133-E. The location and design of the driveways were subject to review and approval of the Traffic Engineer at the time of the previous rezoning and will remain in their present locations.
2. *Recreation/Open Space.* The PUD provides open space around the retention areas. No other open space or recreational area is proposed.
3. *Off Street Parking and Loading Requirements.* The PUD complies with, and will continue to comply with, the off-street parking and loading requirements set forth in Part 6 of the 2014 Zoning Code.
4. *Signage.* Consistent with the conditions set forth in Ordinance 2003-133-E, wall and directional signs are permitted in accordance with Part 13 of the 2014 Zoning Code for the CCG-1 zoning district. Additionally, one (1) internally or externally illuminated monument sign, single or double-faced, not to exceed 5'4" x 8' wide on a 2'0" wide concrete base, as depicted on the site plan, is permitted.



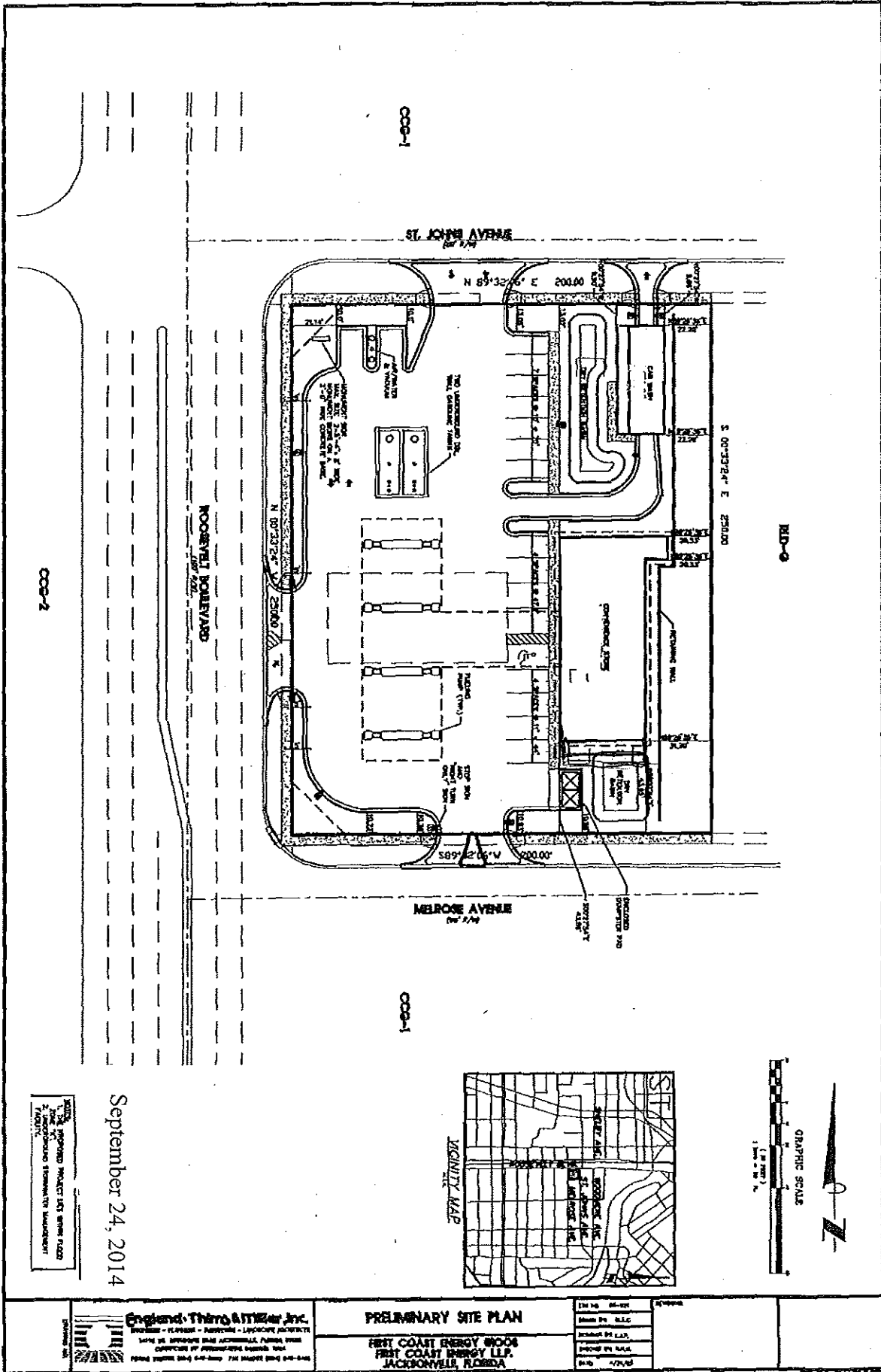
5. *Landscaping.* The landscaping complied with part 12 of the 2003 Zoning Code (the Landscape Ordinance) and will continue to comply with such ordinance.
6. *Architectural Design.* Pursuant to the conditions set forth in Ordinance 2003-133-E, all structures must have compatible building materials with respect to color, style and type of façade, and the color palette shall consist of earth tones. Additionally, the materials used to screen the dumpster must be compatible with the building.
7. *Lighting.* All lighting shall be directed inward toward the site and/or shielded at the rear so as to ensure that the lighting does not interfere with adjacent residences.
8. *Hours of Operation of Car Wash.* Pursuant to the conditions set forth in Ordinance 2003-133-E the hours of the car wash shall be limited to 7:00 a.m. to 10:00 p.m.
9. *Buffer between Gas Station and Adjacent Residential Uses to the East.* An eight (8) foot high concrete block screening wall was constructed along the eastern property boundary as shown on the Site Plan. The wall will remain. Additionally, trees were planted along the eastern property boundary which further buffer the use from the adjacent residential uses.
10. *Stormwater Retention.* Stormwater facilities were provided in accordance with applicable regulations and will remain.
11. *Utilities.* The Property is served by JEA.
12. *Maintenance of Common Areas and Infrastructure.* The project is maintained by the station owner.
13. *Phasing.* The original project was constructed in one phase. The addition to the convenience store will be constructed in one phase.
14. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code.
15. *Floridan Aquifer.* The additional construction on the convenience store shall comply with Chapter 366, Ordinance Code, as applicable.
16. *PUD Site Plan.* The PUD Site Plan reflects the current development on the Property with the exception of the addition to the convenience store. The addition is shown in detail on Exhibit “J.”

