

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-674 TO

PLANNED UNIT DEVELOPMENT

FEBRUARY 23, 2017

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 **2016-674** to Planned Unit Development.

Location: 2006 Park Street between Goodwin Street and Margaret Street.

Real Estate Number(s): 090885-0000

Current Zoning District: Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

Planning Commissioner: Ben Davis

City Council District: The Honorable Jim Love, District 14

Applicant/Agent: Steve Diebenow, Esq.
DMP&H
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Daniel Bowen
2006 Park Street
Jacksonville, Florida 32204

Frederick Bowen
6 Roberts Drive
Mountain Lakes, New Jersey 07046

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2016-674 seeks to rezone approximately 0.36 acres of land from CCG-1 to PUD. The rezoning to PUD is being sought so that the property can be redeveloped with a Wendy's Restaurant. The existing building will be demolished. The parcel is within the Office Character Area of the Riverside/Avondale Zoning Overlay. Restaurants are permitted in the Overlay, although the Overlay does not mention drive-throughs. The CCG-1 Zoning District does allow for drive-throughs. The purpose of the PUD application is to mitigate the non-conforming aspects such as signage. The site is outside the boundaries of the Riverside Avondale St. Johns Quarter Historic District.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Plan amendment requests for new CGC

designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

The uses provided herein shall be applicable to all CGC sites within the Urban Area.

Principal Uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; and Filling stations. Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category.

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

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

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

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

(a) Whether the proposed rezoning is consistent with the Riverside/Avondale Zoning Overlay District and the historic district regulations; The proposed development does not meet the signage requirements of the Overlay. The agent is requesting wall signs that exceed the ½ foot copy area per linear foot and the maximum height of the monument sign. **The staff is recommending the development comply with the signage requirements in the Overlay.**

(b) Whether the rezoning will negatively affect or alter the character of the character area or corridor; The restaurant was built in 1974, before the enactment of the Overlay. As conditioned, the proposed restaurant will not negatively affect the character of the area.

(c) Whether the rezoning and subsequent future development would result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees; and No natural resources would be destroyed, the site is in the urban area with existing trees planted along the perimeter.

(d) Whether the rezoning would have a negative effect on any contributing structures within the Riverside Avondale historic district, as defined in Section 656.399.17, historic landmark or landmark site. The rezoning would not have any effect on adjacent

contributing structures. The building was constructed in 1974 and the new building will have the same footprint.

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC).

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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

FLUE Policy 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

FLUE Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas. Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

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

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

The proposed plan is consistent with the following policy from the Transportation Element. The Development Services Division has consistently interpreted a one way ingress and a one way egress on the same road as one access point.

TE 2.3.6 The City shall require access to new and redeveloped non-residential parcels with frontage along two or more roadways be limited to one access point per roadway. Access from the higher functional class roadway, or roadway with the higher average daily traffic inclusive of development traffic for roadways of the same functional class, shall be limited to right turn-in/right turn-out only, unless 1) it can be demonstrated in a traffic study, submitted for review and approval to the JPDD, that such access restrictions would present a safety hazard, would cause undue congestion or delay on adjacent road facilities, would cause environmental degradation, or would hinder adequate traffic circulation, or 2) there already exists more than one full access point on the roadway, and at least one of the full access points is eliminated.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

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

(4) Internal compatibility

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

The streetscape: The proposed building will have the same general streetscape as the existing building. However the proposed building will not meet the full requirements of Section 656.399.29 (1), (4), (8) and (9). These four criteria require the building to spatially define the public street; require utilities to be underground; require the building to be at least 80% of the street frontage; and require parking lots to be behind the building.

The use of existing and proposed landscaping: Due to the site configuration, building location and number of parking spaces, the PUD is requesting several reductions in the landscaping requirements. The property width does not allow for the perimeter landscaping and uncomplementary buffers. The number of parking spaces would be significantly reduced to

include the landscaping. The Department is of the opinion that providing parking does outweigh the need for landscaping in this urban area. The proposed site plan shows angled tree islands along the perimeter of the parking area.

The treatment of pedestrian ways: There are existing sidewalks along Park Street and Margaret Street.

Traffic and pedestrian circulation patterns: The existing site has a one way entrance and exit on Margaret Street and an entrance/exit on Park Street. The proposed site plan maintains the existing points of ingress/egress.

The use and variety of building sizes and architectural styles: Conceptual architectural elevations show the standard corporate architectural branding.

(5) External Compatibility

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

The type, number and location of surrounding external uses: The proposed development is located in an area where a variety of office, commercial, institutional and residential uses function as a mixed-use development. A fast food restaurant with drive through at this location complements the existing office, commercial and residential uses for those in the immediate area.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Restaurant
South	CGC	CCG-1	Riverside Presbyterian Housing parking lot
East	CGC	CCG-1	Restaurants, retail uses.
West	CGC	CCG-1	Riverside Presbyterian Housing parking lot

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

The parcel is within the Office Character Area of the Overlay which provides a minimum front yard setback of 10 feet. The building was constructed before the Overlay was enacted and in compliance with the CCG-1 Zoning District which does not have a minimum front yard setback. The owner intends to re-build in the same area as the existing building. Requiring the proposed building to comply with the Overlay setback will significantly affect the drive aisles and parking area.

The PUD is proposing signage that is in excess of the regulations within the Overlay. The monument sign meets Section 656.399.35 (2)(b) and (c). All proposed signs are internally illuminated. The Overlay prohibits internal illumination. The owner has not presented any evidence that the signs cannot be externally illuminated. **Staff recommends the PUD development comply with Section 656.399.35 Signage of the Zoning Code.**

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a restaurant with drive through. The PUD is appropriate at this location because it will support the existing offices, service establishments and residences in the area.

The availability and location of utility services and public facilities and services: JEA indicates that full services are available to the site.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed plan is consistent with the following policy from the Transportation Element.

TE 2.3.6 The City shall require access to new and redeveloped non-residential parcels with frontage along two or more roadways be limited to one access point per roadway. Access from the higher functional class roadway, or roadway with the higher average daily traffic inclusive of development traffic for roadways of the same functional class, shall be limited to right turn-in/right turn-out only, unless 1) it can be demonstrated in a traffic study, submitted for review and approval to the JPDD, that such access restrictions would present a safety hazard, would cause undue congestion or delay on adjacent road facilities, would cause environmental degradation, or would hinder adequate traffic circulation, or 2) there already exists more than one full access point on the roadway, and at least one of the full access points is eliminated.

The Department considers a one-way in/out drive as one full access point. As such, the proposed in/out access points along Margaret Street in the proposed site plan are viewed as one full access point. If the applicant demonstrates through a traffic study that limiting one of the access points to right turn-in/right-turn out only would present a safety hazard; would cause undue congestion or delay on adjacent road facilities, would cause environmental degradation, or would hinder adequate traffic circulation the proposed access points can be considered consistent with Transportation Element Policy 2.3.6. **The Department recommends that a traffic study, subject to the review and approval of the Transportation Planning Division, be submitted at the time of verification of substantial compliance.**

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. A recreation area is not required.

(8) Impact on wetlands

The site is completely built out in an urban area. There are no wetlands on-site.

(9) Listed species regulations

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

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

The site will be developed in accordance with Part 6 of the Zoning Code. There are a total of 18 existing spaces. According to the owner there will be 40 indoor seats and 12 outdoor seats for a total of 52 seats. 1 space for each 4 seats = 13 spaces. There will be 10 employees. 1 space for each 2 employees = 5 spaces for a total of 18 spaces.

Although this PUD is not a conversion to a commercial use, the Riverside Overlay does require conversions to provide a minimum of 50% of the required parking.

(11) Sidewalks, trails, and bikeways

There are existing sidewalks along Park Street and Margaret Street. The site plan does meet the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on November 3, 2016, the required Notice of Public Hearing sign was posted.



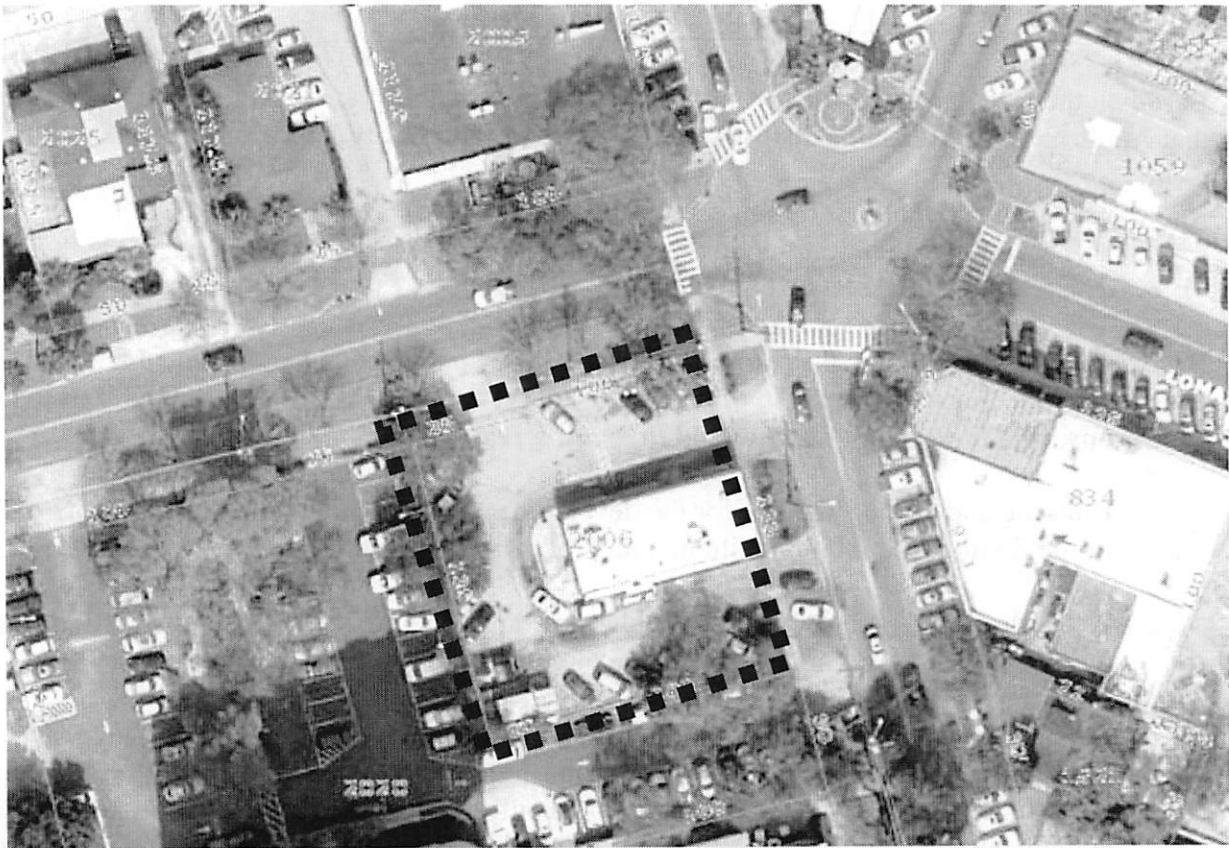
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2016-674** be **APPROVED** with the following exhibits:

1. The original legal description dated July 11, 2016
2. The revised written description dated January 12, 2017.
3. The revised site plan dated December 27, 2016.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-674** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. Building and ground signage for the development shall comply with Section 656.399.35 of the Zoning Code. Internal illumination of all signs is prohibited.
2. A traffic study, subject to the review and approval of the Transportation Planning Division, shall be submitted at the time of verification of substantial compliance.
3. "Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments."



Aerial view of subject property.



View of existing restaurant



Rear parking area and existing vegetation.



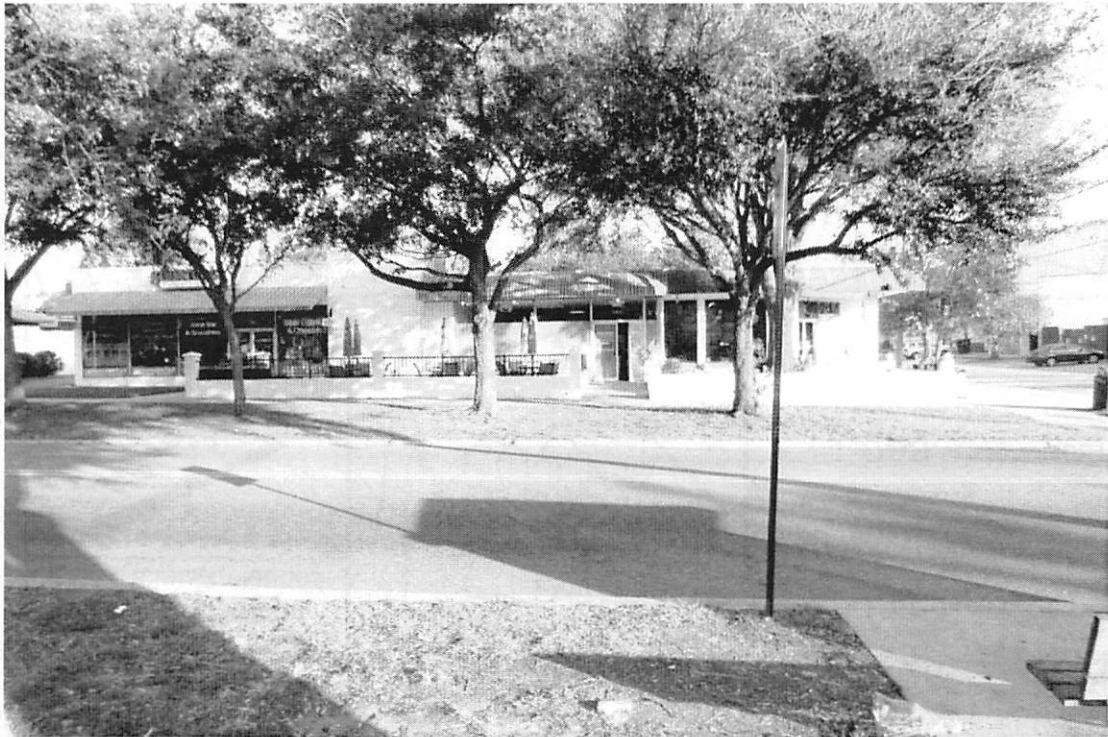
View along Park Street.



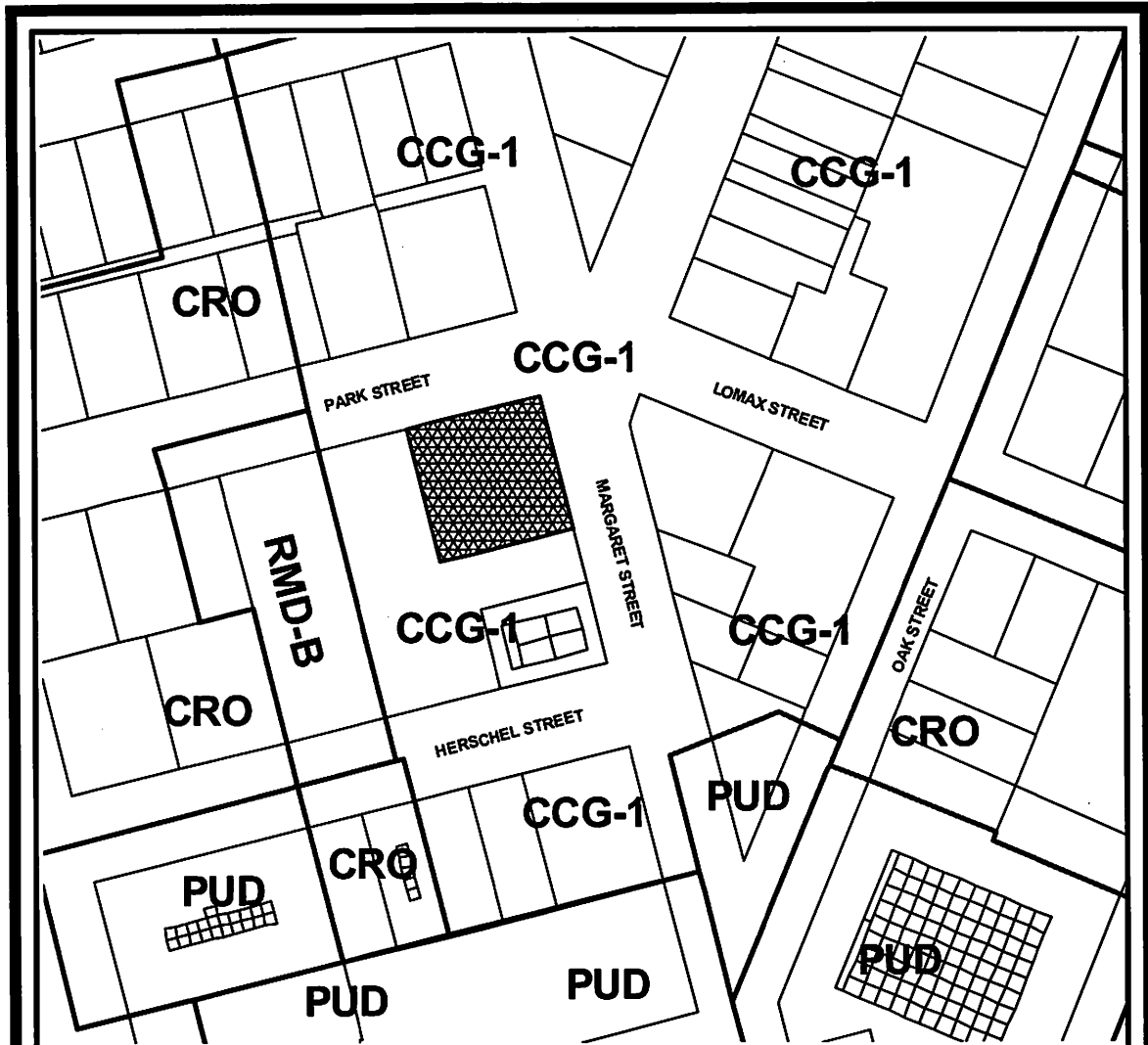
Parking area along south property line



Commercial uses across Margaret Street.



Commercial uses across Park Street.



<p>REQUEST:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>		<p>N</p> <p>E</p> <p>S</p> <p>W</p> <p>COUNCIL DISTRICT: 14</p>
<p>ORDINANCE NUMBER: ORD-2016-0674</p>	<p>TRACKING NUMBER: T-2016-1179</p>	<p>Page 1 of 1</p>

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2016-0674 **Staff Sign-Off/Date** BEL / 09/26/2016

Filing Date 10/04/2016 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 11/09/2016 **Planning Commission** 11/03/2016

Land Use & Zoning 11/15/2016 **2nd City Council** N/A

Neighborhood Association RIVERSIDE AVONDALE PRESERVATION

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 1179

Application Status PENDING

Date Started 07/05/2016

Date Submitted 07/11/2016

General Information On Applicant

Last Name	First Name	Middle Name
DIEBENOW	STEVE	

Company Name
[Empty Field]

Mailing Address
ONE INDEPENDENT DRIVE, STE. 1200

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9043011269	9043011279	SDIEBENOW@DMPHLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
BOWEN	DANIEL	DWIGHT

Company/Trust Name
NA

Mailing Address
2006 PARK STREET

City	State	Zip Code
JACKSONVILLE	FL	32204

Phone	Fax	Email

Last Name	First Name	Middle Name
BOWEN	FREDERICK	HARDY

Company/Trust Name
NA

Mailing Address
6 ROBERTS DRIVE

City MOUNTAIN LAKES	State NJ	Zip Code 07046
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	090885 0000	14	5	CCG-1	PUD

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 WRITTEN DESCRIPTION ATTACHED HERETO AS "EXHIBIT D."

Location Of Property

General Location

House # 2006	Street Name, Type and Direction PARK ST	Zip Code 32204
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Between Streets
 and

Required Attachments For Formal, Complete application

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

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.

- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

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

- Exhibit H** Aerial Photograph.
- Exhibit I** Listed Species Survey (If the proposed site is greater than fifty acres).
- Exhibit J** Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).
- Exhibit K** Site Location Map.

Public Hearings And Posting Of Signs

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

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

Application Certification

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

- Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
0.36 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**

67 Notifications @ \$7.00 /each: \$469.00

4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,479.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

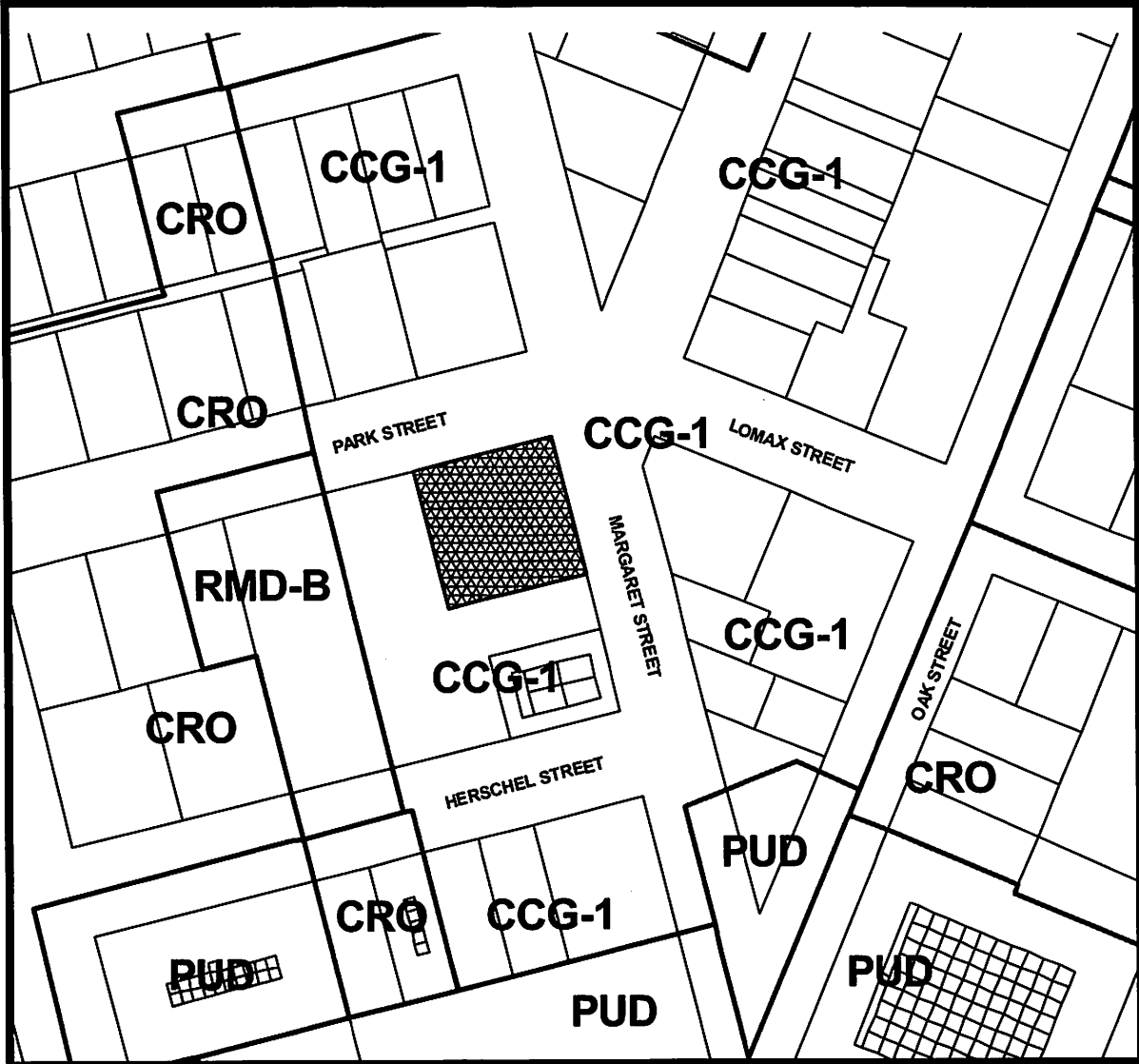
ORDINANCE _____

Legal Description

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside, according to Plat thereof recorded in Plat Book 1, Page 109, of the Public Records of Duval County, Florida; subject to all liens, encumbrances and restrictions of record and subject to the rights of parties in possession.