17. *Pre-application conference.* A pre-application conference was held regarding this application on September 19, 2014.
18. *Justification for the PUD Rezoning.* As described above, the PUD is being requested to permit an approximately 400 square foot expansion of the existing convenience store. The PUD to PUD rezoning is required because the original site plan specified the size of the convenience store, which would not permit the expansion. The additional approximately 400 square feet will not negatively impact the surrounding uses and is consistent with the surrounding zonings.
19. *PUD/Difference from Usual Application of the Zoning Code.* The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to this Written Description and Site Plan; it provides for site-specific access requirements, site-specific design criteria, and site-specific signage requirements; and, it provides for a buffer on the eastern portion of the Property.
20. *Permissible Uses by Exception.* There are no permissible uses by exception.
21. *Names of Development Team.*  
  
Developer/Owner: First Coast Energy, L.L.P.  
  
Planner/Engineer: TBD  
  
Architect: TBD
22. *Land Use Table.* A Land Use Table is attached hereto as Exhibit “F.”

## V. PUD REVIEW CRITERIA

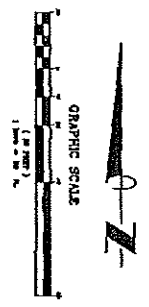
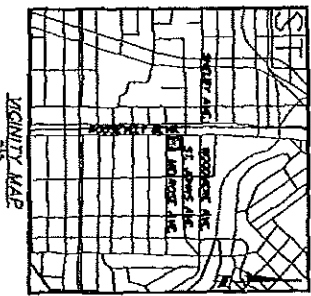
- A. **Consistency with Comprehensive Plan:** The Property is located within the CGC land use category according to the Future Land Use Map of the 2030 Comprehensive Plan, which permits gas stations and related facilities.  
  
The proposed development is consistent with the following objectives and policies of the Future Land Use Element of the 2030 Comprehensive Plan, among others: 1.1.12, 1.1.22, 1.1.25, 3.1.17, 3.1.21, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.8.
- B. **Roadways / Consistency with the Concurrency Management System:** A Mobility Fee Calculation Certificate and CCAS or CRC has been filed or will be filed for the proposed expansion, if required.
- C. **Internal Compatibility:** The Site Plan attached as Exhibit “E” addresses access and circulation within the site. Access will not be changed from that approved in Ordinance 2003-133.E.

- D. External Compatibility / Intensity of Development:** The proposed approximately 400 square foot addition to the existing convenience store is consistent and comparable to the planned and permitted development in the area. The surrounding land use categories include CGC, RPI and LDR. The Property is located on Roosevelt Boulevard between St. Johns Avenue and Melrose Avenue. The Property is already developed and is in a developed area with a mix of single family residential, shopping centers and office uses. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.
- E. Usable Open Spaces, Plazas, Recreation Areas:** The PUD has open space around the retention areas. No recreational areas are required or proposed.
- F. Impact on Wetlands:** There are no wetlands on-site, so the expansion of the convenience store will have no impact on wetlands.
- G. Off-Street Parking & Loading Requirements:** Parking is provided consistent with the 2014 Zoning Code requirements.
- H. Pedestrian Circulation System:** External sidewalks exist along Roosevelt Boulevard, St. Johns Avenue and Melrose Avenue.



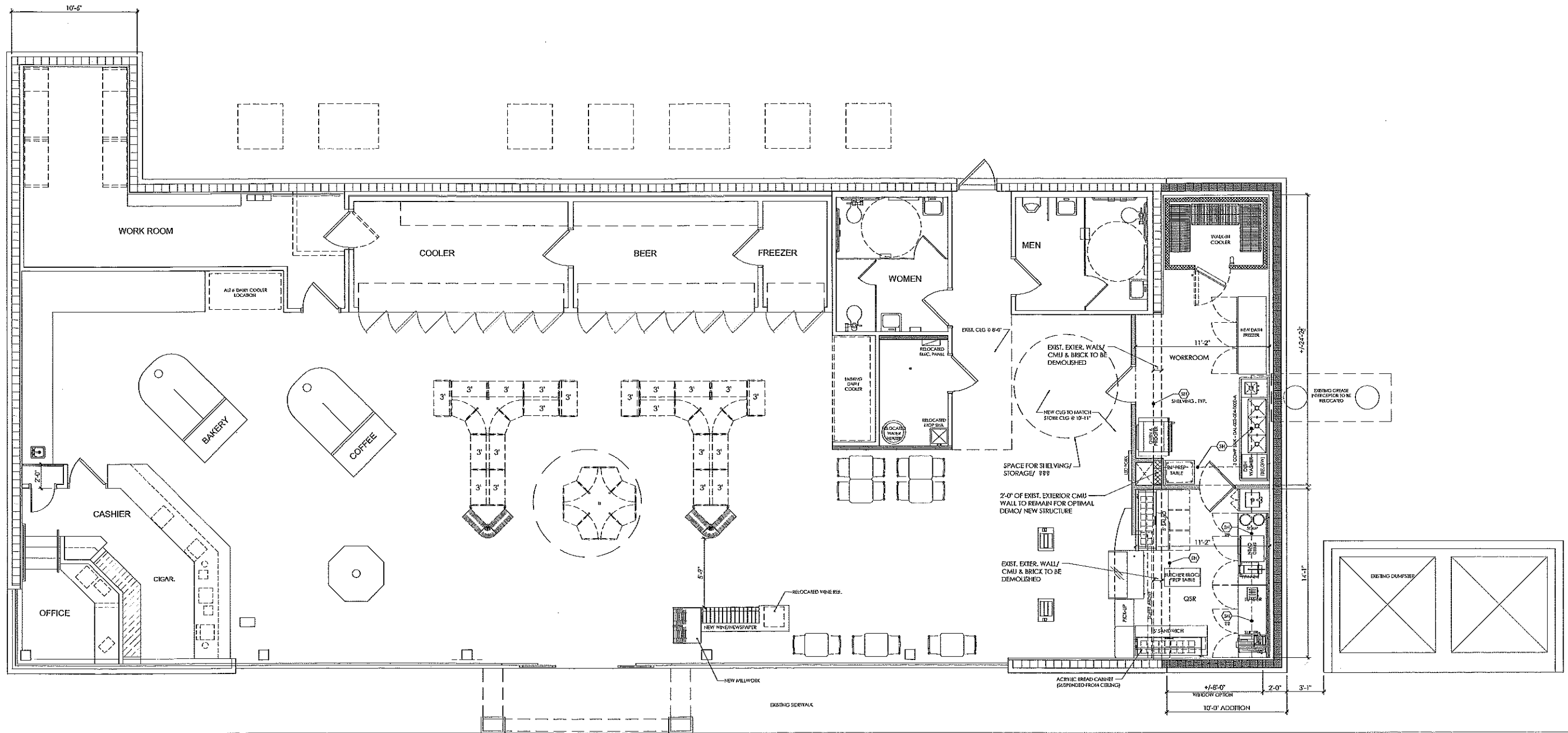
ENGINEERING PROJECT LIST SINCE 1900  
 THE FINEST IN PROFESSIONAL ENGINEERING MANAGEMENT  
 FACILITY