July 7, 2016

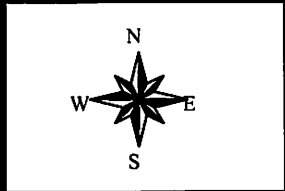
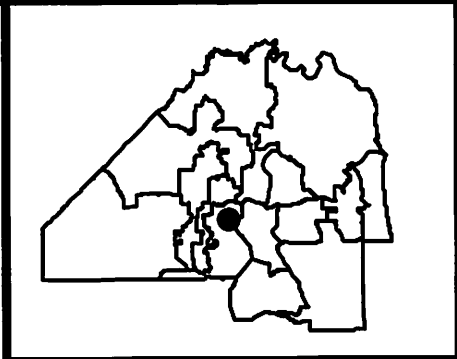
Exhibit 1
Page 1 of 1



REQUEST SOUGHT:

FROM: CCG-1

TO: PUD



0 100 Feet

COUNCIL DISTRICT:
14

TRACKING NUMBER:
T-2016-1179

Page 1 of 1

EXHIBIT A

Property Ownership Affidavit

Date: July 9, 2016

City of Jacksonville
Planning and Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, Florida 32202

Re: Ownership Certification for the following site location - 2006 Park Street,
Jacksonville, FL 32204 (RE# 090885-0000)

Ladies and Gentlemen:

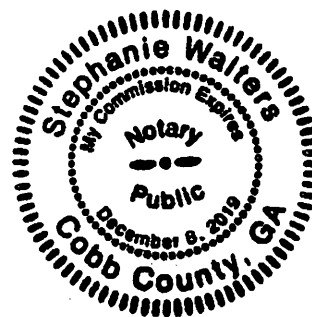
You are hereby advised that the undersigned is the owner of the property described in the legal description attached hereto as Exhibit 1, filed in connection with application(s) for rezoning to Planned Unit Development district, submitted to the Jacksonville Planning and Development Department.


Daniel Dwight Bowen

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of July, 2016 by Daniel Dwight Bowen who is personally known to me or has produced _____ as identification.


(Notary Signature)



[Signatures continue on following page]

Frederick Hardy Bowen
Frederick Hardy Bowen

STATE OF ~~FLORIDA~~ New Jersey
COUNTY OF ~~DUVAL~~ Morris

The foregoing affidavit was sworn and subscribed before me this 9 day of July, 2016 by
Frederick Hardy Bowen who is personally known to me or has produced
Florida Drivers License as identification.

Ruthann Mitchell
(Notary Signature)

RUTHANN MITCHELL
NOTARY PUBLIC OF NEW JERSEY
Commission Expires March 11, 2018

EXHIBIT B

Agent Authorization

Date: July 9, 2016

City of Jacksonville
Planning and Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location – 2006 Park Street,
Jacksonville, FL 32204 (RE# 090885-0000)

Ladies and 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 DRIVER, MCAFEE, PEEK & HAWTHORNE, P.L. to act as agent to file application(s) for a waiver of rezoning to Planned Unit Development district for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such application(s).

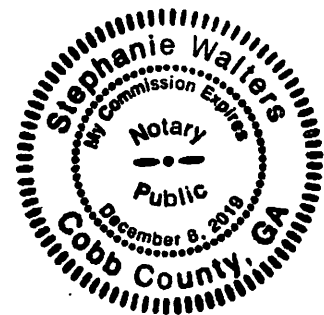

Daniel Dwight Bowen

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of July, 2016 by Daniel Dwight Bowen who is personally known to me or has produced _____ as identification.


(Notary Signature)

[Signatures continue on following page]



Frederick Hardy Bowen
Frederick Hardy Bowen

STATE OF ~~FLORIDA~~ New Jersey
COUNTY OF ~~DUVAL~~ Marri's

The foregoing affidavit was sworn and subscribed before me this 9 day of July, 2016 by Frederick Hardy Bowen who is personally known to me or has produced Florida Drivers License as identification.

Ruthann Mitchell
(Notary Signature)

RUTHANN MITCHELL
NOTARY PUBLIC OF NEW JERSEY
Commission Expires March 11, 2018

EXHIBIT C

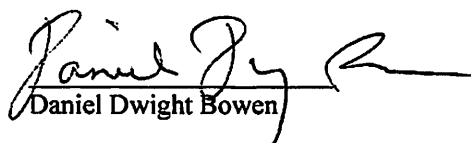
Binding Letter

City of Jacksonville
Planning and Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, Florida 32202

Re: Binding Letter for the following site location – 2006 Park Street, Jacksonville,
FL 32204 (RE# 090885-0000)

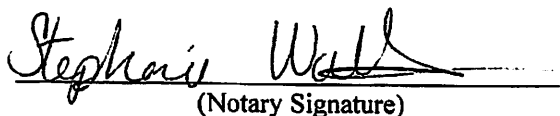
Ladies and Gentlemen:

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

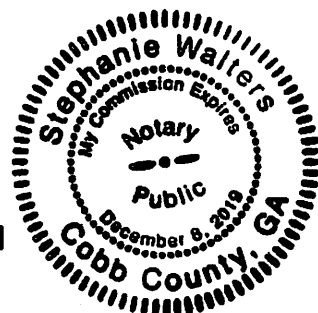

Daniel Dwight Bowen

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8 day of July, 2016 by Daniel Dwight Bowen who is personally known to me or has produced _____ as identification.


(Notary Signature)

[Signatures continue on following page]



Frederick Hardy Bowen
Frederick Hardy Bowen

STATE OF ~~FLORIDA~~ New Jersey
COUNTY OF ~~DUVAL~~ Morris

The foregoing affidavit was sworn and subscribed before me this 9 day of July, 2016 by Frederick Hardy Bowen who is personally known to me or has produced Florida Drivers License as identification.

Ruthann Mitchell
(Notary Signature)

RUTHANN MITCHELL
NOTARY PUBLIC OF NEW JERSEY
Commission Expires March 11, 2018

Exhibit "D"
Wendy's 5 Points PUD
Written Description
January 12, 2017

I. INTRODUCTION

Frederick Hardy Bowen and Daniel Dwight Bowen (together, the "Owner") propose to rezone approximately 0.36 acres of property located at 2006 Park Street (the "Property") from Commercial Community/General-1 ("CCG-1") to Planned Unit Development ("PUD"). The Property is located between Park Street and Herschel Street at the corner of Park Street and Margaret Street as more particularly described in Exhibit 1. Owner seeks approval of this proposed PUD rezoning in order to continue the successful operation of a Wendy's restaurant located at 2006 Park Street that has operated since 1974.

II. PROPERTY DATA

- A. Real Estate Parcel Number: 090885-0000
- B. Current Land Use Classification: CGC
- C. Current Zoning District: CCG-1
- E. Requested Zoning District: PUD
- F. Gross Acreage: 0.36 acres
- G. Gross Square Footage of Proposed Building: 2,406 square feet

III. SUMMARY DESCRIPTION OF THE PROJECT

Owner desires to demolish the Wendy's building and all ancillary buildings currently located on the Property (the "Existing Buildings"), construct a new building on the Property (the "Proposed Building"), and improve the Property, all as depicted in the Site Plan attached hereto as Exhibit E (the "Site Plan"). The improvements described herein and depicted in the Site Plan are referred to collectively herein as the "Project."

The surrounding land uses and zoning include CGC/CCG-1 to the north, south, east, and west. The actual adjacent uses consist of parking lots. The Property is within an Office Character Area of the Riverside/Avondale Zoning Overlay (the "Overlay"). Restaurants with drive-thrus are permitted in CCG-1 zoning districts and such use is not expressly modified or superseded by the Overlay; thus, per Section 656.399.18 of the Zoning Code, restaurants with drive-thrus are permitted on CCG-1 parcels located in Office Character Areas of the Overlay. Even if restaurants with drive-thrus were not permitted in CCG-1 zoning districts within Office Character Areas, since Wendy's existed before the Overlay was enacted in 2008, Owner could continue to operate Wendy's under Section 656.702(a) of the Zoning Code as a restaurant with

drive-thru. All changes to the Property authorized by this PUD are for the purposes of mitigating the perceived incompatibility of the non-conforming uses of the Property.

Owner proposes to continue the use of the Property as a one-story restaurant with a drive-thru and to modify the parking lot, as more particularly depicted in the Site Plan. Owner proposes to replace the Existing Buildings with the Proposed Building, which Proposed Building will be constructed in the same location and will have the same footprint as the Existing Buildings. The Proposed Building will feature a modern urban design that is more in harmony with the Five Points area. Additionally, the Project includes significant upgrades to perimeter screening and landscaping, signage, and the visible parking areas to enhance the Five Points intersection at Park Street and Margaret Street.

Wendy's will employ ten (10) employees during peak hour shifts. The Project includes forty (40) indoor patron seats and twelve (12) outdoor patron seats. Additionally, the Project will provide seventeen (17) off-street parking spaces (including one (1) ADA handicap space) and two (2) bicycle parking spaces.

IV. PUD DEVELOPMENT CRITERIA

A. *Permitted Uses and Structures.*

1. Permitted Uses.

- i. Restaurants with drive-thru facilities and outdoor seating.
- ii. Commercial retail sales and service establishments.
- iii. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- iv. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
- v. Hotels and motels.
- vi. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, and similar uses.
- vii. Art galleries, museums, community centers, dance, art or music studios.
- viii. Vocational, trade or business schools and similar uses.
- ix. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
- x. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.

- xi. Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- xii. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.
- xiii. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- xiv. Express or parcel delivery offices and similar uses (but not freight or truck terminals).
- xv. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- xvi. Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- xvii. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- xviii. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- xix. Churches, including a rectory or similar use.
- xx. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
- xxi. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- xxii. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
- xxiii. Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.
- xxiv. The processing of Low-THC Cannabis for medicinal use by a State authorized Processing Facility, pursuant to F.S. § 381.496 and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.
- xxv. The dispensing of Low-THC Cannabis for medicinal use by a State authorized Dispensing Facility, pursuant to F.S. § 381.496, and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.

2. Permissible uses by exception.
 - i. Live/work units.
 - ii. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
 - iii. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
 - iv. Residential treatment facilities and emergency shelters.
 - v. Multi-family residential integrated with a permitted use.
 - vi. Crematories.
 - vii. Service garages for minor or major repairs.
 - viii. Auto laundry or manual car wash.
 - ix. Pawn shops (limited to items permitted in the CCG-1 Zoning District).
 - x. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
 - xi. Retail sales of new or used automobiles
 - xii. Blood donor stations, plasma centers and similar uses.
 - xiii. Private clubs.
 - xiv. Billiard parlors.
 - xv. Service and repair of general appliances and small engines.
3. Permitted accessory uses and structures. See Section 656.403 of the Zoning Code. provided that accessory uses and structures may be located in a required front or side yard.
4. Temporary Uses. Temporary construction trailer(s) shall be permitted to be placed on the Property and moved throughout the Property as necessary.

B. *Minimum Lot and Building Requirements.*

1. Minimum lot requirements (width and area). None.
2. Minimum yard requirements and building setbacks.
 - i. Front – none.
 - ii. Side – none.
 - iii. Rear – 10 feet.
3. Maximum lot coverage by all buildings. None.
4. Maximum height of structures. Sixty (60) feet.
5. Intersection visibility as described in Section 656.1218 of the Zoning Code.
 - i. Corner of Park Street and Margaret Street – 25 feet.

- ii. Driveways – 10 feet except that the northeastern corner of the building may encroach within the visibility triangle as substantially depicted in the Site Plan.

- C. *Parking Requirements.* The Project includes seventeen (17) off-street parking spaces (including one (1) ADA handicap space) and two (2) bicycle parking spaces as substantially shown in the Site Plan. The Project will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions; in fact, the Project meets the requirements of Part 6 of the Zoning Code and will benefit vehicular and pedestrian traffic and parking conditions. Moreover, the Project improves both the safety of and experience for pedestrians through enhanced landscaping and perimeter screening of the parking area as detailed more fully below and conceptually depicted in the Site Plan.

- D. *Vehicular Circulation.* Vehicular access to the Project shall be by way of Park Street and Margaret Street, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the City’s Traffic Engineer.

- E. *Pedestrian Circulation.* Sufficient pedestrian circulation shall be provided along Park Street and Margaret Street via sidewalks, and from the parking lot to the Proposed Building, as substantially shown in the Site Plan. Pedestrian safety along Park Street and at the Five Points intersection shall be enhanced by installation of a knee wall with sawtooth landscape buffering as substantially shown in the Site Plan.

- F. *Signage.* The type, number, size and location of signs set forth below, and conceptually described and depicted in the Sign Package attached hereto as Exhibit J, shall be permitted (the “Permitted Signage”):
 - 1. Monument sign (Sign Package item 1) – One externally illuminated monument sign not exceeding a maximum of 32 square feet in area and 10 feet in height;
 - 2. Wall signs (Sign Package items 2a, 2b, 2c, 2e) – Four nonilluminated, externally illuminated or internally illuminated wall signs not exceeding, collectively, 140 square feet as follows:
 - a. North/Park Street side – One internally illuminated wall sign not exceeding 32 square feet approximately comprised of a 66 inch channel logo;
 - b. East/Margaret Street side – One internally illuminated wall sign not exceeding 44 square feet comprised approximately of 42 inch channel letters and a 42 inch channel logo;

- c. South side – One internally illuminated wall sign not exceeding 29.53 square feet approximately comprised of 42 inch channel letters, and one nonilluminated or externally illuminated wall sign not exceeding 31 square feet comprised of PVC lettering.
- 3. Menu Board (Sign Package items 3 and 5) – Two menu board signs not exceeding, collectively, 64 square feet as follows:
 - a. One internally illuminated pre-sell menu board not exceeding 12 square feet;
 - b. One internally illuminated menu board not exceeding 52 square feet;
- 4. Directional Sign (Sign Package item 7a) – One directional sign not exceeding 5 square feet. (Note that this is an existing sign for which the face will be replaced.)
- 5. Drive-Thru Canopy (Sign Package item 11) – One pivoting drive-thru canopy with a minimum clearance of 9 feet above grade.
- 6. Clearance Pole (Sign Package item 12) – One pivoting clearance pole with a minimum clearance of 9 feet above grade.

Modification(s) to the Permitted Signage may be obtained by seeking an administrative modification to this PUD. Digital signs shall be prohibited.

G. *Utilities.* Electric power, potable water, and sewer are provided by the JEA, as confirmed by the Services Availability Letter from JEA attached hereto as Exhibit J.

H. *Landscaping and Fences.* Landscaping shall be provided substantially as depicted in the Site Plan, and native species shall be planted to the greatest extent possible. The Project calls for significant improvements to the Property to enhance walkability and curb appeal at the Five Points intersection. Specifically, new terminal island landscaping is proposed as well as a sawtooth parking design to allow for additional landscaping within the parking area. Additionally, a knee wall with landscaping is added along Park Street and at the Five Points intersection improving both the safety and aesthetic of the Project. In conjunction with these upgrades, Owner seeks the following relief from Zoning Code landscaping guidelines:

Sec. 656.1214(a) and Sec. 656.1214(d): Reduce vehicle use area interior landscape from 1,200 square feet required to 600 square feet.

Sec. 656.1215(a)(1): Reduce the landscape buffer between vehicle use area along Park Street from ten feet per linear feet of frontage/ five feet minimum width required to three feet per linear feet of frontage and zero feet minimum width.

Sec. 656.1215(a)(1): Reduce the landscape buffer between vehicle use area along Margaret Street from ten feet per linear feet of frontage/ five feet minimum width required to five feet per linear feet of frontage and zero feet minimum width.

Sec. 656.1215(b)(1): Reduce the perimeter landscape buffer area between vehicle use area and abutting property along the south and west property boundaries from five feet minimum width required to zero feet.

Sec. 656.1215(b)(2): Reduce the number of trees along the south and west property boundaries from three required to two trees.

Section 656.1216(a): Reduce the uncomplimentary land use buffer width along the south and west property boundaries from ten feet wide required to zero feet wide.

Section 656.1216(b)(1): Reduce the uncomplimentary land use buffer trees along the south and west property boundaries from five required to two trees.

Section 656.1216(b)(3): Eliminate the uncomplimentary land use buffer visual screen along the south and west property boundaries.

- I. *Recreation and Open Space.* Not applicable.
- J. *Wetlands.* Not applicable.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THE PROJECT

The Project will benefit the surrounding neighborhood and community. The proposed uses and improvements are compatible with the surrounding uses and zoning. The Project will greatly enhance the Five Points intersection by replacing the Existing Buildings and pole signage with a modern urban-style structure and monument signage that is more in line with the Five Points area, and provide increased landscaping and screening along Park Street and Margaret Street to improve the pedestrian experience. The surrounding neighborhood and community has always supported Wendy's and will gain value from the improvements detailed above and depicted in the Site Plan. The use of the Property as a restaurant began before the Overlay was enacted, and a strict application of the Zoning Code would prevent upgrades to improve the area while permitting the continued successful use of the Property as such.

VII. PLANNED UNIT DEVELOPMENT REVIEW CRITERIA

- A. *Consistency with the Comprehensive Plan.* The Project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations, and specifically contributes to:
1. Objective 1.4 of the Historic Preservation Element of the 2030 Comprehensive Plan: City shall establish and improve property values, and thus the tax base of local landmarks and local historic districts by encouraging property owners to maintain and improve buildings, grounds, streetscape and vistas and encouraging settlement and revitalization of established neighborhoods;
 2. Objective 3.2 of the Future Land Use Element of the 2030 Comprehensive Plan: Continue to promote and sustain the viability of existing and emerging commercial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas; and
 3. Policy 3.2.8 of the Future Land Use Element of the 2030 Comprehensive Plan: The City shall encourage the reorientation and combined use of existing curb cuts and/or parking lots to minimize the negative impacts of non-residential development on adjacent residential uses and the transportation system.
- B. *Consistency with the Concurrency Management System.* The Project is exempt from Concurrency and Mobility Management System review and payment of the Mobility fee pursuant to Section 655.109(c) of the Zoning Code.
- C. *Allocation of Residential Land Use.* Any residential development will not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2030 Comprehensive Plan.
- D. *Internal Compatibility / Vehicular Access.* Vehicular access to the Project Area shall be by way of Park Street and Margaret Street, as detailed above and substantially as shown in the Site Plan.
- E. *External Compatibility.* The Project is consistent with and comparable to permitted development in the area. The surrounding land uses and zoning include: CGC/CCG-1 to the north, south, east, and west. The Property is within the Office Character Area of the Overlay. The proposed use is compatible with

both intensity and density with the surrounding uses and zoning districts. Numerous other drive-thru facilities exist in the Five Points area including, but not limited to, Wells Fargo Bank (803 Lomax Street), Regions Bank (1604 Margaret Street), VyStar Credit Union (760 Riverside Avenue), Walgreens (2703 Park Street), Chase Bank (1020 Margaret Street), and Burger King (1020 King Street).

- F. *Recreation/Open Space.* Memorial Park is located three blocks to the south, accessible by preexisting sidewalks.
- G. *Impact on Wetlands.* The Project will not impact any wetlands.
- H. *Parking and Loading.* As detailed above and substantially shown in the Site Plan, Owner shall provide seventeen (17) off-street parking spaces (including one (1) new ADA handicap space) and two (2) bicycle parking spaces.
- I. *Sidewalks, Trails, and Bikeways.* An existing sidewalk provides customers with safe access to Wendy's from Park Street and Margaret Street. Safety along the Park Street side of the Property will be improved through installation of a knee wall. In addition, Owner proposes to install a communal bike rack within the Project Area to facilitate and encourage cyclists.
- J. *Listed Species Regulations.* The Project consists of less than fifty acres and is therefore exempt from the required species survey.
- K. *Sales and Service of Alcoholic Beverages.* Owner does not propose to sell or serve any alcoholic beverages.
- L. *Live Entertainment.* There shall be no live entertainment. The Project shall not include any amplified music outside.
- M. *Garbage and Recyclable Items.* Garbage and recyclable items shall be picked up and disposed of by a private hauler in accordance with an existing contract with Owner for removal of garbage and recyclable items once per week. Garbage and recyclable items shall be picked up from the Property between the hours of 7 AM – 10 PM, Monday through Friday.