September 24, 2014



	<b>Englund, Thiero &amp; Miller, Inc.</b> ENGINEERS - PLANNERS - ARCHITECTS - LANDSCAPE ARCHITECTS 1000 W. UNIVERSITY BLVD., JACKSONVILLE, FLORIDA 32211 PHONE: 904-771-1100 FAX: 904-771-1101	THE DATE: 09/24/14 DRAWN BY: B.L.G. CHECKED BY: B.L.G. PROJECT NO.: 14-001 DATE: 07/20/14	PROJECT:
	<b>PRELIMINARY SITE PLAN</b> <b>FIRST COAST ENERGY WOODS</b> <b>FIRST COAST ENERGY LLP,</b> <b>JACKSONVILLE, FLORIDA</b>		

Exhibit "P"



1008 - DASH EXPANSION 09/ 02/ 2014  
 4225 ROOSEVELT BLVD. JACKSONVILLE, FL 32210  
 SCALE: 1/4"=1'-0"  
 OPTION 1

Exhibit "J"

# EXHIBIT F

PUD Name **FCE #1008-Shell Station @ St. Johns Park PUD**

Date **October 7, 2014**

## Land Use Table

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Total gross acreage	<b>1.14</b>	Acres	<b>100</b>	%
Amount of each different land use by acreage				
Single family	<b>0</b>	Acres	<b>0</b>	%
Total number of dwelling units	<b>0</b>	D.U.		
Multiple family	<b>0</b>	Acres	<b>0</b>	%
Total number of dwelling units	<b>0</b>	D.U.		
Commercial	<b>0.34</b>	Acres	<b>30</b>	%
Industrial	<b>0</b>	Acres	<b>0</b>	%
Other land use	<b>0</b>	Acres	<b>0</b>	%
Active recreation and/or open space	<b>0</b>	Acres	<b>0</b>	%
Passive open space, wetlands, pond	<b>0.02</b>	Acres	<b>0</b>	%
Public and private right-of-way	<b>0</b>	Acres	<b>0</b>	%
Maximum coverage of non-residential buildings and structures	<b>15,682</b>	Sq. Ft.	<b>30</b>	%

# EXHIBIT A

## Property Ownership Affidavit

September 24, 2014

City of Jacksonville  
City Council and Planning Commission  
117 West Duval Street, City Hall  
Jacksonville, FL 32202

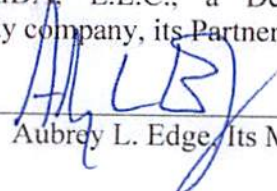
**Re: FCE #1008 – Shell Station @ St. Johns Park PUD**  
**RE #: 069208-0010**

Gentlemen:

I, Aubrey L. Edge, on behalf of First Coast Energy, L.L.P. hereby certifies that we are the Owner of the property described in the attached legal description, Exhibit 1 in connection with filing application for FCE #1800 – Shell Station @ St. Johns Park PUD submitted to the Jacksonville Planning and Development Department.