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
<p>Permitted Uses and Structures</p>	<p>Permitted uses and structures pursuant to Section 656.313.A.IV.a:</p> <p>(1) Commercial retail sales and service establishments</p> <p>(2) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.</p> <p>(3) Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.</p> <p>(4) Hotels and motels.</p> <p>(5) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permitholder, adult arcade amusement centers operated by a licensed permitholder, game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, and similar uses.</p>	<p>All applicable provisions of the Zoning Code including the underlying zoning districts that are not expressly modified and superseded by this Subpart O shall remain in full force and effect. Permitted uses and structures throughout the Overlay pursuant to Section 656.399.18:</p> <p>(1) Originally constructed for use or historic single family dwellings.</p> <p>(2) Originally constructed for use two-family dwellings.</p> <p>(3) Original use multi-family dwellings.</p> <p>(4) Originally constructed for non-residential use within a contributing structure.</p> <p>Commercial District within the Riverside/Avondale Overlay:</p> <p>Permitted uses and structures are those permitted in Section 656.311(III)(a) for the CRO District, subject to the limitations set forth in this Subpart.</p>	<p>i. Restaurants with drive-thru facilities and outdoor seating.</p> <p>ii. Commercial retail sales and service establishments.</p> <p>iii. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.</p> <p>iv. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.</p> <p>v. Hotels and motels.</p> <p>vi. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, and similar uses.</p> <p>vii. Art galleries, museums, community centers, dance, art or music studios.</p> <p>viii. Vocational, trade or business schools and similar uses.</p> <p>ix. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.</p>

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(6) Art galleries, museums, community centers, dance, art or music studios.</p> <p>(7) Vocational, trade or business schools and similar uses.</p> <p>(8) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.</p> <p>(9) Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.</p> <p>(10) Adult Congregate Living Facility (but not group care homes or residential treatment facilities).</p> <p>(11) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.</p> <p>(12) Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.</p> <p>(13) Express or parcel delivery offices and similar uses (but not freight or truck terminals)</p> <p>(14) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.</p>		<p>x. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.</p> <p>xi. Adult Congregate Living Facility (but not group care homes or residential treatment facilities).</p> <p>xii. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.</p> <p>xiii. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.</p> <p>xiv. Express or parcel delivery offices and similar uses (but not freight or truck terminals).</p> <p>xv. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.</p> <p>xvi. Personal property storage establishments meeting the performance development criteria set forth in Part 4.</p> <p>xvii. Retail outlets for the sale of</p>

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(15) Personal property storage establishments meeting the performance development criteria set forth in Part 4.</p> <p>(16) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.</p> <p>(17) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(18) Churches, including a rectory or similar use.</p> <p>(19) Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.</p> <p>(20) Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.</p>		<p>used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.</p> <p>xviii. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.</p> <p>xix. Churches, including a rectory or similar use.</p> <p>xx. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.</p> <p>xxi. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.</p> <p>xxii. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.</p> <p>xxiii. Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.</p>

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(21) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.</p> <p>(22) Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.</p> <p>(23) Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.</p> <p>(24) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.</p> <p>(25) The processing of Low-THC Cannabis for medicinal use by a State authorized Processing Facility, pursuant to F.S. § 381.496 and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.</p> <p>(26) The dispensing of Low-THC Cannabis for medicinal use by a State authorized Dispensing Facility, pursuant to F.S. § 381.496, and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.</p>		<p>xxiv. The processing of Low-THC Cannabis for medicinal use by a State authorized Processing Facility, pursuant to F.S. § 381.496 and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.</p> <p>xxv. The dispensing of Low-THC Cannabis for medicinal use by a State authorized Dispensing Facility, pursuant to F.S. § 381.496, and Ch. 64-4, F.A.C., and meeting the performance standards and development criteria set forth in Part 4.</p> <p><i>The following uses and structures permitted in the Conventional Zoning District have been eliminated:</i></p> <p>(5) ... indoor facilities operated by a licensed pari-mutuel permitholder, adult arcade amusement centers operated by a licensed permitholder, game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards</p>

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
			<p>and development criteria set forth in Part 4</p> <p>(20) Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.</p> <p>(23) Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.</p> <p><i>The following uses and structures permitted in the Overlay Zoning Regulation have been eliminated:</i></p> <p>(1) Originally constructed for use or historic single family dwellings.</p>

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
			<p>(2) Originally constructed for use two-family dwellings.</p> <p>(3) Original use multi-family dwellings.</p> <p>(4) Originally constructed for non-residential use within a contributing structure.</p>
Permitted accessory uses and structures	Pursuant to Section 656.313.A.IV.b, accessory uses and structures are as permitted by Section 656.403.	Pursuant to Section 656.399.18, accessory uses and structures are as permitted by Section 656.403. Additionally, interior apartments in connection with single family, owner occupied properties, meeting the applicable Riverside/Avondale performance standards and development criteria; and one free-standing garage apartment in connection with single-family, owner-occupied properties, meeting the applicable Riverside/Avondale performance standards and development criteria.	As permitted by Section 656.403 of the Zoning Code, provided that accessory uses and structures may be located in a required front or side yard.
Permissible uses by exception	Permissible uses by exception pursuant	Throughout the Overlay pursuant to Section 656.399.18.I.b.:	<ul style="list-style-type: none"> i. Live/work units. ii. An establishment or facility which includes the retail sale and

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>to Section 656.313.A.IV.c:</p> <p>(1) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.</p> <p>(2) Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(3) Residential treatment facilities and emergency shelters.</p> <p>(4) Multi-family residential integrated with a permitted use.</p> <p>(5) Crematories.</p> <p>(6) Service garages for minor or major repairs</p> <p>(7) Auto laundry or manual car wash.</p> <p>(8) Pawn shops (limited to items permitted in the CCG-1 Zoning District).</p> <p>(9) Recycling collection points meeting the performance standards and development criteria set forth in Part 4.</p>	<p>(1) Historic two family dwellings.</p> <p>(2) Historic multifamily dwellings.</p> <p>(3) Live/work units</p> <p>In all character areas pursuant to Section 656.399.18.II.c:</p> <p>(1) Cemeteries and mausoleums but not funeral homes or mortuaries.</p> <p>(2) Essential services meeting the performance standards and development criteria set forth in Part 4.</p> <p>(3) Day care centers meeting the performance standards and development criteria set forth in Part 4.</p> <p>(4) Home occupations meeting the performance standards and development criteria set forth in Part 4.</p> <p>In Office Character Areas:</p> <p>(1) Rooming houses meeting the performance standards and development criteria for a bed and</p>	<p>service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.</p> <p>iii. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.</p> <p>iv. Residential treatment facilities and emergency shelters.</p> <p>v. Multi-family residential integrated with a permitted use.</p> <p>vi. Crematories.</p> <p>vii. Service garages for minor or major repairs.</p> <p>viii. Auto laundry or manual car wash.</p> <p>ix. Pawn shops (limited to items permitted in the CCG-1 Zoning District).</p> <p>x. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.</p> <p>xi. Retail sales of new or used automobiles</p> <p>xii. Blood donor stations, plasma centers and similar uses.</p> <p>xiii. Private clubs.</p> <p>xiv. Billiard parlors.</p> <p>xv. Service and repair of general appliances and small engines.</p>

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Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(10) Retail sales of new or used automobiles</p> <p>(11) Blood donor stations, plasma centers and similar uses.</p> <p>(12) Private clubs.</p> <p>(13) Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.</p> <p>(14) Billiard parlors.</p> <p>(15) Service and repair of general appliances and small engines.</p> <p>(16) Schools meeting the performance standards and development criteria set forth in Part 4.</p> <p>(17) Dancing entertainment establishments serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.</p> <p>(18) Nightclubs.</p>	<p>breakfast.</p> <p>(2) Private clubs.</p> <p>(3) Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.</p> <p>(4) Off-street parking lots for premises requiring off-street parking meeting the performance standards and development criteria set forth in Part 4.</p> <p>(5) Community residential homes of seven to 14 residents meeting the performance standards and development criteria set forth in Part 4.</p> <p>(6) Nursing homes.</p> <p>(7) Group care home meeting the performance standards and development criteria set forth in Part 4.</p> <p>(8) 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</p>	

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>(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, all not to exceed 50 percent of the gross floor area of the building of which it is a part.</p> <p>(a) Sale, display, preparation and storage shall be conducted within a completely enclosed building.</p> <p>(b) Products shall be sold only at retail.</p> <p>(9) Restaurants, including the facilities for the sale and service of alcoholic beverages for on-premises consumption only subject to the following condition:</p> <p>(a) Seating shall not exceed a capacity of 60; provided that seating may be unlimited where total floor area of the restaurant does not exceed ten percent of the gross floor area of the building of which it is a part.</p>	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		(b) Food is ordered from a menu, prepared and served for pay for consumption on premises only.	
Minimum lot width and area	<p>Minimum lot area pursuant to Section 656.313.A.IV.d:</p> <p>None, except as otherwise required for certain uses.</p>		None.
Maximum lot coverage by all buildings and structures	<p>Maximum lot coverage pursuant to Section 656.313.A.IV.e:</p> <p>None, except as otherwise required for certain uses.</p>		None.
Minimum yard requirements	<p>Minimum yard requirements pursuant to Section 656.313.A.IV.f:</p> <p>(i) Front—None.</p> <p>(ii) Side—None</p> <p>Where the lot is adjacent to a residential district, a minimum setback of 15 feet shall be provided.</p> <p>(iii) Rear—10 feet.</p>	<p>Section 656.399.20 Table 2 Bulk Standards for Office Character Areas</p> <p>Front:</p> <p>(1) Minimum – 10 feet (2) Maximum – 25 feet or common front historic setback on the block.</p> <p>Rear: 15'</p> <p>Side:</p> <p>(2) Determined by the Historic Setback of a contributing structure on the block adjacent and facing the proposed development. Except for increases for the side yard for</p>	<p>i. Front – none.</p> <p>ii. Side – none.</p> <p>iii. Rear – 10 feet.</p> <p>iv. Intersection visibility as described in Section 656.1218 of the Zoning Code.</p> <p>a. Corner of Park Street and Margaret Street – 25 feet.</p> <p>b. Driveways – 10 feet except that the northeastern corner of the building may encroach within the visibility triangle as substantially depicted in the Site Plan.</p>

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		the provision of access to the rear yard for parking, the setback may not deviate more than five feet on any side, front or rear.	
Maximum height of structures	Maximum height of structures pursuant to Section 656.313.A.IV.g: 60 feet.	Office Design Standard Height pursuant to Section 656.399.19: 45 feet in height shall not exceed three stories. When adjacent to a single-family use, the side and rear setback shall increase one foot above the minimum set back requirement for every one foot in additional height above 35 feet.	60 feet.
Limitations on permitted or permissible uses by exception	Limitations pursuant to Section 656.313.A.IV.h: All of the permitted and permissible uses by exception in the CCG-1 District are subject to the following provisions unless otherwise provided for: (1) Sale, service and display, preparation and storage shall be conducted within a completely enclosed building, unless otherwise provided for, and no more than 30 percent of the floor space shall be devoted to storage.		None.
Setback Encroachments		Setback encroachments pursuant to Section 656.399.27: (a) Special architectural features, such as balconies, bay windows, arcades, awnings, etc. may project	None.

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>into front setbacks and public right-of-ways on streets provided they are eight feet above the sidewalk and leave a minimum five foot wide unobstructed sidewalk. Support structures for these features shall be located such that they do not affect the clear sight triangle for travel lanes or the on-street parking.</p> <p>(b) Outdoor cafes may be in the setback if adjacent to a street, public plaza or park and follow the guidelines for outdoor cafes as permitted within the city limits.</p>	
Parking	<p>Off-street parking requirements pursuant to Section 656.604:</p> <p>Restaurants:</p> <p>(1) Restaurants—One space for each four patron seats (including indoor and outdoor patron seating) plus one space for each two employees on a peak hour shift.</p> <p>Off-street loading spaces shall be provided and maintained as follows:</p> <p>(a) Each retail store, storage warehouse, wholesale establishment, industrial plant, factory, freight terminal, merchant, restaurant, mortuary, laundry, dry</p>	<p>Parking requirements pursuant to Section 656.399.23:</p> <p>(1) <i>Parking Location.</i> Parking is encouraged to be located at the rear of the primary structure. If an applicant provides all of the required parking in the rear, the rear parking lot area is a stable pervious surface with only the minimum required ADA requirements fulfilled for paved parking stalls and the driveway apron is adjacent to the street frontage, the following requirements can be reduced:</p> <p>(a) Although still required in any required buffer area,</p>	<p>The Project includes seventeen (17) off-street parking spaces, including one (1) ADA handicap space, and two (2) bicycle spaces.</p>

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>cleaning establishment or similar use which has an aggregate floor area of:</p> <p>(1) Over 5,000 square feet but not over 25,000 square feet shall have one space.</p> <p>(2) 25,000 square feet but not over 60,000 square feet shall have two spaces.</p> <p>(3) 60,000 square feet but not over 120,000 square feet shall have three spaces.</p> <p>(4) 120,000 square feet but not over 200,000 square feet shall have four spaces.</p> <p>(5) 200,000 square feet but not over 290,000 square feet shall have five spaces, plus one additional off-street loading space for each additional 90,000 square feet over 290,000 feet or major thereof.</p>	<p>landscape shall not be required in the parking lot area of the lot.</p> <p>(b) The rear buffer may be reduced from ten feet to five feet when a six- to eight-foot maximum opaque screen is provided.</p> <p>(c) Driveway width requirement shall be reduced from 24 feet to 12 feet wide for access to rear yard parking.</p> <p>(2) <i>Parking within the Right-of-Way.</i> Right-of-Way areas within Office Character Areas are permitted to create additional parking spaces provided the standards set forth in Table 3.0 and the following standards are met.</p> <p>(a) Exceptional specimen trees may not be removed to create parking areas.</p> <p>(b) Permitted parking shall be limited to the primary building fronting the character area, unless the property owner provides notarized letter(s) of consent from the adjoining affected property owner(s) in a form prescribed by the</p>	

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>Director, and shall be designated and as follows:</p> <ul style="list-style-type: none"> (i) Parallel Parking, six feet by 22 feet per parking stall and one canopy tree per space. (ii) 45-degree head in parking, nine feet by 19 feet per parking stall and one canopy tree per three parking spaces. (iii) 60-degree head in parking, nine feet by 17 feet per parking stall and one canopy tree per three parking spaces. (iv) 90-degree head in parking, nine feet by 19 feet per parking stall and one canopy tree per three parking spaces. <p>(3) <i>Parking Requirements.</i></p> <ul style="list-style-type: none"> (a) Conversions to office or commercial uses for a contributing historic structure shall be required to provide a minimum of 50 percent of the required parking regulations in Section 656.604 and Section 656.604(e)(3) for any type of office use, and provided there are no 	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>additional parking credits applied under Section 656.607(d) of the Zoning Code. Conversions of contributing structures with a non-residential original use to residential uses may provide 50 percent of the required number of parking spaces set forth in Section 656.604(a). 65% of the required number of spaces in Section 656.604(e)(3) shall be provided for conversions to office uses for any type of office use, or Section 656.604 for commercial uses of non-contributing structures or new construction, provided there are no additional parking credits applied under Section 656.607(d) of the Zoning Code. However contiguous on-street parking may be provided consistent with Section 656.399.23(2)(b)(i)—(iv) and Table 4.</p>	
General Standards		<p>General standards pursuant to Section 656.399.29:</p> <p>(1) Form. Buildings shall form a consistent, distinct edge, spatially delineating the public street</p>	<p>The PUD is consistent with the Overlay Zoning Regulation with the exception that the General Standards reflected in Sections 656.399.29(1), (4), (8) and (9) are waived.</p>

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>through maximum building setbacks that vary by no more than five feet from those of the adjacent building.</p> <p>(2) Open Storage. There shall be no open storage in any character area except the industrial area.</p> <p>(3) Sidewalks. There shall be sidewalks along the street edge(s) of the property. Sidewalks shall be placed to align with existing sidewalks. Existing historic pavers shall be maintained and preserved. When sidewalks must be replaced due to poor condition, material shall be consistent with the adjacent properties or the materials found on a majority of the block. If not replacing an existing sidewalk, new sidewalks shall be a minimum of five feet in width and shall be constructed with traditional pavers. Sidewalk connections from the principal building to the public sidewalk must be provided and be aligned to minimize walking distance. Landscaping adjacent to existing and proposed street sidewalks must be compatible with the city's existing streetscape standard.</p> <p>(4) Utilities. In new development,</p>	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>all utilities shall be located underground.</p> <p>(5) Screening. Trash, dumpsters, recycling receptacles, loading docks, service areas, and other similar areas must be located in parking areas or in a location that is not visible from corridor or urban transition frontages, and must be screened to minimize sound to and visibility from residences and to preclude visibility from adjacent streets.</p> <p>(6) Mechanical equipment at ground level shall be placed on the parking lot side of the building away from view from adjacent Street frontage and shall be screened from view of any street by fencing, vegetations, or by being incorporated into a building. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions should be incorporated into the overall design of the building by walls of a material compatible with the material, style, color, texture, pattern, trim, and details of the main building and landscaping. The wall shall be one foot higher</p>	

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>than the largest object being screened, but not more than ten feet high, on all sides where access is not needed.</p> <p>(7) Rooftop Mechanical Equipment shall be integrated into the overall mass of a building by screening it behind Parapets or by recessing it into roof structure.</p> <p>(8) Building Frontage. Except for Historic Residential Character areas, the building frontage shall occupy no less than 80 percent of a street facing entrance. If site constraints exist, a knee wall may be constructed with the following provisions.</p> <p>(a) Only 25 percent of the required frontage may be credited as part of a knee wall.</p> <p>(b) Minimum two feet in height to a maximum of three feet.</p> <p>(c) The knee wall must be an opaque material which complements the primary building's architecture by utilizing the same architectural</p>	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>style.</p> <p>(9) Unless the primary use of the property is for a stand alone parking lot, off-street surface parking lots must be located behind any frontage buildings. For those through lots fronting onto a navigable waterway, the parking lot must be screened from the waterway and the street by the building or by a knee wall with a ten-foot landscaped buffer or a landscaped open space with a minimum depth of 30 feet. The parking lot may be located on the side of a primary building frontage if:</p> <p>(a) the parking lot includes a knee wall. The knee wall shall be constructed as described above, in <u>Section 656.399.29(8)</u>.</p> <p>(b) A maximum of two vehicular access/curb cuts to parking lots are allowed along the block face, subject to Access Management regulations. Vehicular access/curb cuts are not allowed on any block face less than 350 feet. Vehicular access drives shall connect each</p>	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		parking lot with at least two separate streets.	
Signage	<p>Signage pursuant to Section 656.3103 in CCG zoning districts:</p> <p>Commercial zoning districts:</p> <p>(i) One street frontage sign per lot not exceeding one square foot for each linear foot of street frontage, per street, to a maximum size of 300 square feet in area for every 300 linear feet of street frontage or portion thereof is permitted, provided they are located no closer than 200 feet apart.</p> <p>(ii) Wall signs are permitted.</p> <p>(iii) One under the canopy sign per occupancy not exceeding a maximum of eight square feet in area is permitted; provided, 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.</p> <p>(iv) In lieu of the street frontage sign permitted in subsection (i) above, a flag containing a business logo or other advertising is permitted; provided, the square footage of any such flag shall not</p>	<p>Signage pursuant to Section 656.399.35:</p> <p>(1) Wall, projecting, marquee, or awning signs shall be clearly integrated with the architecture of the building and shall be consistent in design and materials with the architecture of the proposed building. The use of internal illumination is prohibited. Signage in the overlay should support the historic nature of the community and not detract from the area.</p> <p>(2) Except for those properties zoned CRO or residential properties, the maximum sign area permitted per sign is as follows:</p> <p>Building Size (Gross Floor Area) Maximum Sign area</p> <p>Under 40,000 square feet - 32 square feet</p> <p>40,000- 125,000 square feet - 48 square feet</p> <p>Over 125,000 square feet - 64</p>	<p>The type, number, size and location of signs set forth below, and conceptually described and depicted in the Sign Package attached hereto as <u>Exhibit J</u>, shall be permitted (the "Permitted Signage"):</p> <ol style="list-style-type: none"> 1. Monument sign (Sign Package item 1) – One externally illuminated monument sign not exceeding a maximum of 32 square feet in area and 10 feet in height; 2. Wall signs (Sign Package items 2a, 2b, 2c, 2e) – Four nonilluminated, externally illuminated or internally illuminated wall signs not exceeding, collectively, 140 square feet as follows: <ol style="list-style-type: none"> a. North/Park Street side – One internally illuminated wall sign not exceeding 32 square feet approximately comprised of a 66 inch channel logo; b. East/Margaret Street side – One internally

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>exceed 100 square feet, or 35 percent of the allowable square footage of the street frontage sign permitted in subsection (i) above, whichever is smaller; and provided further that the pole upon which such flag is flown shall not exceed the height limitation set forth in subsection (h)(1), below. Only one flag containing a business logo or other advertising shall be permitted for a premises, regardless of any other factors such as number of tenants on the premises or total amount of street frontage. Further, any flag allowed pursuant to this subsection shall not be illuminated by any means, with the exception of lighting associated with an American flag being flown on the same flag pole.</p> <p>General criteria:</p> <p>(1) Height of signs—Signs shall not exceed 50 feet in maximum height above the level of the adjacent ground, except as otherwise provided in this Chapter; provided, however that signs located in commercial and industrial zoning districts may exceed that height; provided that, the sign is located not more than 660 feet from the centerline of an interstate highway exit and not more than 660 feet from the centerline of an interstate highway; provided further the sign does not exceed 65 feet in height.</p>	<p>square feet</p> <p>(a) Building Signage, a maximum of .5 copy area per store front lineal feet of store frontage.</p> <p>(b) Ground Signage shall be determined by the size of the principal building structure as follows.</p> <p>(c) Ground Signage shall be limited in height of five feet.</p> <p>(d) Pole signs shall be prohibited in this area.</p> <p>(3) Window Signage shall be limited to 20 percent of one window pane per storefront</p> <p>(4) Signs located on the interior of a structure, but visible from the exterior of the building, are permitted and are not charged against the maximum allowable signage area if such signs are not physically attached or painted to the window and do not obscure more than ten percent of ground floor street side building transparency. The ten percent is not to exceed total glass area</p>	<p>illuminated wall sign not exceeding 44 square feet comprised approximately of 42 inch channel letters and a 42 inch channel logo;</p> <p>c. South side – One internally illuminated wall sign not exceeding 29.53 square feet approximately comprised of 42 inch channel letters, and one nonilluminated or externally illuminated wall sign not exceeding 31 square feet comprised of PVC lettering.</p> <p>3. Menu Board (Sign Package items 3 and 5) – Two menu board signs not exceeding, collectively, 64 square feet as follows:</p> <p>a. One internally illuminated pre-sell menu board not exceeding 12 square feet;</p> <p>b. One internally illuminated menu board not exceeding 52 square</p>

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(2) Location of signs—Notwithstanding any other provisions of the Ordinance Code to the contrary, no sign shall be located within 25 feet of any intersection of two or more right-of-way lines, nor shall any sign be located closer than ten feet from any street right-of-way; provided, however, that any flag permitted by subsection (b)(3), above, located in the CCBD zoning district shall not be subject to this ten foot set back requirement.</p> <p>(3) Changing message devices are permitted as part of any allowable sign unless otherwise prohibited.</p> <p>(4) The restrictions contained in this Part apply only to signs which can be seen unaided from any location on the ground which is not on the lot or parcel where the sign is located.</p>	<p>calculated for both unattached and temporary window signs.</p> <p>(5) Temporary Signs can take the form of banners, window graphics, or as cards integrated with a window display. Temporary signs are permitted on the interior of the business establishment only and shall be no more than five square feet of text and shall not exceed ten square feet in size and no more than ten percent of ground floor street side building transparency. Temporary signs shall not be displayed more than 30 days in a calendar year.</p> <p>(6) Menu Boards. One menu board shall be allowed per street address. Menu boards shall not exceed eight square feet in size (sign and copy area is calculated on one side only) and shall be positioned so as to be adjacent to that restaurant or business listed on the board and information on that board shall advertise exclusively the goods and services of that business and be placed in a manner which is clearly visible to pedestrian traffic. Said menu boards shall not be placed in the City right-of-way without permission from the City Engineer. All signs shall be</p>	<p>feet;</p> <p>4. Directional Sign (Sign Package item 7a) – One directional sign not exceeding 5 square feet. (Note that this is an existing sign for which the face will be replaced.)</p> <p>5. Drive-Thru Canopy (Sign Package item 11) – One pivoting drive-thru canopy with a minimum clearance of 9 feet above grade.</p> <p>6. Clearance Pole (Sign Package item 12) – One pivoting clearance pole with a minimum clearance of 9 feet above grade.</p>

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>removed at the end of each business day. All signs shall be securely anchored to the ground.</p> <p>(7) Restaurant Menu Box Signs shall be located in a permanently mounted display box on the surface of the building within eight feet to the entry. The allowable area for restaurant menu signs shall be a maximum of four square feet and shall not be included in the calculation of allowable copy area.</p> <p>(8) Street art signs shall be permitted by meeting the following standards:</p> <p>(a) Street art shall be counted toward the maximum allowable copy area; the square footage of the street art shall be calculated by multiplying the greatest width by the greatest height of the object.</p> <p>(b) The maximum sign area per street art sign is eight square feet. Sign and copy area is calculated on one side only.</p> <p>(c) One piece of street art shall be allowed per street address. A minimum storefront width of</p>	

PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>20 feet is required to be permitted street art.</p> <p>(d) The street art shall not encroach into the right-of-way more than two feet and shall not be placed in the right-of-way without a encroachment permit as required by Chapter 61. Street art shall not be secured to the tree guards or tree grates or disturb the sidewalk pavement within the right-of-way.</p> <p>(e) Street art shall be removed at the end of the business day.</p> <p>(f) Street art shall be located in the front of the business and address named on the sign permit and advertise that business exclusively.</p> <p>(g) The applicant may have one street art piece or a menu board, but not both.</p>	
Landscaping	<p>Vehicular use area interior landscaping pursuant to Section 656.1214:</p> <p>(a) Vehicular use areas open to the public: Except for those uses described in</p>	<p>Landscape standards pursuant to Section 656.399.32:</p> <p>(a) Urban Landscape. When buildings are being brought up to</p>	<p>Landscaping shall be provided as depicted on the Site Plan and native species shall be planted to the greatest extent possible. The PUD reduces the following requirements</p>

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PUD Comparison Chart
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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>Sections 656.604(e)(1) and 656.604(f)(1), ten percent of vehicular use areas (VUA's) used for off-street parking, employee parking, auto service stations, outdoor retail display and sale of motor vehicles, service drives, and access drives within property located in multifamily, residential, commercial, industrial, and public facilities use zoning districts shall be landscaped. For those uses described in Sections 656.604(e)(1) and 656.604(f)(1), all vehicle use area landscaping shall satisfy the requirements set forth in the Parking Lot Landscaping Matrix, Figure B, set forth in Section 656.607(j). In the event the landscaping required under this section exceeds the requirements set forth in the Parking Lot Landscaping Matrix, Figure B of Section 656.607(j), the requirements of this section shall be relaxed to the extent necessary to comply with the Parking Lot Landscaping Matrix.</p> <p>(b) Specialized vehicular use areas closed to the public: Five percent of VUA's used for storage areas for new, used or rental vehicles and boats, bus terminals, motor vehicle service facilities, motor freight terminals, and other transportation, warehousing and truck operations not generally open to the public shall be landscaped.</p>	<p>the street and utilizing a build to line, an urban buffer should be considered as an alternative to the required front buffer standards. The urban buffer shall be determined by the sidewalk width. A minimum eight-foot wide pedestrian area must be maintained for the length of the street frontage. Therefore, if the existing sidewalk is five feet wide an additional three feet shall be required as an urban buffer or front setback. ADA accessibility must be maintained at all times. The required front buffer for an urban type development shall be allowed to provide potted plants and small A-frame signage not exceeding three feet in height. At a minimum, a 36-inch diameter pot by 24 inches high should be provided every 20 lineal feet of building frontage. The plant species should be two times as high as the height of the pot. Low growing plants, flowering annuals should be planted at the base of the pot. All efforts should be made to preserve existing tree canopy within the right-of-way.</p> <p>(b) Street Trees. Trees shall have a minimum three-inch caliper and be of Florida No. 1 grade as per</p>	<p>from the Conventional Zoning District and Overlay Zoning Regulation:</p> <p>Sec. 656.1214(a) and Sec. 656.1214(d): Vehicle use area interior landscape reduced from 1,200 square feet required to 600 square feet.</p> <p>Sec. 656.1215(a)(1): The landscape buffer between vehicle use area along Park Street reduced from ten feet per linear feet of frontage/ five feet minimum width required to three feet per linear feet of frontage and zero feet minimum width.</p> <p>Sec. 656.1215(a)(1): The landscape buffer between vehicle use area along Margaret Street reduced from ten feet per linear feet of frontage/ five feet minimum width required to five feet per linear feet of frontage and zero feet minimum width.</p> <p>Sec. 656.1215(b)(1): The perimeter landscape buffer area between vehicle use area and abutting property along the south and west property boundaries reduced from five feet minimum width required to zero feet.</p> <p>Sec. 656.1215(b)(2): The number of</p>

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(c) Criteria for distribution: Landscape areas shall be distributed throughout the VUA in such a manner as to provide visual and climatic relief from broad expanses of pavement and at strategic points to channelize and define vehicular and pedestrian circulation. Landscape areas shall contain the following:</p> <p>(1) At least 25 percent of the landscape areas shall be covered with shrubs; the remainder in shrubs, groundcover, mulch or grass, except that mulch shall cover no more than 25 percent of the landscape areas. Plants shall be spaced so as to achieve 90 percent coverage of the landscape areas within two years. Preserved existing understory vegetation may be used to fulfill the landscape area requirement so long as the vegetation meets the height and coverage requirement of the required landscaping;</p> <p>(2) Not less than one tree for every 4,000 square feet, or fraction thereof, of the VUA. At least 50 percent of the trees shall be shade trees. Trees shall be distributed so that all portions of the VUA are within a 55-foot radius of any tree.</p> <p>(d) Each row of parking spaces shall be</p>	<p>"Grades and Standards for Nursery Plants," Florida Department of Agriculture and Consumer Services. All landscaping shall meet FDOT visibility standards. For Non-Residential Character areas, one street tree shall be planted for every 30 linear feet or frontage or fraction thereof. For all other streets, one street tree shall be planted 40 to 60 feet on center. Street trees shall be planted a minimum of ten feet from any above ground utility, such as transformer pads and fire hydrants.</p>	<p>trees along the south and west property boundaries reduced from three required to two trees.</p> <p>Section 656.1216(a): The uncomplimentary land use buffer width along the south and west property boundaries reduced from ten feet wide required to zero feet wide.</p> <p>Section 656.1216(b)(1): The uncomplimentary land use buffer trees along the south and west property boundaries reduced from five required to two trees.</p> <p>Section 656.1216(b)(3): The uncomplimentary land use buffer visual screen along the south and west property boundaries is eliminated.</p>

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Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>terminated by a landscape island with inside dimensions of not less than five feet wide and 17 feet long, or 35 feet long if a double row of parking. Each terminal island shall contain one tree. Each side of the terminal island adjacent to a travel lane shall have a continuous six inch high curb of concrete or other appropriate permanent material. Terminal islands will be credited toward the satisfaction of the landscape area requirements of this Section;</p> <p>(e) If it can be shown to the satisfaction of the Chief that the strict application of this Section will seriously limit the function of the property, he may approve the location of the required interior landscape area near the perimeter of the VUA or adjacent to a building on the property, so long as the landscape area is within 20 feet of the perimeter of the VUA.</p> <p>Perimeter landscaping pursuant to Section 656.1215:</p> <p>(a) Perimeter landscaping adjacent to streets: For those uses described in Sections 656.604(e)(1) and 656.604(f)(1), all perimeter landscaping shall also satisfy the requirements set forth in the Parking Lot Landscaping Matrix, Figure B, set forth in <u>Section 656.607(j)</u>. In the event the landscaping</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>required under this section exceeds the requirements set forth in the Parking Lot Landscaping Matrix, Figure B of <u>Section 656.607(j)</u>, the requirements of this section shall be relaxed to the extent necessary to comply with the Parking Lot Landscaping Matrix. All VUA's which are not entirely screened by an intervening building from any abutting dedicated public street or approved private street, to the extent such areas are not so screened, shall contain the following:</p> <p>(1) Except for those uses described in Sections 656.604(e)(1) and 656.604(f)(1), a landscaped area of not less than ten square feet for each linear foot of VUA street frontage, 50 percent of which shall be at least a five-foot wide strip abutting the street right-of-way except for driveways. For those uses described in Sections 656.604(e)(1) and 656.604(f)(1), the landscape area is determined by the total number of parking spaces provided and the parking rate. All perimeter landscaping shall conform to Section 656.607(j), Parking Lot Landscaping Matrix, Figure B. Landscaped area calculations shall be met exclusive of any driveway width. The remaining required landscape area shall be located</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>within 30 feet of the street right-of-way;</p> <p>(2) A durable opaque landscape screen along at least 75 percent of the street frontage excluding driveways. Shrubs, walls, fences, earth mounds and preserved existing understory vegetation, or combination thereof, may be used so long as the screen is no less than three feet high measured from the property line grade two years after installation. Shrubs and preserved existing understory vegetation shall be evergreen, a minimum of 18 inches in height and spaced so that 85 percent opacity is achieved within two years. Shrubs located within three feet of a directional sign as defined in <u>Section 656.1302(e)</u> are not required to meet the minimum height requirements of this subsection. Walls or fences shall be no more than four feet in height and of wood or masonry at least 85 percent opaque. Earth mounds shall not exceed a slope of three to one. No less than 25 percent of street side frontage of walls or fences shall be landscaped with shrubs or vines;</p> <p>(3) No less than one tree, located within 25 feet of the street right-of-</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>way, for each 50 linear feet, or fraction thereof, of VUA street frontage. The trees may be clustered, but shall be no more than 75 feet apart. At least 50 percent of the trees shall be shade trees. If an overhead power line abuts the street frontage, then the required trees reaching a mature height greater than 25 feet shall be located at least 20 feet away from the power line;</p> <p>(4) The remainder of the landscape area shall be landscaped with trees, shrubs, groundcovers, grass, or mulch, except that mulch shall not exceed 25 percent of the total landscape area;</p> <p>(5) Landscape areas required by this Section shall not be used to satisfy the interior landscape requirements. However, the gross area of the perimeter landscaping which exceeds the minimum requirements may be used to satisfy the interior landscape requirements;</p> <p>(6) If a railroad or utility right-of-way separates the VUA from the public street or approved private street, the perimeter landscaping requirements of this Section shall still apply.</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>(b) Perimeter landscaping adjacent to abutting properties: For those uses described in Sections 656.604(e)(1) and 656.604(f)(1), all perimeter landscaping shall also satisfy the requirements set forth in the Parking Lot Landscaping Matrix, Figure B, set forth in <u>Section 656.607(j)</u>. In the event the landscaping required under this section exceeds the requirements set forth in the Parking Lot Landscaping Matrix, Figure B of <u>Section 656.607(j)</u>, the requirements of this section shall be relaxed to the extent necessary to comply with the Parking Lot Landscaping Matrix. All vehicular areas which are not entirely screened by an intervening building from an abutting property, to the extent such areas are not screened, shall contain the following:</p> <p style="padding-left: 40px;">(1) A continuous landscape area at least five feet wide between the VUA's and the abutting property, landscaped with shrubs, groundcovers, preserved existing vegetation, mulch and grass.</p> <p style="padding-left: 40px;">(2) No less than one tree, located within 25 feet of the outside edge of the VUA, for every 50 linear feet, or fraction thereof, of the distance the VUA abuts the adjacent property. Trees may be clustered but shall be no more than 75 feet apart. At least one-half of the required number of</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>trees shall be shade trees.</p> <p>(3) A buffer wall between incompatible land uses as required by <u>Section 656.1216</u>, if applicable.</p> <p>(4) If an alley separates the VUA from the abutting property, the perimeter landscaping requirements shall still apply.</p> <p>(c) Existing landscape screen: If an existing landscape screen has been established on abutting property, then it may be used to satisfy the requirements of this Section, so long as the existing landscape screen is abutting the common property line, and it meets all applicable standards of this Subpart.</p> <p>(d) Driveways to streets: The maximum width of any driveway not containing a landscaped island through the perimeter landscape area shall be 36 feet. The maximum width of any driveway containing a landscaped island through the perimeter landscape area shall be 48 feet and the driveway shall contain a landscaped island which measures not less than eight feet in width (from back of curb to back of curb) and 18 feet in length, surrounded by a six inch continuous raised curb, or other alternative approved by the Chief. The maximum combined width of all</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>driveways through the perimeter landscape area shall be no more than 48 feet for properties with 100 feet or less of street frontage. For properties with more than 100 feet of street frontage, an additional one foot of driveway through the perimeter landscape area may be constructed for each four feet of street frontage in excess of 100 feet. In no event shall more than 50 percent of any street frontage be paved, nor shall the provisions of this Section be applied to reduce the permitted driveway width to less than 24 feet.</p> <p>Buffer standards relating to uncomplementary land uses and zoning pursuant to Section 656.1216:</p> <p>(a) Where uncomplementary land uses or zoning districts are adjacent, without an intervening street, a buffer strip shall be required between the uses or zoning districts. Such buffer strip shall be at least ten feet, except as set forth in the Parking Lot Landscaping Matrix, Figure B, set forth in Section 656.607(j), in width the entire length of all such common boundaries. The following shall constitute uncomplementary uses and zoning districts:</p> <p>(1) Multiple-family dwelling use or zoning districts (three or more attached units) when adjacent to single-family dwelling(s) or lands</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>zoned for single-family dwellings.</p> <p>(2) Office use or zoning districts, when adjacent to single-family or multiple-family dwellings, mobile home parks or subdivisions or lands zoned for single-family or multiple-family dwellings, mobile home parks or subdivisions.</p> <p>(3) Mobile home park use or zoning districts, when adjacent to single-family dwellings, multiple-family dwellings and office uses, or lands zoned for single-family dwellings, multiple-family dwellings or offices.</p> <p>(4) Commercial and institutional uses or zoning districts, when adjacent to single-family dwellings, multiple-family dwellings or mobile home parks or mobile home subdivision uses or lands zoned for single-family dwellings, multiple-family dwellings or mobile home parks or mobile home subdivision.</p> <p>(5) Industrial uses or zoning districts, when adjacent to any nonindustrial uses or zoning districts other than agricultural land uses or zoning districts.</p> <p>(6) Utility sites such as transmission or relay towers, pumping stations, electrical substations, telephone equipment huts</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>or other similar uses when adjacent to single-family dwellings, multiple-family dwellings, mobile homes, offices, institutional uses or zoning districts or adjacent to public or approved private streets.</p> <p>(7) On property zoned for government use, the proposed government use most similar to the land uses or zoning districts specified above shall determine the buffer standards.</p> <p>(b) Buffer material requirements shall be as follows:</p> <p>(1) <i>Tree count.</i> The total tree count required within the buffer strip shall be determined by using a ratio of one tree for each 25 linear feet of required buffer strip, or majority portion thereof, with a minimum of 50 percent of the trees being shade trees. Trees shall be spaced so as to allow mature growth of the trees, but spaced no greater than 40 feet on center.</p> <p>(2) <i>Ground cover.</i> Grass or other ground cover shall be planted on all areas of the buffer strip required by this Section which are not occupied by other landscape material.</p> <p>(3) <i>Visual screen.</i> A visual screen running the entire length of common boundaries shall be</p>		

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>installed within the buffer strip, except at permitted access ways. The visual screen may be a wood, wood composite, or masonry wall, PVC fence, landscaping, earth mounds or combination thereof so long as such strips shall provide at the time of installation a minimum of 85 percent opacity for that area between the finished grade level at the common boundary line and six feet above such level and horizontally along the length of all common boundaries. Plants or preserved vegetation shall be evergreen, a minimum of five feet tall at the time of installation, and spaced so that 85 percent opacity is achieved within two years. Earth mounds shall not exceed a slope of three to one. If a visual screen, which satisfies all applicable standards, exists on adjacent property abutting the property line or exists between the proposed development on the site and the common property line, then it may be used to satisfy the visual screen requirements. Except for industrial uses or ones, whenever a preserve area or water body at least 100 feet wide when measured perpendicular to the property line separates the uncomplementary uses, then the visual screen height requirement</p>		

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
	<p>shall be reduced to three feet and the buffer strip width shall be reduced to five feet, when measured from the top of the lake bank or the jurisdictional wetland edge. If a plant is used for the visual screen, it shall be a minimum height of 24 inches at the time of installation.</p> <p>(4) <i>Prevailing requirement.</i> Whenever parcels of land fall subject to both the perimeter landscaping requirements and the uncomplementary land use buffer strip requirements of the article, the latter requirements shall prevail.</p> <p>(5) <i>Hardship.</i> If the Chief determines that the construction of a landscape buffer area required by this article would create a hardship for the existing structures or vehicular use areas, the Chief may approve a buffer area with a width no less than five feet, provided such buffer area meets the visual screening requirements of this article.</p>		

PUD Comparison Chart
Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
Building Design		<p>The following standards are for building design of non residential building types, subject to Chapter 307 requirements, where applicable, pursuant to Section 656.399.34:</p> <p>(1) Building frontage. Building frontages shall occupy no less than 80 percent of a corridor within a Commercial Character Area or Urban Transition Character Area. If site constraints exist, a knee wall may be constructed with the following provisions.</p> <p>(a) Only 25 percent of the required frontage may be credited as part of a knee wall.</p> <p>(b) A knee wall must be constructed as described in <u>Section 656.399.29(8)</u>.</p> <p>(2) Public entrance. Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functionally be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes</p>	<p>The PUD is consistent with the Overlay Zoning Regulation with the exception that the Building Design Standards reflected in Section 656.399.34(1) are waived. Conceptual elevations are provided with the application.</p>

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>in mass, surface or finish to give emphasis to the entrances.</p> <p>(3) Nonresidential Buildings Mass and Scale. Buildings that are more than 150 feet in length shall comply with the following. No more than 60 feet of horizontal distance of wall shall be provided without architectural relief a minimum of 30 feet wide and three feet deep for building walls and frontage walls facing the street.</p> <p>(4) Building Facade. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above Base Flood Elevation or grade, whichever applies to the proposed development.</p> <p>(5) Building Features. All buildings excluding single family detached homes shall utilize at least three of the following design features to provide visual relief along all elevations of the</p>	

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		building: (a) Divisions or breaks in materials (materials should be drawn from a common palette). (b) Window bays. (c) Separate entrances and entry treatments, porticoes extending at least five feet. (d) Variation in roof lines. (e) Awnings installed in increments of 15 feet or less. (f) Dormers. (g) Canopies, extending at least five feet. (h) Overhang extending at least five feet. (i) Recessed entries (at least three feet from the primary facade). (j) Protruding entries (at least three feet from the primary facade).	

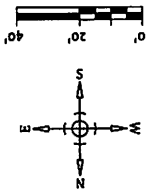
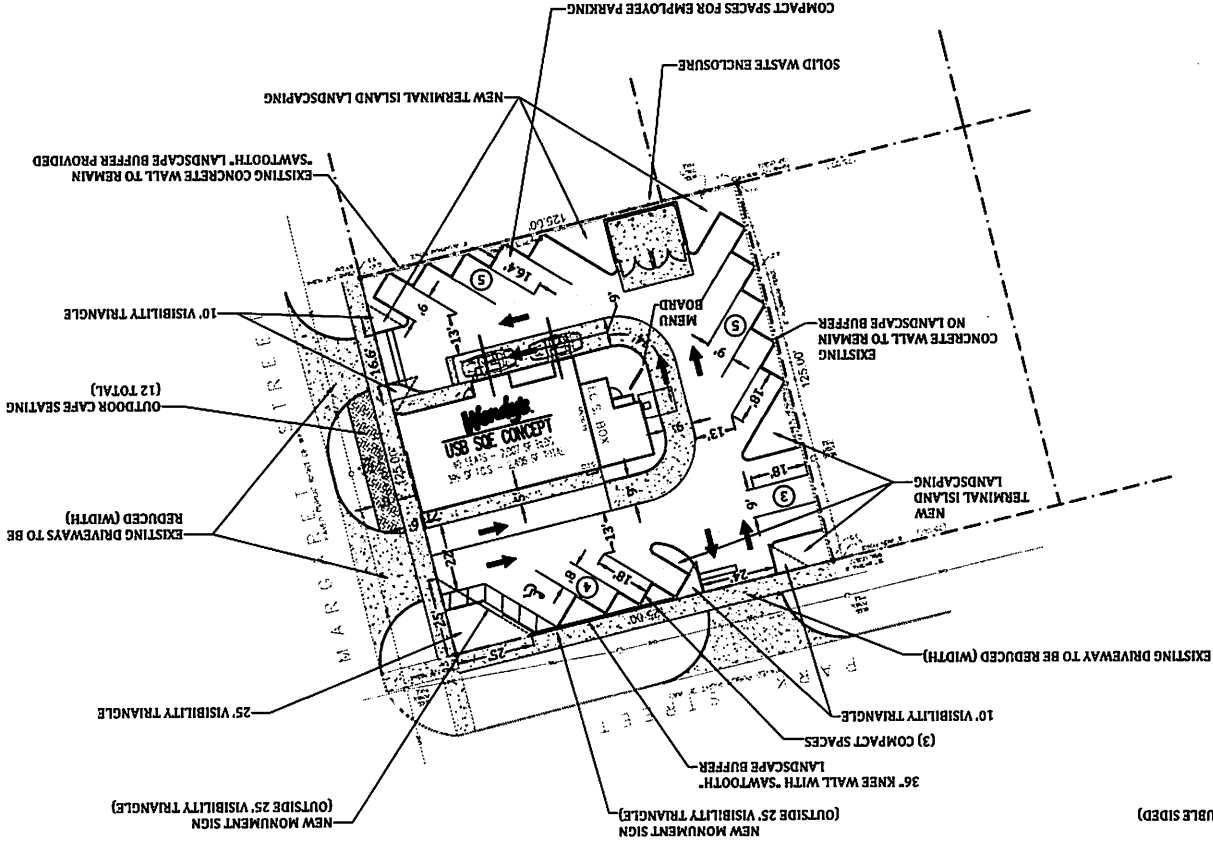
PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>(k) Covered porch entries.</p> <p>(6) Storefront character. Commercial and mixed-use buildings shall express a storefront character. This guideline is met by providing all of the following architectural features along the building frontage as applicable.</p> <p>(a) Corner building entrances on corner lots.</p> <p>(b) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).</p> <p>(c) Large display windows on the ground floor. All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40 percent and a maximum 80 percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50 percent of a street-facing frontage and shall not exceed 30 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement.</p>	

PUD Comparison Chart
 Wendy's 5 Points PUD

Element	Conventional Zoning Regulation	Overlay Zoning Regulation	Proposed PUD Zoning
		<p>Display windows may be used to meet this requirement if the first floor has not been designed as a flood proof first floor.</p> <p>(7) Orientation. The primary building entrances shall be visible and directly accessible from a public street. Building massing such as tower elements shall be used to call-out the location of building entries.</p> <p>(8) Lighting. All buildings shall have exterior lightings and shall be self contained to that building without glare or shine onto other areas of the site.</p>	

SITE DEVELOPMENT SUMMARY:
 SITE AREA = 0.36 ACRES
 CURRENT ZONING = CCG-1
 CCG-1 ALLOWS USE BY RIGHT
 VARIATIONS FROM RIVERSIDE/AVONDALE OVERLAY
 WILL REQUIRE REZONING TO PUD
 PROPOSED BUILDING:
 USB SQE CONCEPT
 2,406 SF
 40 SEATS (INSIDE)
 10 EMPLOYEES
 REQUIRED PARKING:
 40/4 + 10/2 = 15 PARKING SPACES
 PROVIDED PARKING:
 17 PARKING SPACES (INCLUDING 1 ADA)
 BIKE PARKING:
 10% OF REQUIRED VEHICLE PARKING
 17 * 0.10 = 1.5, (2) SPACES PROVIDED (1 RACK DOUBLE SIDED)