FIRST COAST ENERGY, L.L.P., a Colorado limited liability partnership

By: PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C., a Delaware limited liability company, its Partner

By:   
Aubrey L. Edge, Its Manager

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24<sup>th</sup> of September 2014 by Aubrey L. Edge, as Manager and on behalf of Petro Distributing Partners of Florida, L.L.C., a Delaware limited liability company, as partner of and on behalf of First Coast Energy, a Colorado limited liability partnership. He is personally known to me.

 (SEAL)

Notary Public, State of Florida and county aforesaid

Name: Donna A Miller

My Commission Expires: 7/29/2015

My Commission Number is: EE 019015



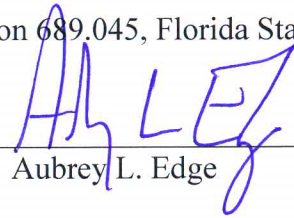
DONNA A. MILLER  
MY COMMISSION # EE 079015  
EXPIRES: July 29, 2015  
Bonded Thru Budget Notary Services

**PARTNERSHIP AFFIDAVIT**


STATE OF FLORIDA  
COUNTY OF DUVAL

Before me, the undersigned authority, this day personally appeared Aubrey L. Edge (“Affiant”), who after being by me first duly sworn, deposed, and said that:

1. Affiant has personal knowledge as to the matters set forth herein.
2. Affiant is over the age of 18, is of sound mind, is capable of making this affidavit, and is fully competent to testify to the matters stated herein.
3. Affiant is the Manager of Petro Distributing Partners of Florida, L.L.C., a Delaware limited liability company (“PDP”). PDP is a partner of and in First Coast Energy, L.L.P., a Colorado limited liability partnership (the “Partnership”). Affiant is executing this Affidavit on behalf of PDP, as its manager.
4. The following are all of the partners of the Partnership as of the date hereof:  
  
Petro Distributing Partners of Florida, L.L.C., a Delaware limited liability company  
Motiva Enterprises LLC, a Delaware limited liability company
5. The Partnership is a validly existing limited liability partnership under the laws of Colorado and has not been dissolved. A Certificate of Good Standing of the Partnership from the Secretary of State of Colorado is attached hereto as **Exhibit A**.
6. A Certificate of Good Standing of PDP is attached hereto as **Exhibit B**. PDP has the authority to execute zoning applications relating to the Partnership's real property described on **Exhibit C** attached hereto, and all of the parties named in paragraph 4 above have approved such authority.
7. This Affidavit is made pursuant to Section 689.045, Florida Statutes (2013).

  
 \_\_\_\_\_  
 Aubrey L. Edge

Sworn to and subscribed before me this 16 day of October 2014. The Affiant is personally known to me.

  
 \_\_\_\_\_  
 Print: LYNN KOLBECK BESSETTE  
 Notary Public, State of Florida  
 My commission expires: \_\_\_\_\_  
 Serial No. \_\_\_\_\_

(Notarial Seal)





**EXHIBIT A**

**Certificate of Good Standing**

(attached)

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**FIRST COAST ENERGY, L.L.P.**

is a **Limited Liability Partnership** formed or registered on 01/10/1997 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19971004669.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/24/2014 that have been posted, and by documents delivered to this office electronically through 06/26/2014 @ 07:33:12.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 06/26/2014 @ 07:33:12 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8886193.



A handwritten signature in blue ink that reads "Scott Gessler".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

CERT\_GS\_D Revised 08/20/2008

**EXHIBIT B**

**Certificate of Good Standing**

(attached)

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SIXTH DAY OF JUNE, A.D. 2014.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C." WAS FORMED ON THE FIRST DAY OF OCTOBER, A.D. 2013.


AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.

5407520 8300

140886240

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 1487878

DATE: 06-26-14

(attached)

## EXHIBIT C

### Legal Description

*Lots 7, 8, 8 ½, the East 35 feet of Lot 9, the East 50 feet of Lot 12 and all of Lots 13 and 14, Block 23, St. Johns Park, according to the Plat thereof, recorded in Plat Book 6, Pages 22, 22A and 22B of the current Public Records of Duval County, Florida, more particularly described as follows:*

*Begin at the intersection of the East line of Roosevelt Boulevard (a 100 foot right-of-way) with the South line of St. Johns Avenue (an 80 foot right-of-way); thence North 89 degrees – 32'-06" East, 200 feet, along the South line of said St. Johns Avenue; thence South 00 degrees – 33'-24" East, 250 feet, along the East line of said Lots 7 and 14, to the North line of Melrose Street (a 60 foot right-of-way); thence South 89 degrees – 32'-06" West, 200 feet, along the North line of said Melrose Street, to its intersection with the East line of said Roosevelt Boulevard, to the point of beginning.*

---

**EXHIBIT B**

**Agent Authorization**

September 24, 2014

City of Jacksonville  
City Council and Planning Commission  
117 West Duval Street, City Hall  
Jacksonville, FL 32202

Re: Agent Authorization for the following site location:  
4225 Roosevelt Boulevard

Gentlemen:

You are hereby advised that the undersigned are the owners of the property described in Exhibit 1 attached hereto. Said owners hereby authorize and empower Rogers Towers to act as agents to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

FIRST COAST ENERGY, L.L.P., a Colorado limited liability partnership

By: PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C., a Delaware limited liability company, its Partner

By: [Signature]  
Aubrey L. Edge, Its Manager

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24<sup>th</sup> of September 2014 by Aubrey L. Edge, as Manager and on behalf of Petro Distributing Partners of Florida, L.L.C., a Delaware limited liability company, as partner of and on behalf of First Coast Energy, a Colorado limited liability partnership. He is personally known to me.

[Signature] (SEAL)  
Notary Public, State of Florida and county aforesaid  
Name: Donna A Miller  
My Commission Expires: 7/29/2015  
My Commission Number is: EE079015



EXHIBIT C

Binding Letter

September 24, 2014

City of Jacksonville  
Planning and Development Department  
Jacksonville, FL 32202

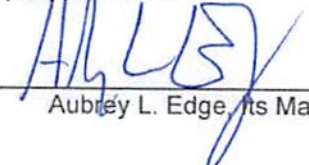
Re: 4225 Roosevelt Boulevard

To whom it may concern:

You are hereby advised that the undersigned, owner of the property, being more particularly described in the PUD document attached hereto and by reference made a part hereof, hereby agrees to bind their successors in title to the 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.


FIRST COAST ENERGY, L.L.P., a Colorado limited liability partnership

By: PETRO DISTRIBUTING PARTNERS OF FLORIDA, L.L.C., a Delaware limited liability company, its Partner

By:   
Aubrey L. Edge, its Manager

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24<sup>th</sup> of September 2014 by Aubrey L. Edge, as Manager and on behalf of Petro Distributing Partners of Florida, L.L.C., a Delaware limited liability company, as partner of and on behalf of First Coast Energy, a Colorado limited liability partnership. He is personally known to me.