Wendy's Park & Margaret
 2006 Park Street, Jacksonville, FL



2002 San Marco Boulevard, Suite 203
 Jacksonville, Florida 32207
 www.envisionsd.com
 904-881-6143

Douglas L. Shaw, P.E.
 FL Reg. 51200

Certificate of Authorization No. 20661

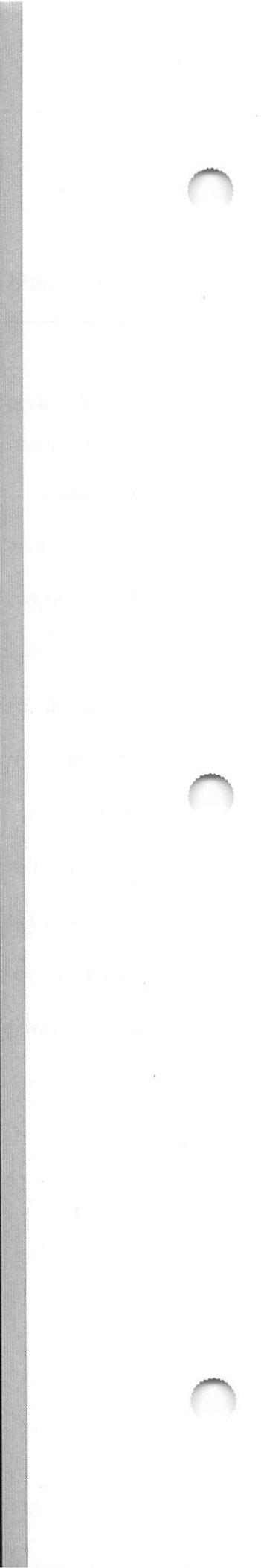
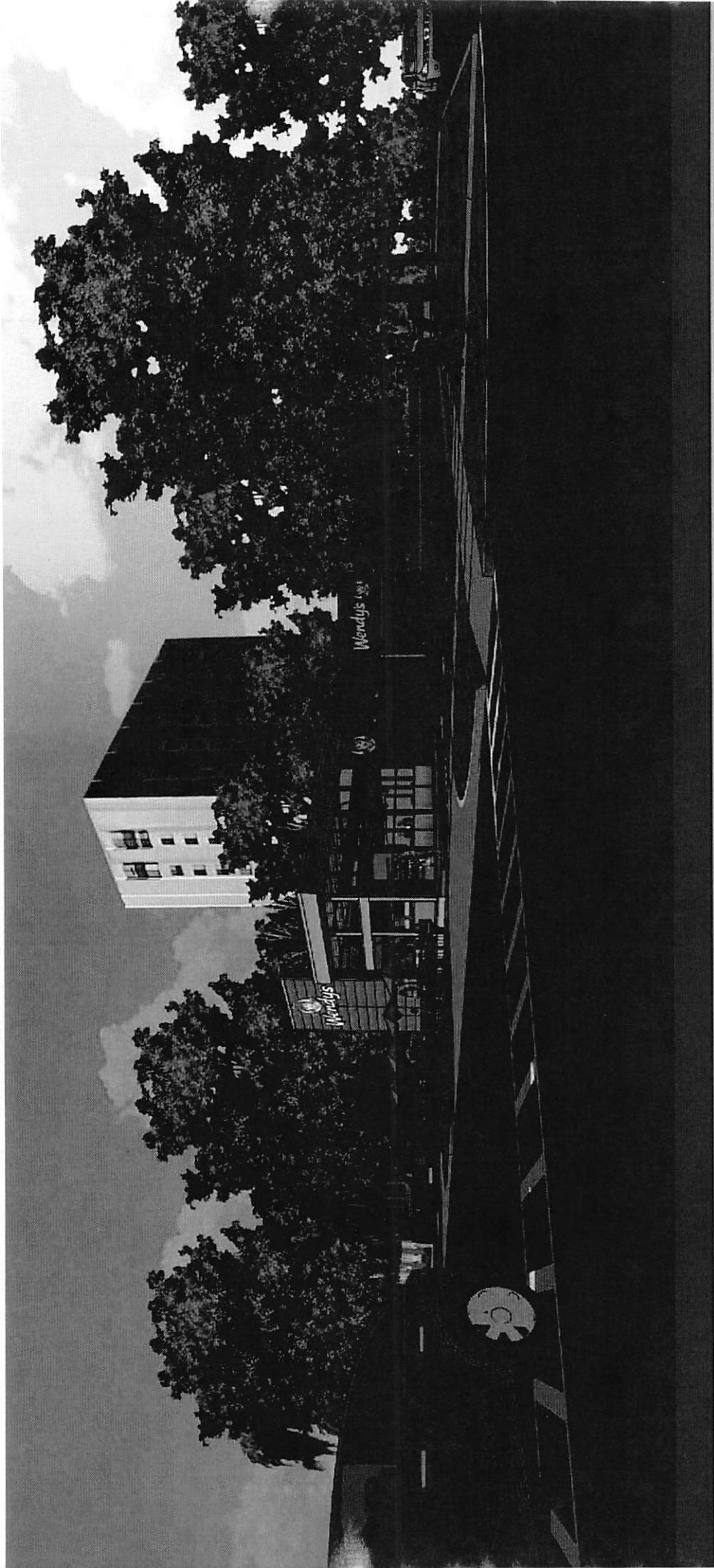
EXHIBIT F

PUD Name

Wendy's 5 Points PUD

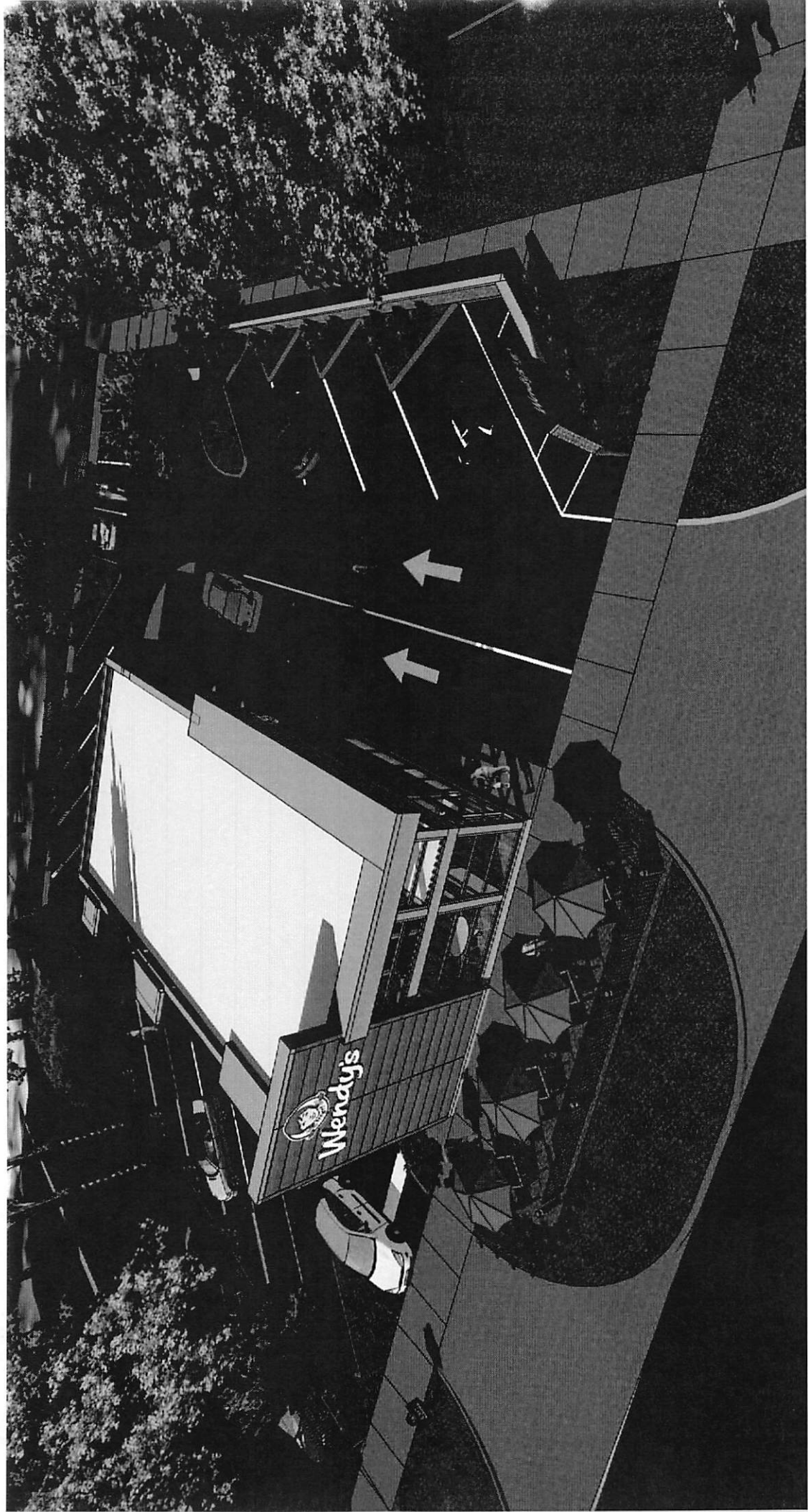
Land Use Table

Total gross acreage	0.36	Acres	100 %
Amount of each different land use by acreage			
Single family		Acres	%
Total number of dwelling units		D.U.	
Multiple family		Acres	%
Total number of dwelling units		D.U.	
Commercial	0.36	Acres	100 %
Industrial		Acres	%
Other land use		Acres	%
Active recreation and/or open space		Acres	%
Passive open space		Acres	%
Public and private right-of-way		Acres	%
Maximum coverage of buildings and structures	2,406	Sq. Ft.	15 %



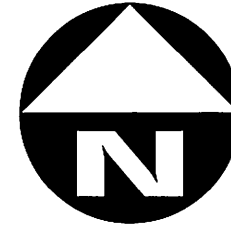






Wendy's Site #01775

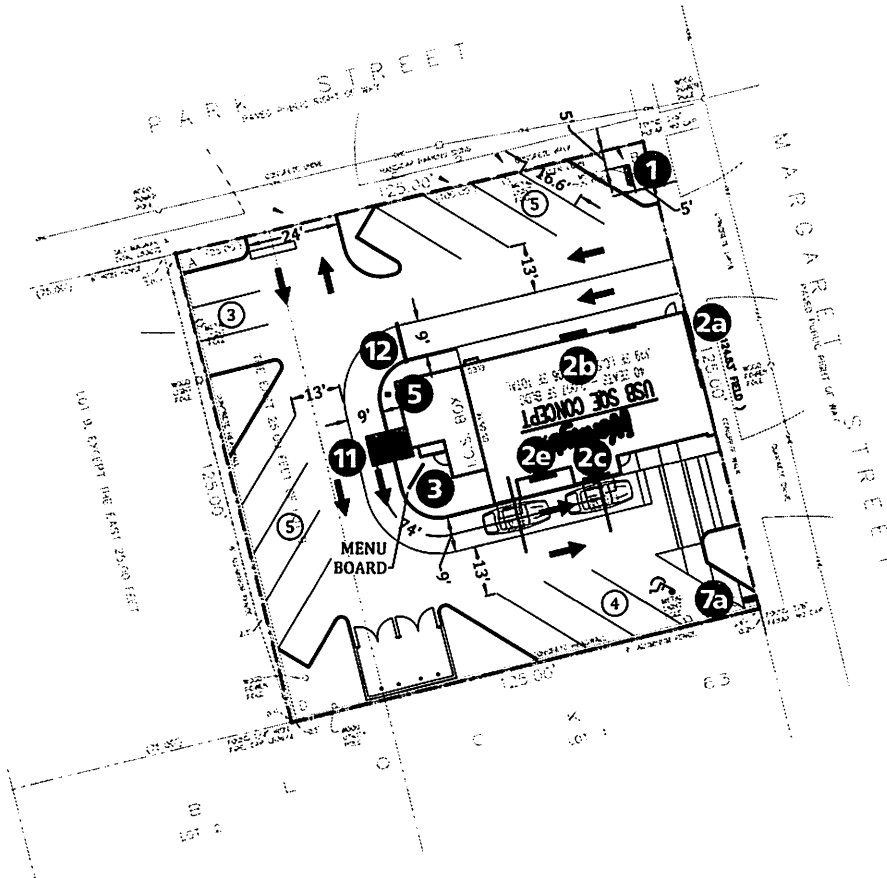
2006 PARK ST.
JACKSONVILLE, FL 32204



SCALE: 1" = 50'
SIGN KEY

- ① Monument Sign
- ②a 42" Channel Letters
- ②b 65.375" Channel Logo
- ②c 42" Channel Letters

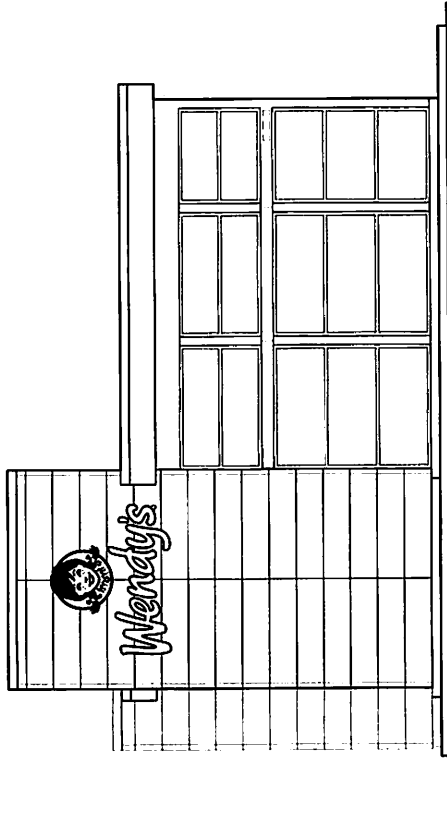
- ②e QIOR-PVC62
- ③ Menu Board
- ⑤ Pre-Sell
- ⑦a Exit Directional Replacement Faces



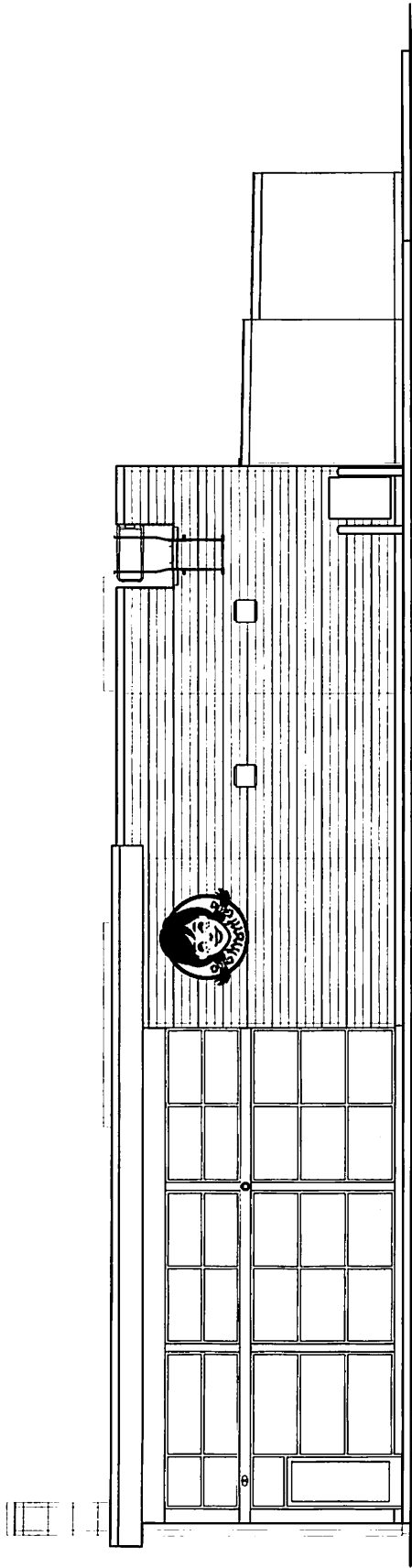
SIGNS:

POLE SIGNS PROHIBITED WITHIN OVERLAY, MUST BE GROUND SIGN
MAX. HT = 5'
10' SETBACK (REQUEST WAIVER IN PUD TO REDUCE TO 5')
MAX. AREA PER FACE = 32 SF FOR BUILDINGS LESS THAN 40,000 SF

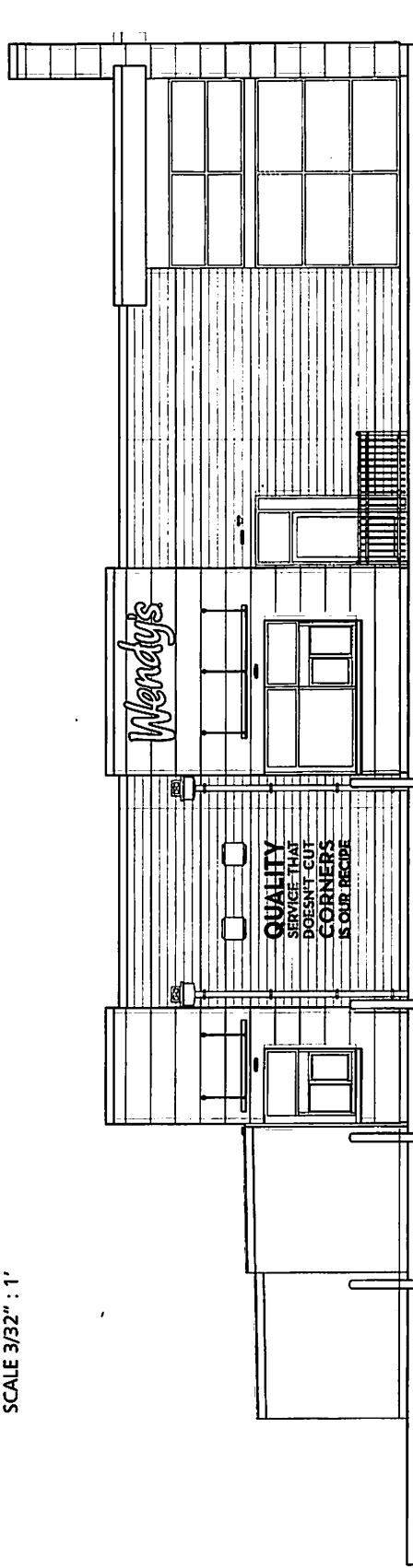
- ⑪ Drive-Thru Canopy
- ⑫ Single Clearance Pole



FRONT ELEVATION
SCALE 3/32" = 1'



RIGHT SIDE ELEVATION
SCALE 3/32" : 1'



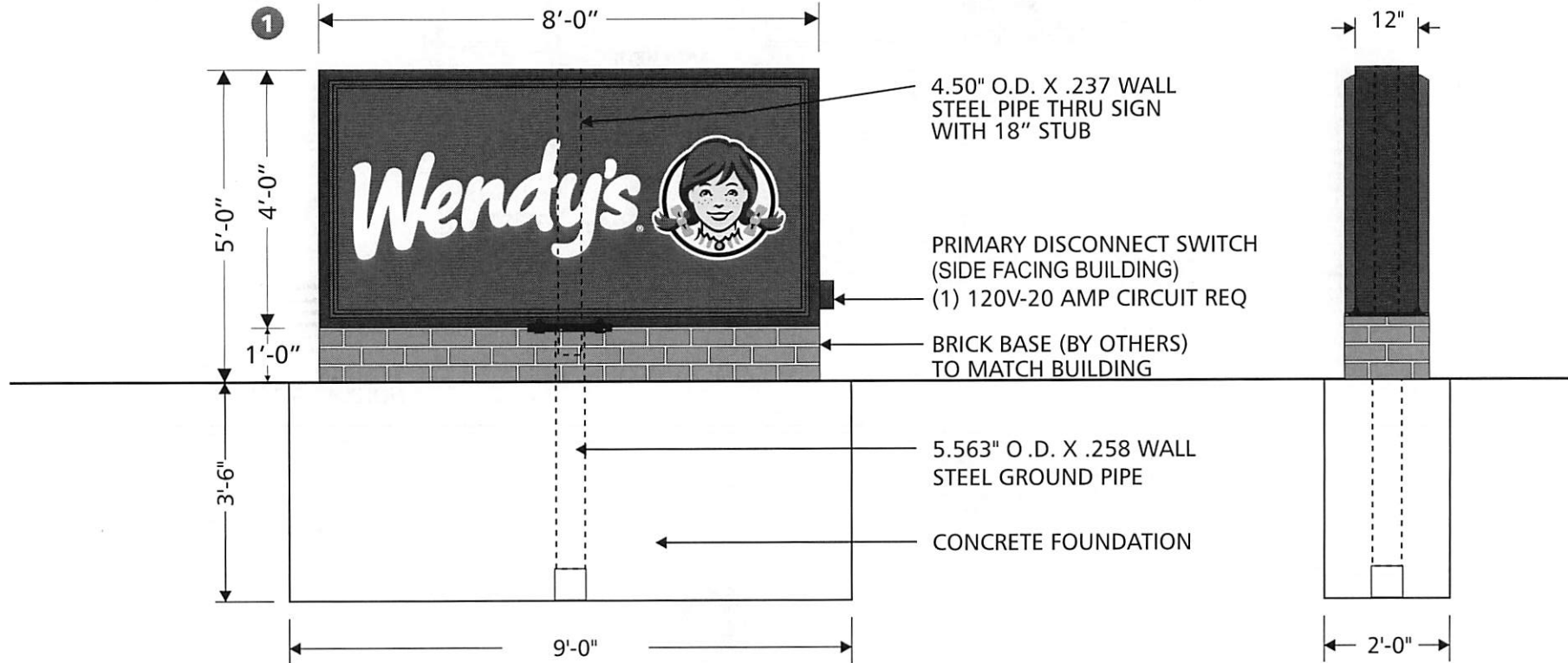
LEFT SIDE ELEVATION
SCALE 3/32" : 1'

NON-STANDARD

U0600-IA-4X8-MONUMENT

32 SQUARE FOOTAGE IS ALLOWED.
@ 5' MAX HEIGHT. MUST HAVE
BRICK BASE TO MATCH BUILDING.

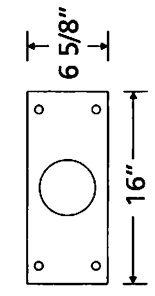
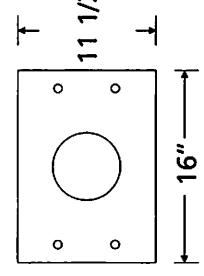
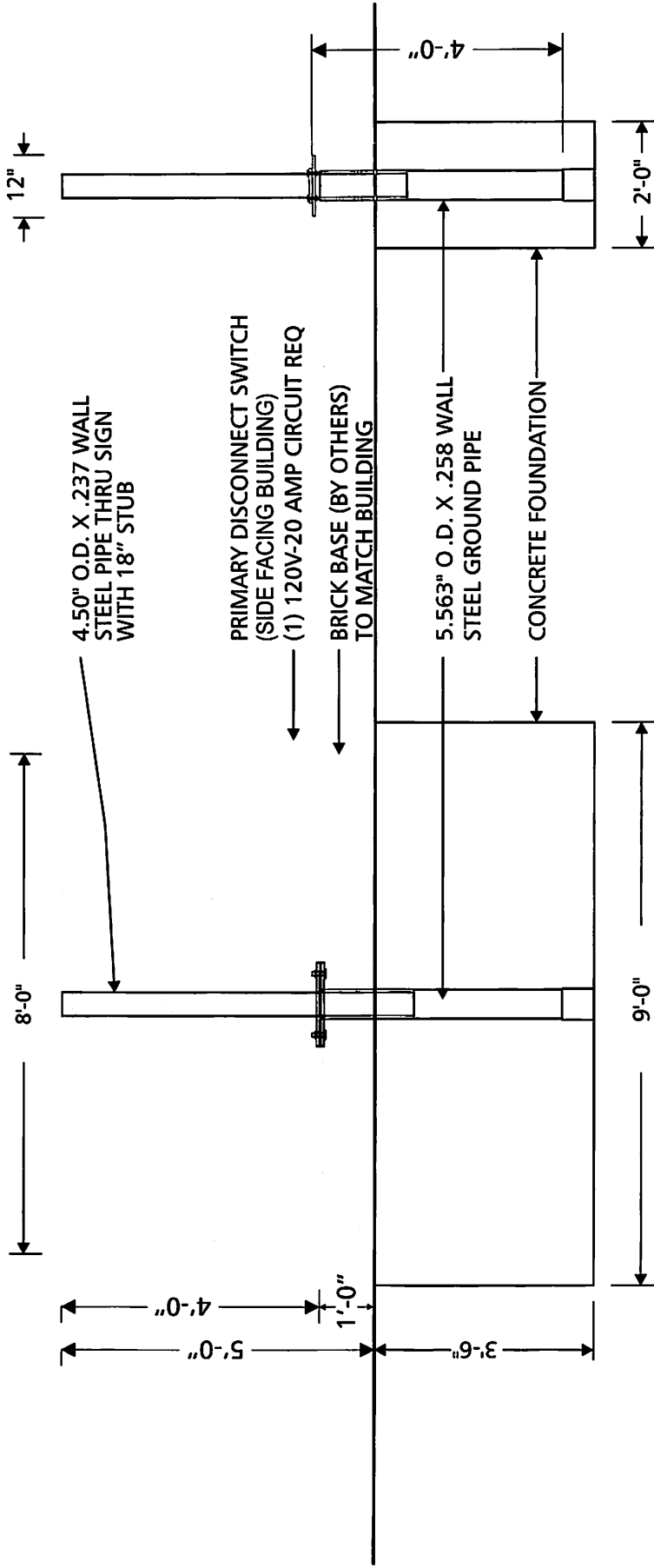
32 SqFt.



SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> DOUBLE FACE <input checked="" type="checkbox"/> ILLUMINATED <input checked="" type="checkbox"/> GROUND 	<ul style="list-style-type: none"> - 12" SA ALUMINUM CABINET PAINTED 313 DARK BRONZE. - .150 PAN FORMED EMBOSSED SOLAR GRADE POLYCARBONATE FACES. - FLUORESCENT ILLUMINATION. - BRICK BASE TO MATCH BUILDING BY OTHERS. 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 313 DARK BRONZE <input checked="" type="checkbox"/> PMS 186 RED <input type="checkbox"/> WHITE <input checked="" type="checkbox"/> PMS 186 RED HAIR <input checked="" type="checkbox"/> PMS 201 BURGUNDY HAIR <input checked="" type="checkbox"/> PMS 299 BLUE <input type="checkbox"/> PMS 698 PINK <input checked="" type="checkbox"/> PMS 439 BROWN 	<ul style="list-style-type: none"> <input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED <p>If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.</p>
<p>FILENAME: U0600-IA-4X8-MONUMENT SCALE: 3/8" = 1'-0"</p> <p>DATE: 7/7/16 REV. DATE: DG NR: THW SALES: T. SHEEHY</p>		<p>Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.</p> <p>CUSTOMER: _____ LANDLORD: _____</p> <p>DATE: _____ DATE: _____</p>		<p>3200 Valleyview Drive PH: 614-279-6700</p> <p>Columbus, OH 43204 FX: 614-279-7525</p>
<p>This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © Copyright 2005 All rights reserved</p>				

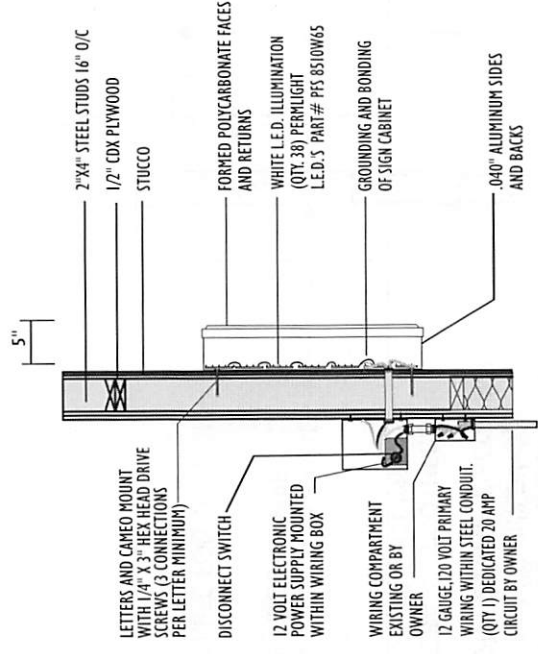
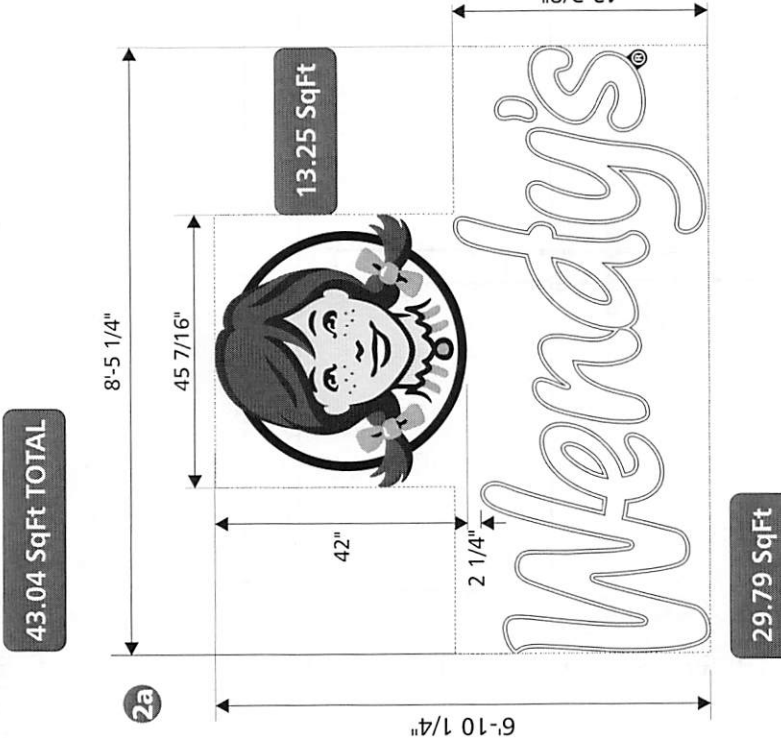
U0600-IA-4X8-MONUMENT

NON-STANDARD



SCALE 3/4" = 1'-0"

U1201-IA-42NR-WHT-RC-STK



SECTION/MOUNTING DETAILS



E122574

THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

custom SIGN Center, Inc.
Full Service Sign Company
3200 Valleyview Drive
PH: 614-279-6700
Columbus, OH 43204
FX: 614-279-7525

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SIGN SURVEY

FACE TRIMS

FACE TRIMS

RADIUS DIM.

BUILDING DIM.

FACADE ANGLE

OTHER

ARTWORK

PROVIDED

REQUIRED

If required, customer to provide Custom Sign Center, Inc. with a digital file. Please contact your salesperson or Design Staff for appropriate file types.

COLORS

313 DARK BRONZE

7328 WHITE POLYCARBONATE

WHITE

PMS 186 RED HAIR

PMS 201 BURGLINDY HAIR

PMS 299 BLUE

PMS 698 PINK

PMS 439 BROWN

SPECIFICATIONS

- .040" ALUMINUM SIDES AND BACKS PAINTED 313 DARK BRONZE
- "WENDY'S" - EMBOSSED # 7328 WHITE POLYCARBONATE FACES WITH WHITE L.E.D. ILLUMINATION
- CAMEO - FORMED POLYCARBONATE FACE WITH PRINTED GRAPHICS SECOND SURFACE WITH WHITE LED ILLUMINATION.

LANDLORD: _____

DATE: _____

CUSTOMER: _____

DATE: _____

Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approval.

FILENAME: U1201-IA-42NR-WHT-RC-STK REV# _____

SCALE: 3/8" = 1'

DATE: 2/16/16

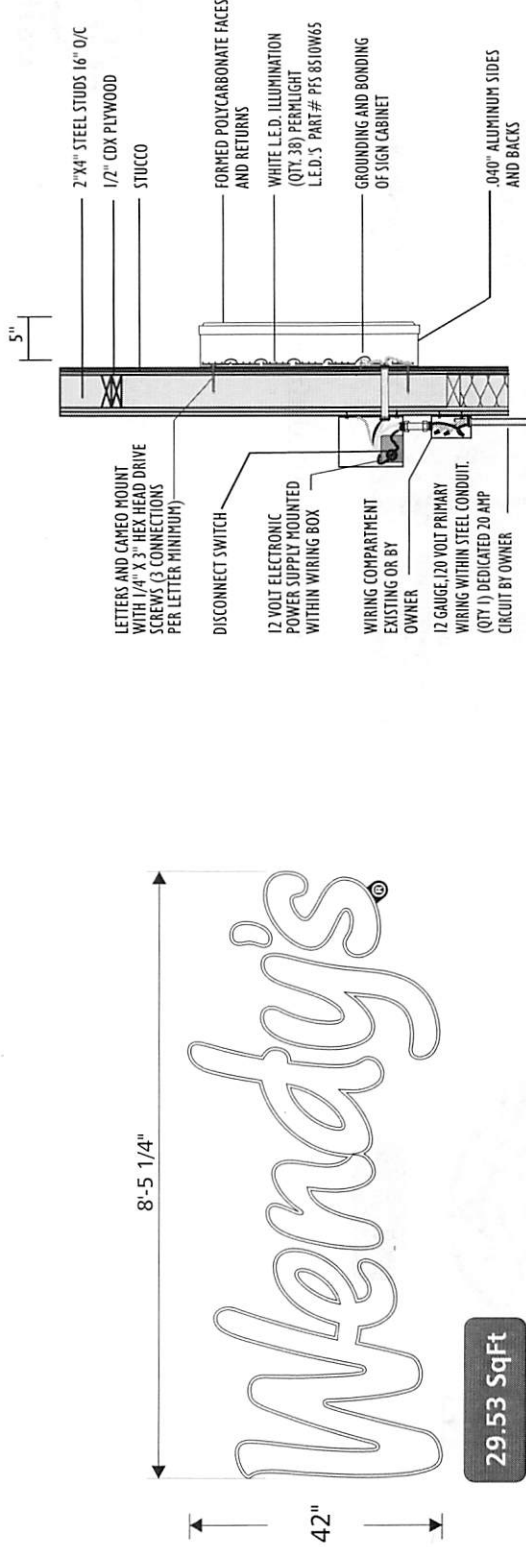
REV. DATE: _____

DG NR: THW

SALES: T. SHEEHY

ALL WIRING MEETS NEC 2014 SPECIFICATIONS. SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES.

U1201-IA-42NR-WHT-NC



SECTION/MOUNTING DETAILS



E122574

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> SINGLE FACE	- .040" ALUMINUM SIDES AND BACKS PAINTED 313 DARK BRONZE	<input checked="" type="checkbox"/> 313 DARK BRONZE	<input type="checkbox"/> FACE TRIMS	<input checked="" type="checkbox"/> PROVIDED
<input checked="" type="checkbox"/> ILLUMINATED	- "WENDY'S" - EMBOSSED #7328 WHITE POLYCARBONATE FACES WITH WHITE L.E.D. ILLUMINATION	<input type="checkbox"/> 7328 WHITE POLYCARBONATE	<input type="checkbox"/> FASCIA COLOR	<input type="checkbox"/> REQUIRED
<input type="checkbox"/> WALL			<input type="checkbox"/> RADIUS DIM.	If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your staff for appropriate file types.
			<input type="checkbox"/> BUILDING DIM.	
			<input type="checkbox"/> FACADE ANGLE	
			<input type="checkbox"/> OTHER	

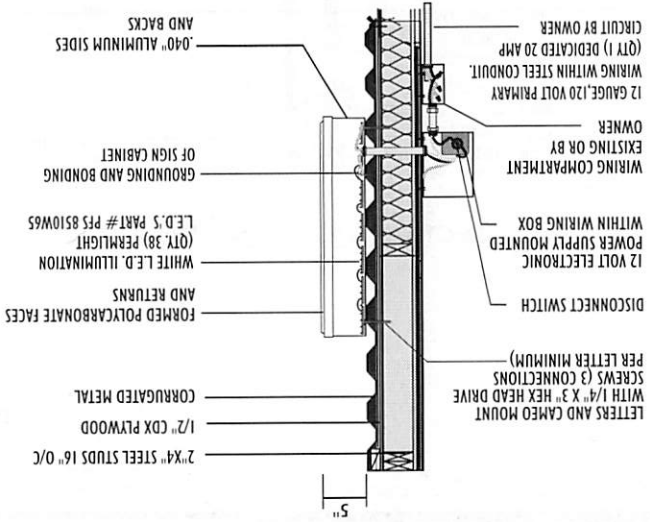
Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.

FILENAME: U1201-IA-42NR-WHT-NC REV# SCALE: 3/8" = 1' CUSTOMER: _____ LANDLORD: _____
 DATE: 6/30/14 REV. DATE: _____ DGNR: MDA SALES: T. SHEEHY DATE: _____

custom SIGN Center, Inc.
 Full Service Sign Company
 3200 Valleyview Drive
 Columbus, OH 43204
 PH: 614-279-6700 FX: 614-274-7525

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U1201-1A-65.375-NR-RC



32.06 SqFt

65 3/8"
2c

SECTION/MOUNTING DETAILS

SIGN TYPE

- SINGLE FACE
- ILLUMINATED
- WALL
- .040" ALUMINUM SIDES AND BACKS PAINTED 313 DARK BRONZE
- "WENDY'S" - EMBOSSED #7328 WHITE POLYCARBONATE FACES WITH WHITE L.E.D. ILLUMINATION
- CAMEO - FORMED POLYCARBONATE FACE WITH PRINTED GRAPHICS SECOND SURFACE WITH WHITE LED ILLUMINATION.

SPECIFICATIONS

- 313 DARK BRONZE
- 7328 WHITE POLYCARBONATE
- WHITE
- PMS 186 RED HAIR
- PMS 201 BURGUNDY HAIR
- PMS 299 BLUE
- PMS 439 BROWN
- PMS 698 PINK
- PMS 7328 WHITE

COLORS

- PROVIDED
- REQUIRED
- RADIUS DIM.
- FASCIA COLOR
- BUILDING DIM.
- FACADE ANGLE
- OTHER

SIGN SURVEY

ARTWORK

3200 Valleyview Drive
Columbus, OH 43204
PH: 614-279-6700
FX: 614-279-7525

Custom SIGN Center, Inc. Full Service Sign Company

FILENAME: U1201-1A-65.375-NR-RC REV# _____ SCALE: 1/4" = 1'
DATE: 4/14/16 REV/DATE: _____ DGNR: THW SALES: T. SHEEHY

CUSTOMER: _____ DATE: _____
LANDLORD: _____

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ALL WIRING MEETS NEC 2014 SPECIFICATIONS.
SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT.
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

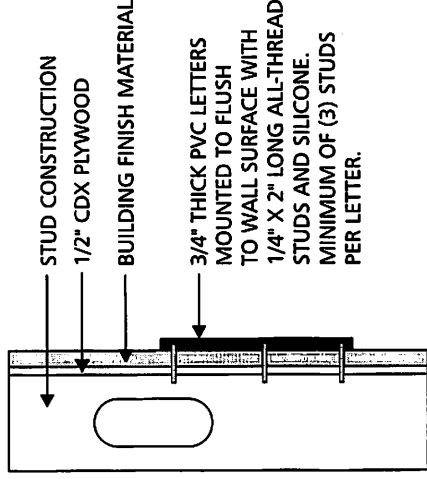


30.78 SqFt

2e 5'-11 1/2" 5'-2"

QUALITY SERVICE THAT DOESN'T CUT CORNERS IS OUR RECIPE

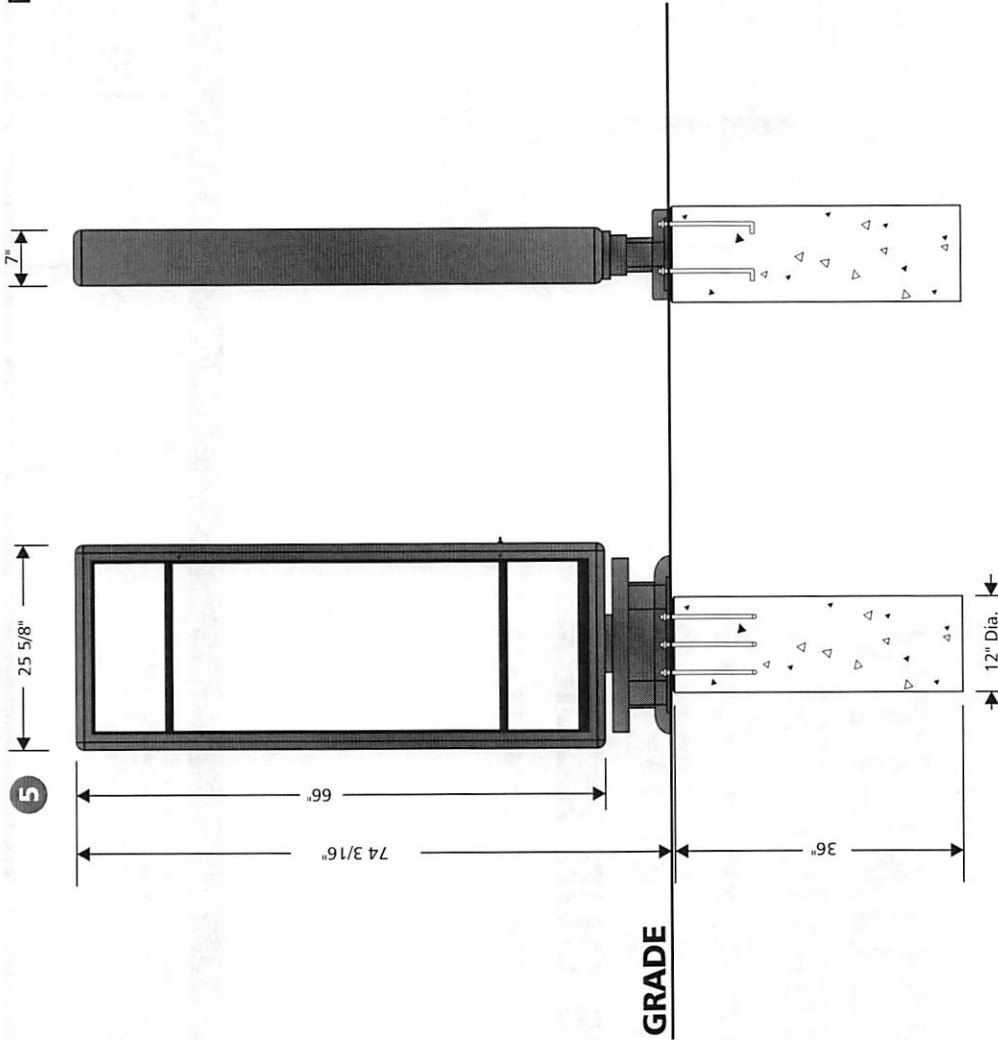
PVC LETTERS SCALE 3/8" = 1'-0"



MOUNTING DETAIL
SCALE 1" = 1'-0"

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> SINGLE FACE <input checked="" type="checkbox"/> NON-ILLUM. <input checked="" type="checkbox"/> WALL	• 3/4" THICK CUT OUT PVC LETTERS STUD MOUNTED FLUSH TO WALL SURFACE. • "QUALITY" & "IS OUR RECIPE" PAINTED TO MATCH MATTHEWS SEMI GLOSS #MP18214 • "SERVICE THAT DOESN'T CUT CORNERS" PAINTED TO MATCH MATTHEWS SEMI GLOSS #MP18140 • WHITE VINYL ® ON FLAT ALUMINUM DISK PAINTED TO MATCH LETTER "E"	<input checked="" type="checkbox"/> TO MATCH MATTHEWS SEMI GLOSS #MP18214 <input checked="" type="checkbox"/> TO MATCH MATTHEWS SEMI GLOSS #MP18140	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact our staff for appropriate file types.
FILENAME: U1201-IA-QIOR-PVC62-SVR DATE: 1/1/13	Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals. REV #1 SCALE: AS NOTED REV DATE: 12/13/13 DGNR: THW SALES: T. SHEEHY	CUSTOMER: _____ DATE: _____	LANDLORD: _____ DATE: _____	This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © 651111333, all rights reserved. custom SIGN Center, Inc. Full Service Sign Company 3000 Valleyview Drive Columbus, OH 43204 PH: 614-279-6700 FX: 614-279-7625

EXTERIOR MENUBOARD
MODEL U0802 RM1700 PRE-SELL



FRONT VIEW
 SCALE: 1/2" = 1'-0"

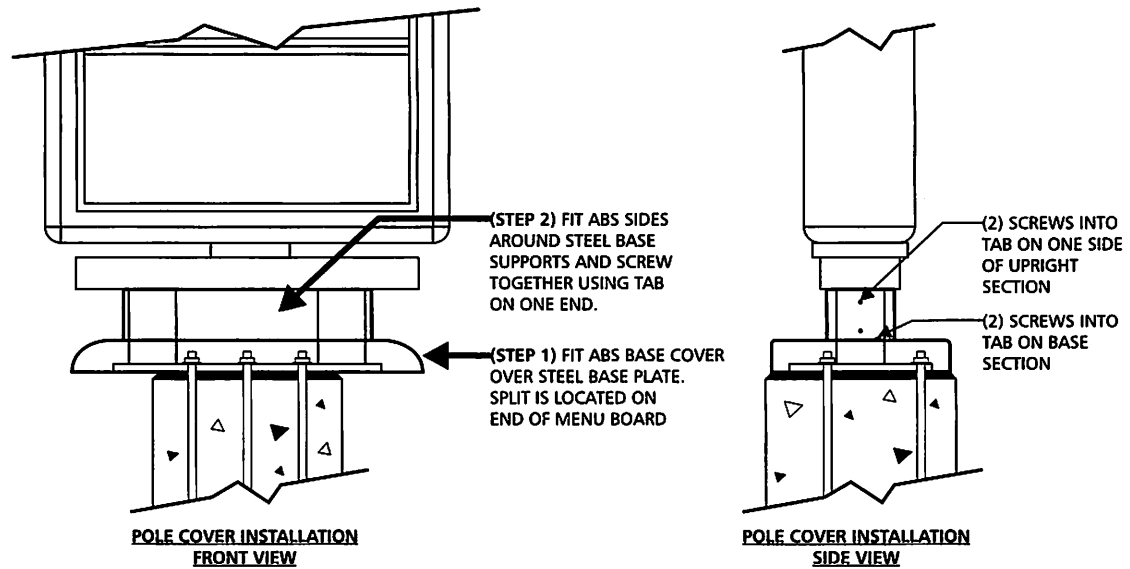
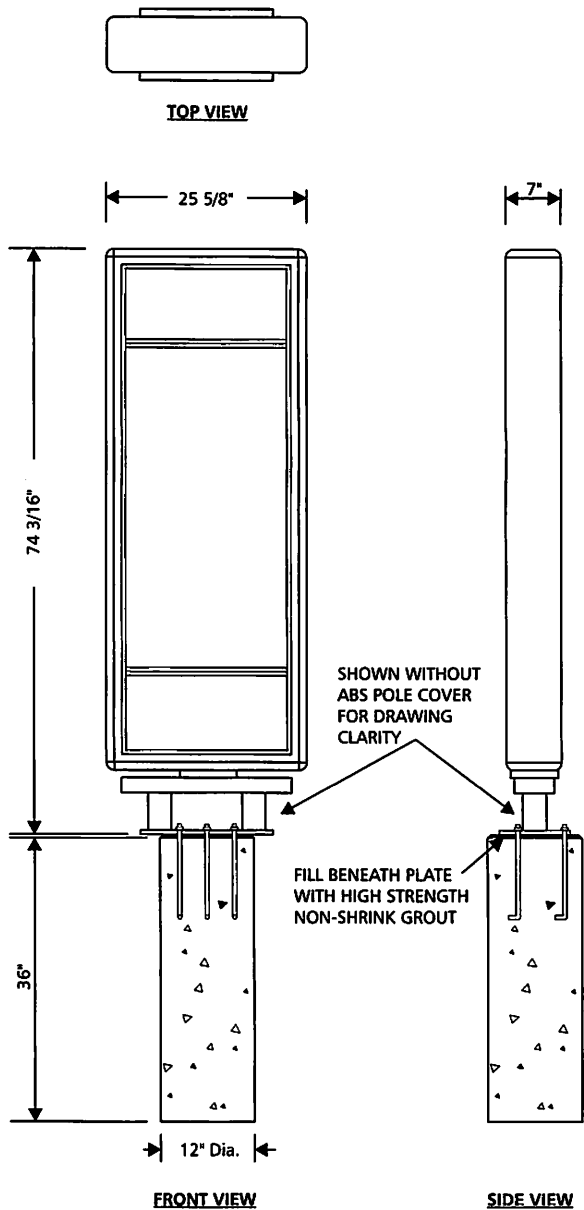
SIDE VIEW



E122574

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> DOUBLE FACE <input checked="" type="checkbox"/> ILLUMINATED	PRE-SELL MENU BOARD - (1) EXTERIOR PRE-SELL MENUBOARD CABINET WITH MAGNATRAC MENUSTRIP SYSTEM - FABRICATED A.B.S. POLE COVER	<input checked="" type="checkbox"/> PPG N.A. - 211-480	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.
FILENAME: U0802-RM1700 PRE-SELL DATE: 2/19/10	REV# DGMR: RTK SALES: T. SHEEHY	CUSTOMER: DATE:	LANDLORD: DATE:	This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © Copyright 2005 All rights reserved.