 (SEAL)  
Notary Public, State of Florida and county aforesaid  
Name: Donna A. Miller  
My Commission Expires: 7/29/2015  
My Commission Number is: EE 079015

 DONNA A. MILLER  
MY COMMISSION # EE 079015  
EXPIRES: July 29, 2015  
Bonded Thru Budget Notary Services

This instrument was prepared by:  
HAYWOOD M. BALL  
DONAHOO, BALL & McMENAMY, P.A.  
50 North Laura Street, Suite 2925  
Jacksonville, Florida 32202  
(904) 354-8080

*RJK*

Doc# 2000165142  
Book: 9688  
Pages: 2362 - 2363  
Filed & Recorded  
07/24/2000 10:07:38 AM  
HENRY W COOK  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
TRUST FUND \$ 1.50  
DEED DOC STAMP \$ 875.00  
RECORDING \$ 9.00

**WARRANTY DEED**

THIS DEED made this 10<sup>th</sup> day of July, 2000, by BETTY JEAN WOOD, f/k/a BETTY JEAN SMITH HOWELL, a single woman (the "Grantor"), whose mailing address is 4454 St. Johns Avenue, Jacksonville, FL 32244, to FIRST COAST ENERGY, L.L.P., a Colorado Limited Liability Partnership, (the "Grantee"), whose tax identification number is 59-3417722, and whose mailing address is 7014 A.C. Skinner Parkway, Suite 290, Jacksonville, FL 32256;

**WITNESSETH:**

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to Grantee, it's successors and assigns, in fee simple forever, the real property located in Duval County, Florida, identified by Property Appraiser's Tax Parcel Identification Number 069207-0000, being more particularly described as follows:

Lot 7 and the East 35 feet of Lot 8, Block 23, ST. JOHNS PARK, according to plat thereof as recorded in Plat Book 6, page 22 of the public records of Duval County, Florida.

This conveyance is made subject to covenants, restrictions, conditions and easements of record and taxes accruing subsequent to December 31, 1999.

And Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

②



IN WITNESS WHEREOF, the Grantor has executed these presents as of the day and year first above written.

Signed and delivered in the presence of:

Patricia L. Demeranville  
Witness

Betty Jean Wood  
BETTY JEAN WOOD

[Patricia L. Demeranville]  
Print name below signature

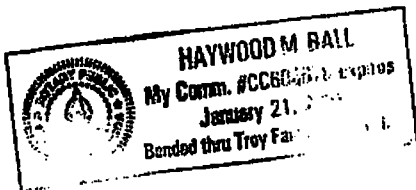
Haywood M. Ball  
Witness

[HAYWOOD M. BALL]  
Print name below signature

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 2000, by BETTY JEAN WOOD, f/k/a BETTY JEAN SMITH HOWELL, a single woman, the Grantor named therein, who [ ] is personally known to me or [  ] has produced a Florida drivers license as identification [check one].

Haywood M. Ball  
Notary Public  
State of Florida at Large  
[HAYWOOD M. BALL]  
Print name below signature



[Affix Notary Stamp]

My Commission Expires: \_\_\_\_\_

My Commission No.: \_\_\_\_\_

# Warranty Deed

ST. 605  
see 6000  
Return To Grantor

THIS INDENTURE, Made this 25th day of August, A.D. 2000 BETWEEN Jay Higbee as Trustee of the Jay Higbee Living Trust dated July 15, 1997 and Gregory A. Jones CONVEYING PROPERTY WHICH IS NOT THEIR HOMESTEAD of the County of Duval, State of Florida, parties of the first part, and First Coast Energy, L.L.P. 7014 A C Skinner Parkway, Suite 290, Jacksonville, Florida 32256

GRANTEES TAX ID: 59-3417722 of the County of Duval, State of Florida, party of the second part, WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ~~-----~~ TEN DOLLARS AND OTHER VALUABLE CONSIDERATION ~~-----~~ Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its heirs and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to wit:

Lot 14, Block 23, ST. JOHNS PARK, according to plat thereof as recorded in Plat Book 6, pages 22, 22A and 22B of the current public records of Duval County, Florida.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

PREPARED BY: FIRST COAST TITLE  
9485 REGENCY SQUARE BLVD. STE 460  
JAX, FL. 32225  
FILE #99-20780

Doc# 2000201753  
Book: 9729  
Page: 1740  
Filed & Recorded  
09/01/2000 02:02:53 PM  
HENRY W COOK  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
TRUST FUND \$ 1.00  
DEED DOC STAMP \$ 665.00  
RECORDING \$ 5.00

Parcel Identification Number: 69212-0000

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the said parties of the first part, but not otherwise.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed and Sealed in Our Presence:

Janet R. McKinnon SEAL  
Janet R. McKinnon Jay Higbee, as Trustee

Gregory A. Jones SEAL  
Gregory A. Jones by Gunnar Miller

Christine R. Rogers SEAL  
Christine R. Rogers  
STATE OF FLORIDA  
COUNTY OF Duval } ss.