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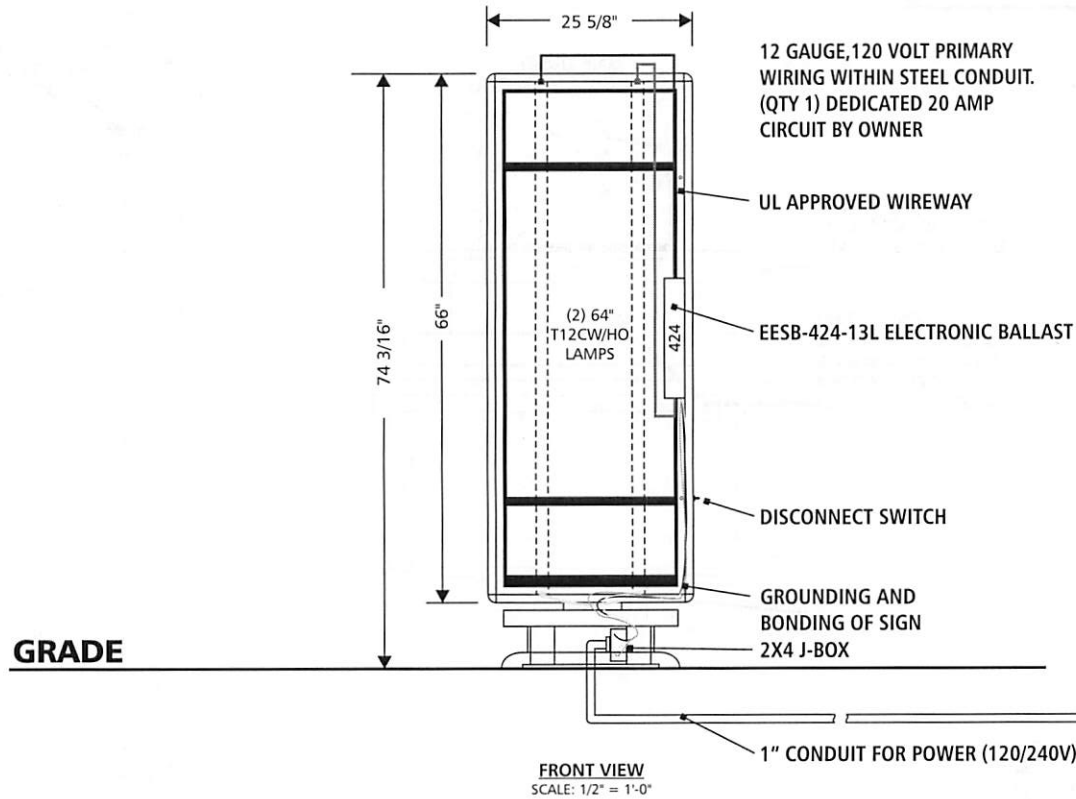


NOTES:
 NEW MOUNTING PLATE HAS A HOLE PATTERN TO MATCH EXISTING PREVIEW BOARD. IF THE ORIGINAL ANCHORS ARE NOT SUFFICIENT FOR THE NEW BOARD, USE THE INCLUDED EXPANSION ANCHORS. IF THE ORIGINAL FOUNDATION IS NOT SUFFICIENT, USE THE INCLUDED "J" BOLTS IN A NEW CONCRETE FOUNDATION. NEW CONCRETE FOUNDATION MUST BE 5000 PSI.

INSTALLATION HARDWARE KIT

QTY	PART DESCRIPTION
1	INSTALLATION INSTRUCTIONS
3	ANCHOR 1/2" X 6" SLEEVE RAWL
3	ANCHOR BOLT 1/2" X 12" X 1" W/ NUT & WASHER
3	HEX NUT 1/2" (HEAVY A325)
3	FLAT WASHER 1/2" - F436
8	WSHR SCREW HD #8 X 3/4" BROWN SELF TAPPING
1	ABS POLE COVER ASSEMBLY RM1700

EXTERIOR MENUBOARD
MODEL U0802 RM1700 PRE-SELL
1.5 AMPS



Meets: NEC Article 600.6 Disconnects.
 NEC Article 600.7 Grounding & Bonding.
 NEC Article 600.4 Markings.
 ALL WIRING MEETS NEC 2014 SPECIFICATIONS.
 SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT.

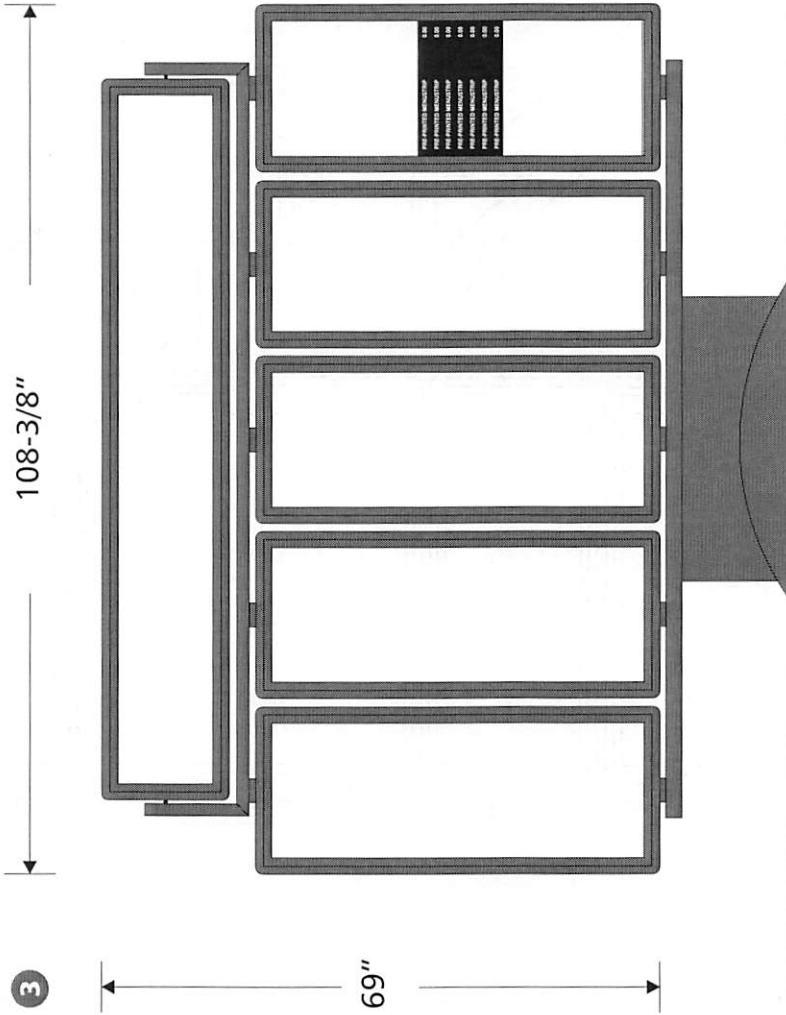
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES.
 THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> DOUBLE FACE <input checked="" type="checkbox"/> ILLUMINATED	PRE-SELL MENU BOARD - (1) EXTERIOR PRE-SELL MENUBOARD CABINET WITH MAGNATRAC MENUSTRIP SYSTEM - FABRICATED A.B.S. POLE COVER	<input checked="" type="checkbox"/> PPG N.A. 211480	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.
FILENAME: U0802-RM1700 PRE-SELL DATE: 2/19/10	REV# REV.DATE:	SCALE: 1/2" = 1' DGNR: RTK SALES: T. SHEEHY	Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.	CUSTOMER: _____ DATE: _____
		LANDLORD: _____ DATE: _____	This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © Copyright 2005 All rights reserved.	

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EXTERIOR MENUBOARD
MODEL U0802-RM5200



GRADE



E122574

SIGN TYPE SPECIFICATIONS

- DOUBLE FACE
- ILLUMINATED
- RM5200 MENU BOARD
- (5) EXTERIOR MENUBOARD CABINETS WITH MAGNATAC MENUSTRIP SYSTEM
- (1) EXTERIOR MENUBOARD TOPPER CABINET
- FABRICATED A.B.S. POLE COVER

COLORS

- PPG N.A. 211480

SIGN SURVEY

- FACE TRIMS
- FASCIA COLOR
- RADIUS DIM.
- BUILDING DIM.
- FACADE ANGLE
- OTHER

ARTWORK

- PROVIDED
 - REQUIRED
- If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please see Design Staff for appropriate file types.

FILENAME: U0802-RM5200
DATE: 3/26/10

REV# SCALE: 1/2" = 1'
DGMR: RTK **SALES:** T. SHEEHY

CUSTOMER: _____
DATE: _____

LANDLORD: _____
DATE: _____

Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.



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EXTERIOR MENU

MODEL U0802

RM-5200

51.92 SF

1 CIRCUIT

TOTAL LOAD 4.55 AMPS

LAMPS AND BALLASTS

10 - 48" LAMPS; 1 - 84" LAMP

QTY 1 (2.75 AMP) - BALLASTS

QTY 1 (1.80 AMP) - BALLASTS

STANDARD INSTALLATION DETAIL

DESIGN CRITERIA

90 M.P.H. WIND LOAD / EXPOSURE B / UBC

SOIL COMPACTNESS=2,000 PSF

CONCRETE FOUNDATION=4000 PSI, 28 DAY MIN.

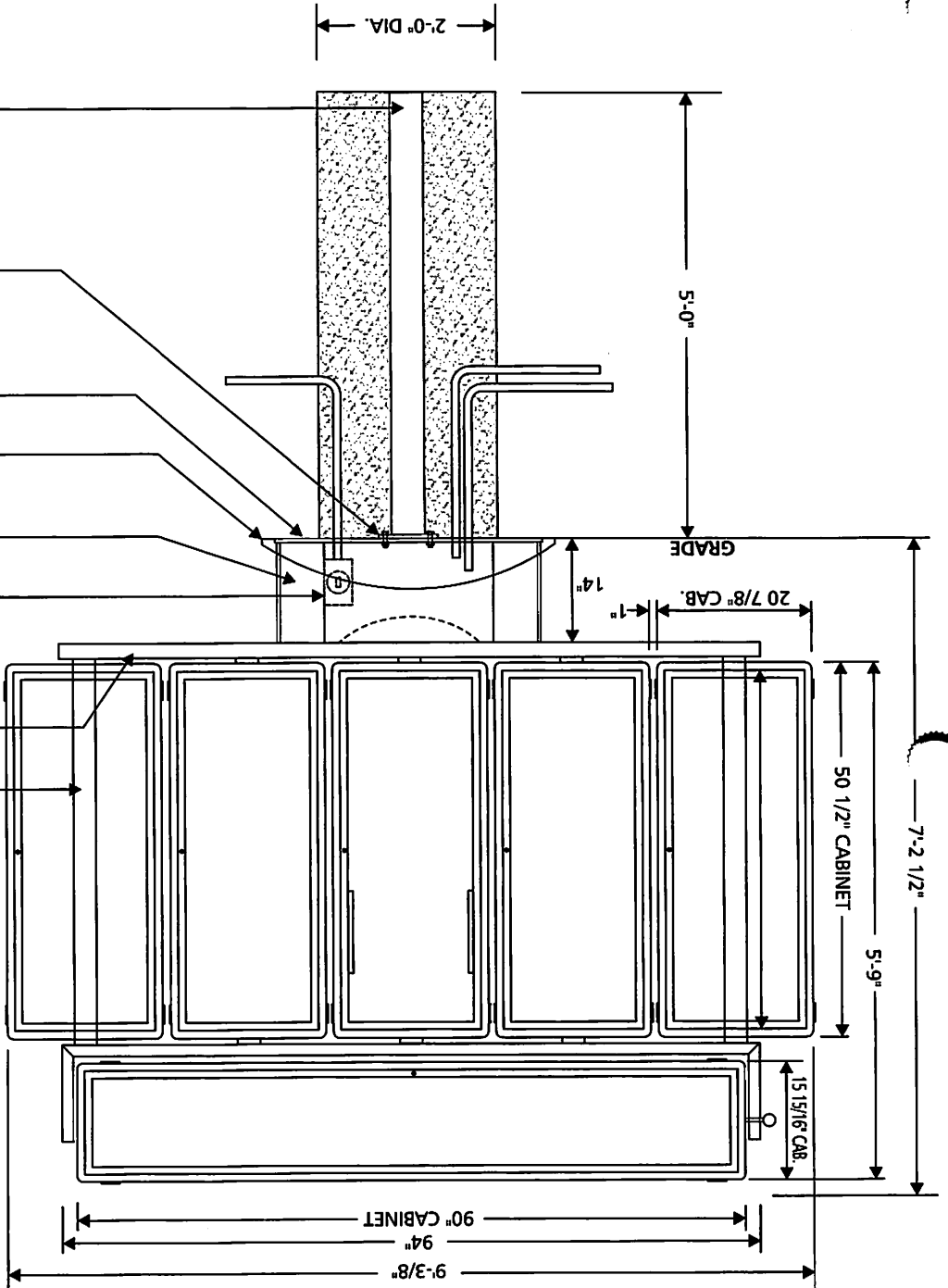
COMPRESSIVE STRENGTH

(IF LOCAL CONDITIONS REQUIRE ADJUSTMENTS TO THE

ABOVE CRITERIA IT IS THE RESPONSIBILITY OF THE SIGN

INSTALLER TO OBTAIN ADEQUATE ENGINEERING

SPECIFICATIONS)



- 3" O.D. X 11 GAUGE STEEL PIPE THRU BOTH END CABINETS ONLY
- 2" X 5" X 1/4" WALL STEEL BASE SUPPORT TUBE (94 1/2" LONG)
- WATERPROOF DISCONNECT LOCATED INSIDE POLE COVER
- (2) 3" X 6" X 1/4" WALL STEEL BASE TUBES WELDED CONTINUOUSLY TO BASE PLATE AND BASE SUPPORT TUBE
- FORMED ABS POLE AND BASE PLATE COVER
- 9" X 36" X 1/2" THICK STEEL BASE PLATE
- 6" BOLT CENTERS
- 8" X 8" X 1/2" THICK STEEL PLATE WELDED CONTINUOUSLY TO GROUND STEEL PIPE. (4) 1/2" DIA. BOLTS ARE USED TO MOUNT MENU TO GROUND STEEL.
- 4" (4 1/2" O.D.) X .237 WALL STEEL GROUND STEEL PIPE.

NOTE: ALL ELECTRICAL WORK TO COMPLY WITH 2014 NEC

CUSTOM SIGN CENTER, INC. 3200 VALLEYVIEW DRIVE COLUMBUS, OHIO 43204 800-522-2934
 DESIGNER: MDA DATE: 3/25/10

FILENAME: PIVOTING-DRIVE-THRU-CANOPY REV# DGNR: THW SALES: 1 SHEETS
 DATE: 1/15/16 REV: DATE: SCALE: 1/4" = 1'

CUSTOMER: LANDLORD: DATE: DATE: APPROVAL SIGNATURES Required to insure that all spelling, colors, and specifications for signs rendered meets customer & landlord approval.

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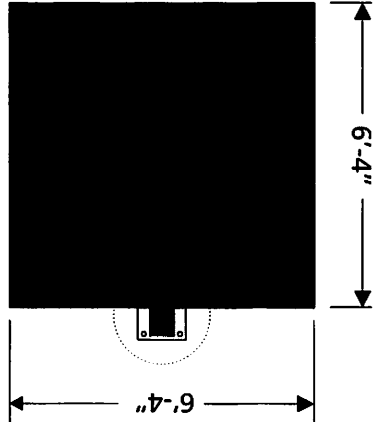
- SIGN TYPE SPECIFICATIONS**
- 12SA ALUMINUM CANOPY PAINTED 313 DARK BRONZE
 - (2) LED CAN LIGHTS
 - STEEL FRAME PAINTED 313 DARK BRONZE
 - STEEL TUBE GROUND SUPPORT PAINTED
 - SOFT BROWN METALLIC
 - FIRST SURFACE VINYL READING: CLEARANCE 9'-0"
 - GROUND

- COLORS**
- 313 DARK BRONZE
 - WHITE
 - PPG N.A. 211480

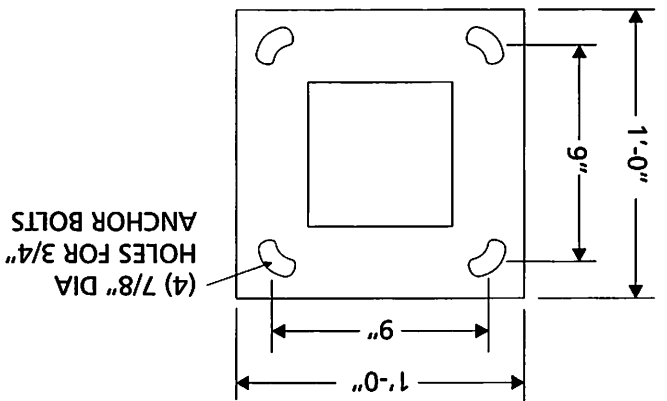
- SIGN SURVEY ARTWORK**
- PROVIDED
 - REQUIRED
 - RADIUS DIM.
 - FASCIA COLOR
 - FACE TRIMS
 - OTHER

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 Center, Inc.
 Columbus, OH 43204
 Pk: 614-279-7525
 PH: 614-279-6700

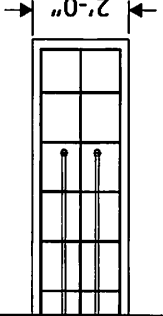
TOP VIEW SCALE 1/4" = 1'-0"



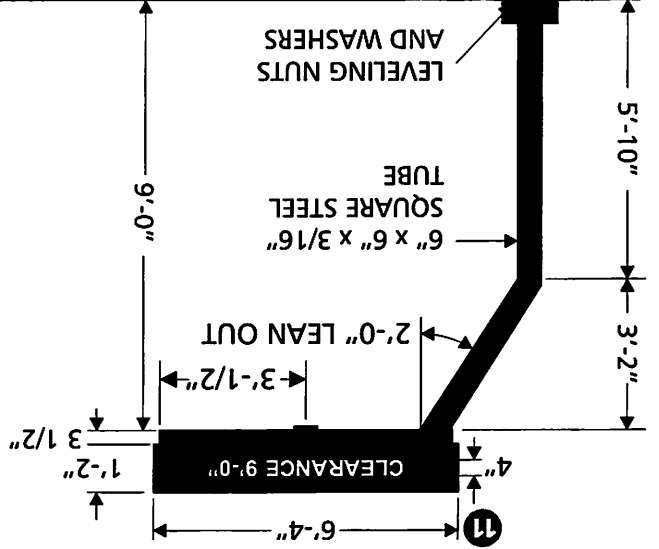
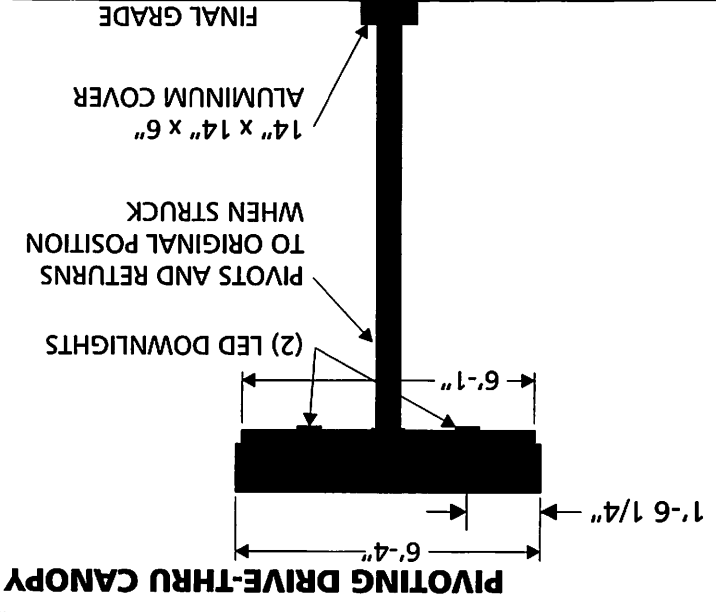
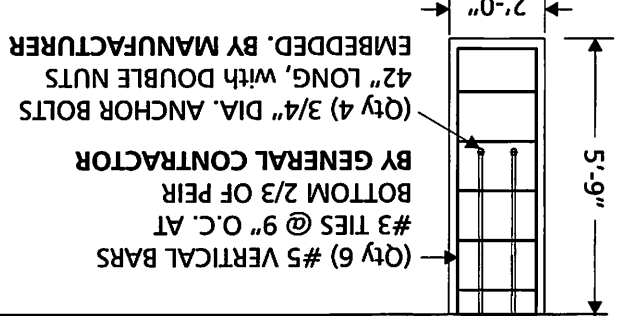
1/2" THICK MOUNTING PLATE SCALE 1 1/2" = 1'-0"



FRONT VIEW SCALE 1/4" = 1'-0"

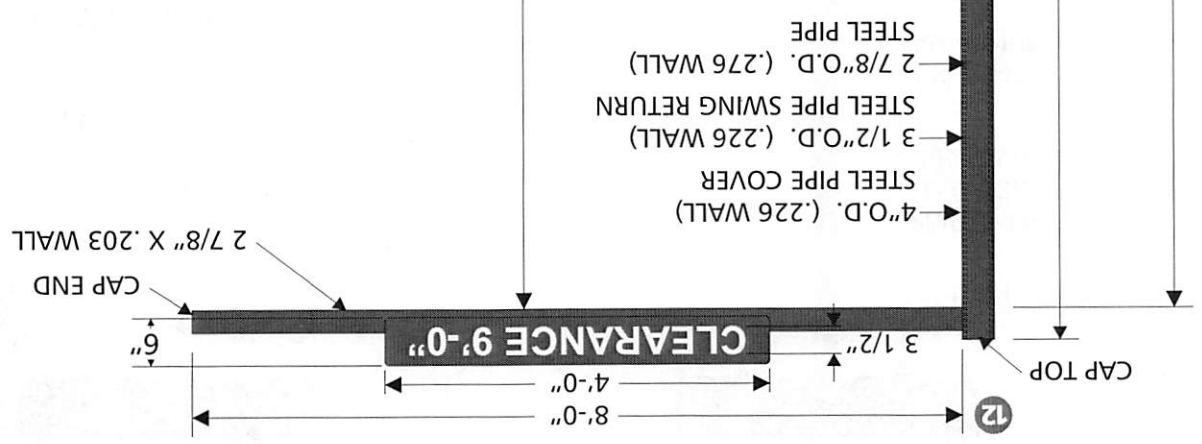


SIDE VIEW SCALE 1/4" = 1'-0"



ALL WIRING MEETS NEC 2014 SPECIFICATIONS. SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

PIVOTING SINGLE CLEARANCE POLE



PIVOTING CLEARANCE POLE
SCALE 1/2"=1'-0"
1/2" THICK MOUNTING PLATE
SCALE 1 1/2"=1'-0"