Before me personally appeared Jay Higbee

and Gregory A. Jones, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing instrument, and acknowledged to and before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 25th day of August, 2000, at Jacksonville, County and State aforesaid.

Christine R. Rogers  
Notary Public in and for the County and State Aforesaid.  
My commission expires:



This instrument was prepared by:  
HAYWOOD M. BALL  
DONAHOO, BALL & McMENAMY, P.A.  
50 North Laura Street, Suite 2925  
Jacksonville, Florida 32202  
(904) 354-8080

*RTK*

Doc# 2000165142  
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**WITNESSETH:**

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2

IN WITNESS WHEREOF, the Grantor has executed these presents as of the day and year first above written.

Signed and delivered in the presence of:

Patricia L. Demeranville  
Witness

Betty Jean Wood  
BETTY JEAN WOOD

[Patricia L. Demeranville]  
Print name below signature

Haywood M. Ball  
Witness

[HAYWOOD M. BALL]  
Print name below signature

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 2000, by BETTY JEAN WOOD, f/k/a BETTY JEAN SMITH HOWELL, a single woman, the Grantor named therein, who [ ] is personally known to me or [  ] has produced a Florida drivers license as identification [check one].

Haywood M. Ball  
Notary Public  
State of Florida at Large  
HAYWOOD M. BALL  
[.....]  
Print name below signature



[Affix Notary Stamp]

My Commission Expires: \_\_\_\_\_  
My Commission No.: \_\_\_\_\_

# Warranty Deed

ST-665  
REV 6/0/0  
Return To Grantor:

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GRANTEES TAX ID: 59-3417722 of the County of Duval, State of Florida, party of the second part, WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its heirs and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to wit:

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And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the said parties of the first part, but not otherwise.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed and Sealed in Our Presence:

Janet R. McKinnon \_\_\_\_\_ SEAL  
Janet R. McKinnon Jay Higbee, as Trustee

Christine R. Rogers \_\_\_\_\_ SEAL  
Christine R. Rogers Gregory A. Jones by Gunnar Miller  
His Attorney In Fact \_\_\_\_\_ SEAL

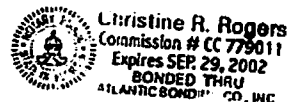
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COUNTY OF Duval } ss.

Before me personally appeared Jay Higbee

and Gregory A. Jones, his wife, to me well known and known to me to be the individuals described in and who executed the foregoing instrument, and acknowledged to and before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 25th day of August, 2000, at Jacksonville, County and State aforesaid.

Christine R. Rogers  
Notary Public in and for the County and State Aforesaid.  
My commission expires:



ORDINANCE 2003-133

Exhibit 1

LEGAL DESCRIPTION

---

*Lots 7, 8, 8 ½, the East 35 feet of Lot 9, the East 50 feet of Lot 12 and all of Lots 13 and 14, Block 23, St. Johns Park, according to the Plat thereof, recorded in Plat Book 6, Pages 22, 22A and 22B of the current Public Records of Duval County, Florida, more particularly described as follows:*

*Begin at the intersection of the East line of Roosevelt Boulevard (a 100 foot right-of-way) with the South line of St. Johns Avenue (an 80 foot right-of-way); thence North 89 degrees – 32'-06" East, 200 feet, along the South line of said St. Johns Avenue; thence South 00 degrees – 33'-24" East, 250 feet, along the East line of said Lots 7 and 14, to the North line of Melrose Street (a 60 foot right-of-way); thence South 89 degrees – 32'-06" West, 200 feet, along the North line of said Melrose Street, to its intersection with the East line of said Roosevelt Boulevard, to the point of beginning.*