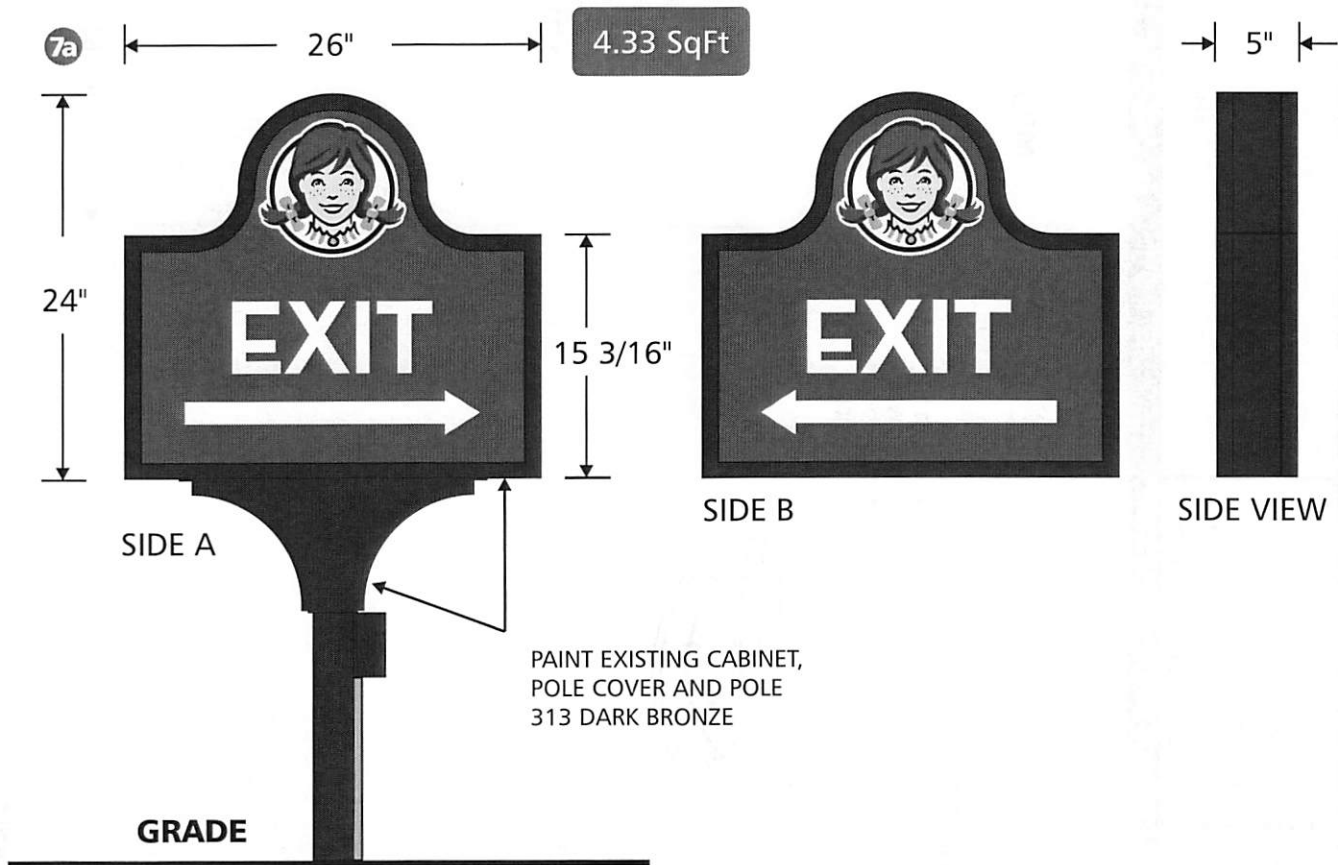
<p>FILENAME: 9-0 PIVOTING CLEARANCE POLE REV# 1 DATE: 2/2/16 REV DATE: 1 DGNR: THW SALES: 1, SHEEHY SCALE: NOTED APPROVAL SIGNATURES REQUIRED TO INSURE THAT ALL SPELLING, COLORS, AND SPECIFICATIONS FOR SIGNS REMAINED MEETS CUSTOMER & LANDLORD APPROVALS.</p>	<p>CUSTOMER: _____ DATE: _____ LANDLORD: _____ DATE: _____</p>
<p>SIGN TYPE ILLUMINATED GROUND</p>	<p>COLORS <input type="checkbox"/> PMS 186 C <input type="checkbox"/> WHITE <input type="checkbox"/> OTHER</p>
<p>SPECIFICATIONS - PIVOTING CLEARANCE POLE TO BE PAINTED PMS 186C</p>	<p>SIGN SURVEY <input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER</p>
<p>ARTWORK <input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera read or appropriate digital salesperson or Design Staff for appropriate file types.</p>	<p>ARTWORK This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. Copyright 2005 All rights reserved.</p>

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REPLACEMENT FACES ONLY



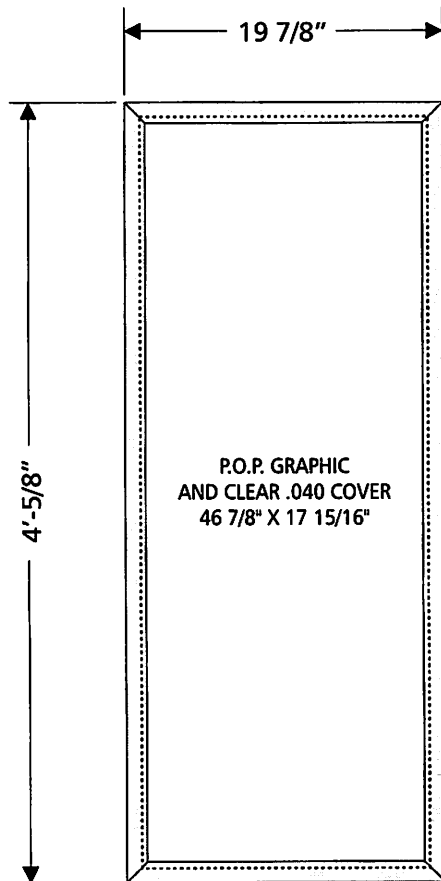
ALL WIRING MEETS NEC 2014 SPECIFICATIONS.

SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT.

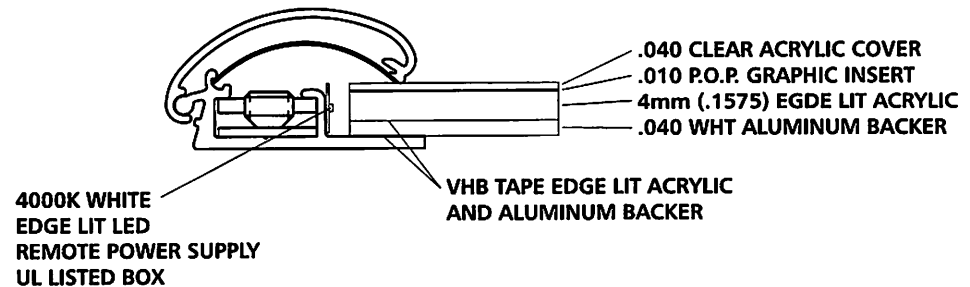
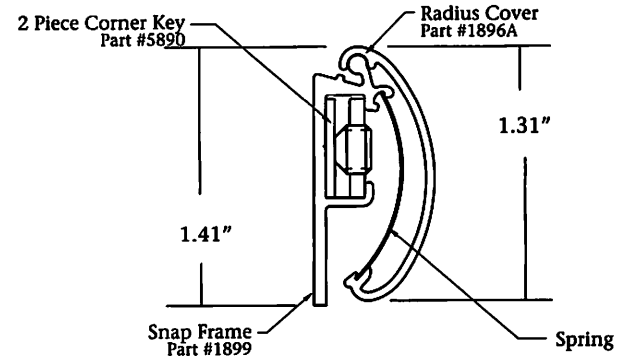
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK	
<input checked="" type="checkbox"/> DOUBLE FACE <input checked="" type="checkbox"/> ILLUMINATED <input checked="" type="checkbox"/> GROUND	.150 FLAT SOLAR GRADE POLYCARBONATE FACES WITH FLAT DECORATED GRAPHICS.	<input checked="" type="checkbox"/> 313 DARK BRONZE <input checked="" type="checkbox"/> PMS 186 RED <input type="checkbox"/> WHITE <input checked="" type="checkbox"/> PMS 186 RED HAIR <input checked="" type="checkbox"/> PMS 201 BURGUNDY HAIR <input type="checkbox"/> PMS 299 BLUE <input type="checkbox"/> PMS 698 PINK <input checked="" type="checkbox"/> PMS 439 BROWN	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.	<p>custom Full Service Sign Company SIGN Center, Inc.</p> <p>3200 Valleyview Drive PH: 614-279-6700 Columbus, OH 43204 FX: 614-279-7525</p>
FILENAME: U0901-IA-EXIT DATE: 1/1/13 REV. DATE:	REV# SCALE: 1" = 1' DGNR: TK SALES: T. SHEEHY	Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.		CUSTOMER: _____ DATE: _____ LANDLORD: _____ DATE: _____	
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SILVER MERCHANDISER QUEUE BOARD
 U1101-SILVER-MERCH EDGE LIT
 1.17 amp LED POWER SUPPLY




Front View
 SCALE 1"=1'-0"



SECTION VIEW ACTUAL SIZE

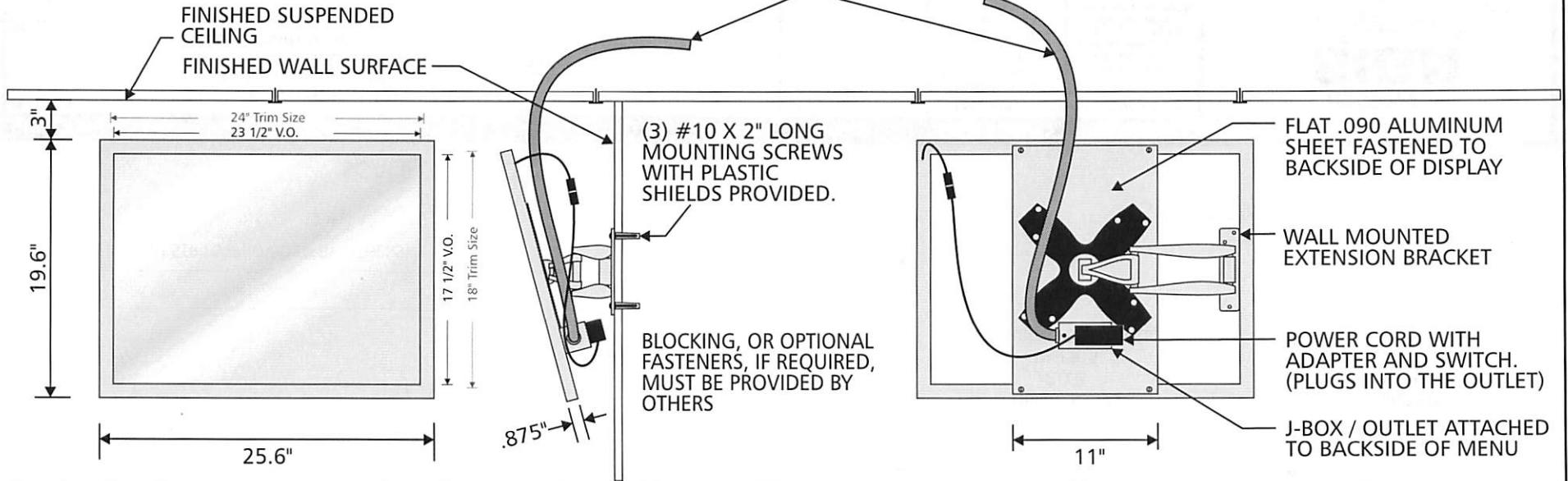


SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK	 3200 Valleyview Drive PH: 614-279-6700 Columbus, OH 43204 FX: 614-279-7525
<input checked="" type="checkbox"/> SINGLE FACE <input checked="" type="checkbox"/> ILLUMINATED <input checked="" type="checkbox"/> WALL	ILLUMINATED MERCHANDISER - ALUMINUM SNAP FRAME PAINTED AKZO NOBEL STERLING SILVER #FLNA9137 - WHITE 4000K LED ILLUMINATION.	<input type="checkbox"/> AKZO NOBEL STERLING SILVER #FLNA9137	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.	
FILENAME: U1101-SILVER-MERCH EDGE LIT REV# DATE: 11/17/15 REV.DATE:		SCALE: AS NOTED DGNR: MDA SALES: T. SHEEHY		Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.	
CUSTOMER: _____ LANDLORD: _____ DATE: _____ DATE: _____		This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © Copyright 2005 All rights reserved.			

Wendy's

U1101-RHR-BL-MENU-WALL
TIER III

120 VOLT PRIMARY IN FLEXIBLE
CONDUIT (BY OTHERS) TO JUNCTION
BOX / OUTLET



FRONT VIEW
INTERIOR BACK-LIT MENU BOARD
SCALE 1" = 1'-0"

SIDE VIEW

BACK VIEW



EXAMPLES OF RHR LOCATIONS

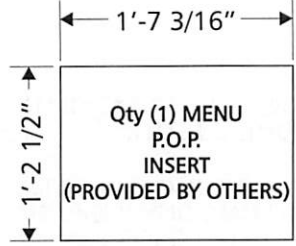
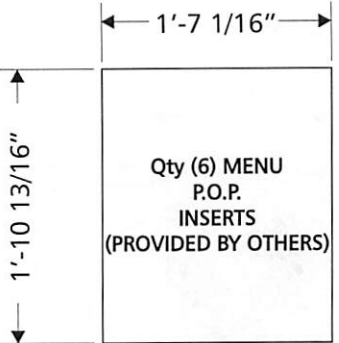
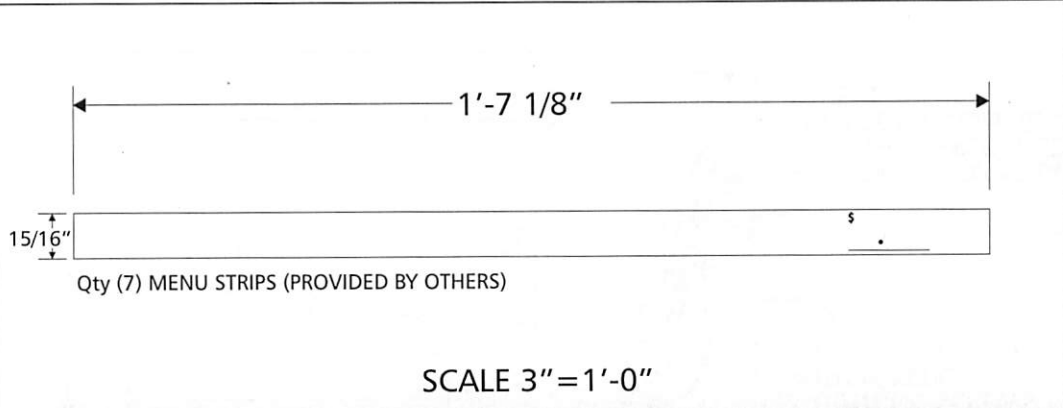
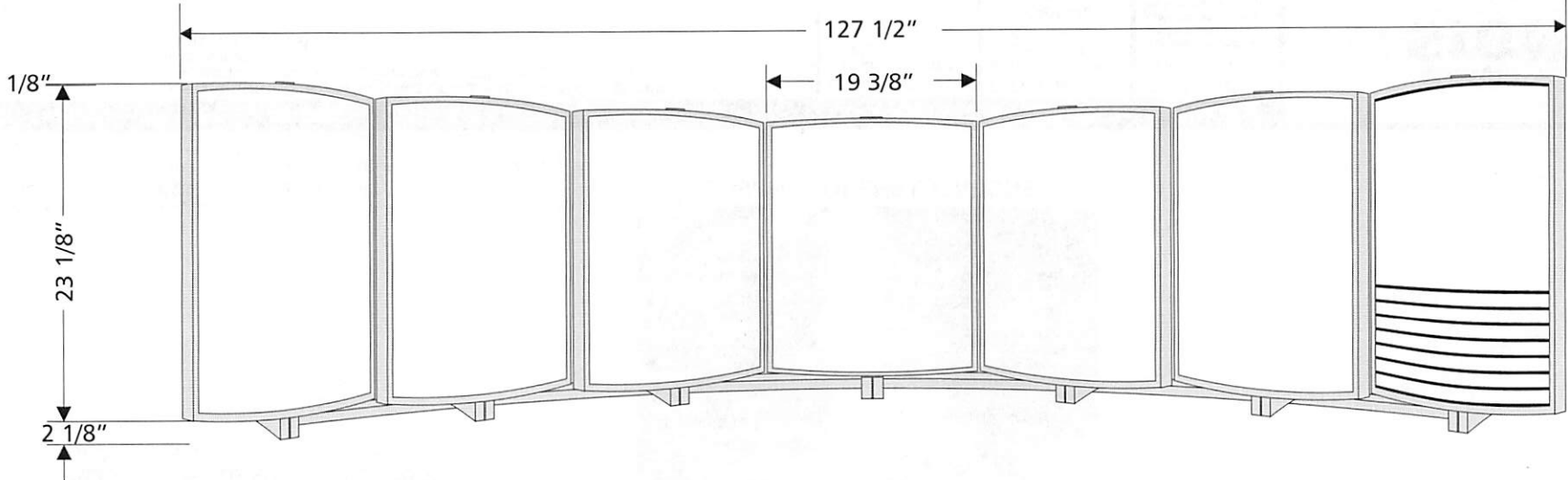
ALL WIRING MEETS NEC 2014 SPECIFICATIONS.
SIGN TO BE WIRED TO A STANDARD 120 VOLT / 20 AMP CIRCUIT.

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THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> SINGLE FACE <input checked="" type="checkbox"/> ILLUMINATED <input checked="" type="checkbox"/> HANGING	WALL MOUNTED INTERIOR SINGLE FACE BACK-LIT MENU BOARD - ALUMINUM CABINET WITH SNAP FRAME RETAINERS ON ALL FOUR SIDES. - ILLUMINATION: EDGE-LIT LED - WALL MOUNTED SWIVEL BRACKET	<input type="checkbox"/> AKZO NOBEL STERLING SILVER #FLNA9137	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.
FILENAME: U1101-RHR-BL-MENU-WALL DATE: 2/25/16	SCALE: AS NOTED DGNNR: RTK/THW SALES: SHEEHY	Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.		CUSTOMER: _____ DATE: _____
		LANDLORD: _____ DATE: _____		This original design and all information herein are the property of Custom Sign Center, Inc. Artwork is subject to return if not purchased. Any unauthorized use is forbidden. © Copyright 2007 All rights reserved.

custom SIGN Center, Inc. Full Service Sign Company
 3200 Valleyview Drive
 PH: 614-279-6700
 Columbus, OH 43204
 FX: 614-279-7525

INTERIOR MENU
MODEL U0803-RIM-ILLUM CURVED
7 PANEL



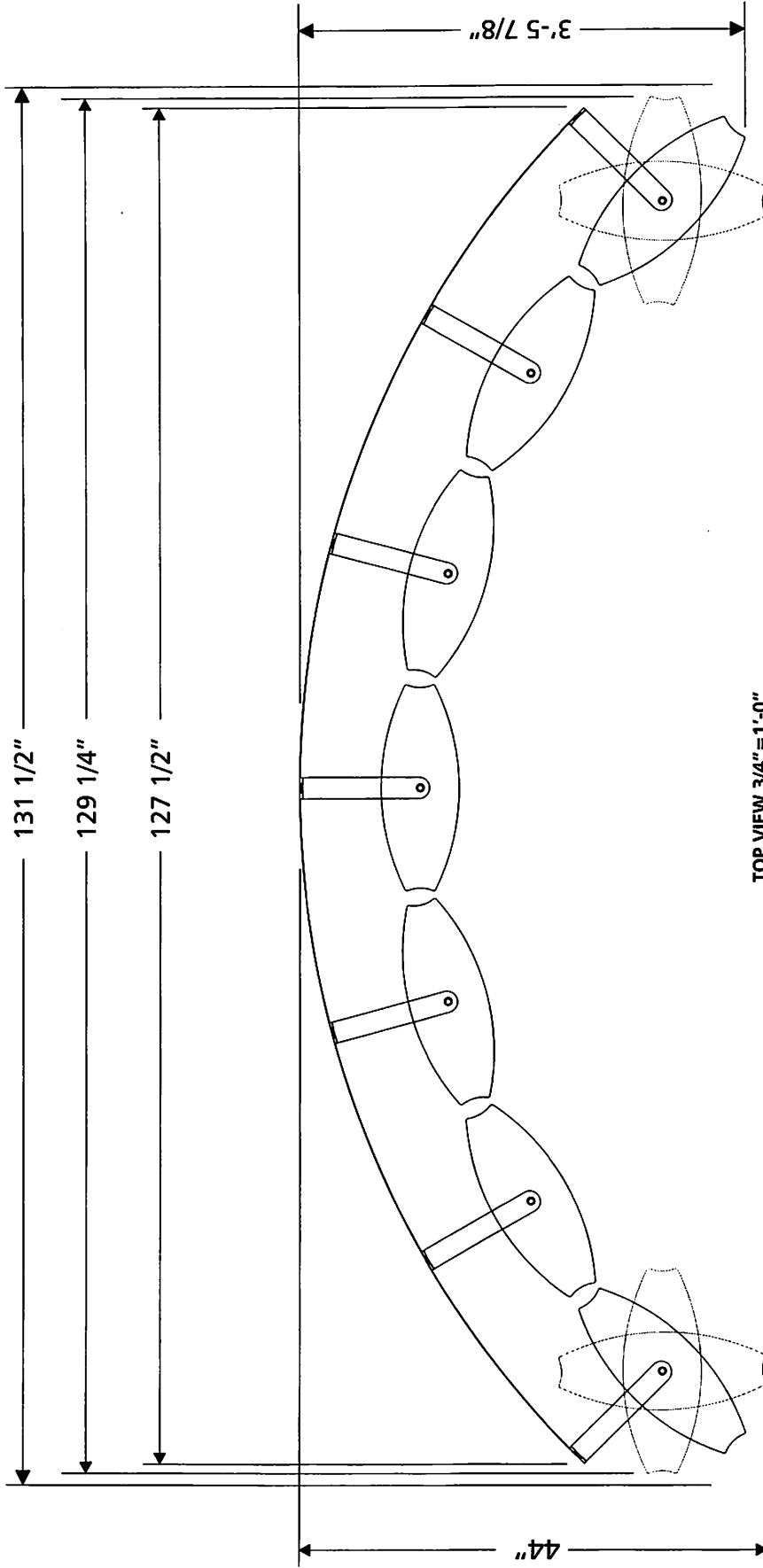
SCALE 3/4" = 1'-0"

SIGN TYPE	SPECIFICATIONS	COLORS	SIGN SURVEY	ARTWORK
<input checked="" type="checkbox"/> SINGLE FACE <input checked="" type="checkbox"/> NON-ILLUM. <input checked="" type="checkbox"/> WALL	CURVED INTERIOR MENU - 7 PANEL - EXTRUDED ALUMINUM CABINETS PAINTED SILVER - ROTATING PANELS WITH MAGNETIC STOPS - LED ILLUMINATION - POP BY OTHERS	<input type="checkbox"/> AKZO NOBEL STERLING SILVER FLNA9137	<input type="checkbox"/> FACE TRIMS <input type="checkbox"/> FASCIA COLOR <input type="checkbox"/> RADIUS DIM. <input type="checkbox"/> BUILDING DIM. <input type="checkbox"/> FACADE ANGLE <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PROVIDED <input type="checkbox"/> REQUIRED If required, customer to provide Custom Sign Center, Inc. with camera ready or appropriate digital file. Please contact your salesperson or Design Staff for appropriate file types.
FILENAME: U0803-RIM-ILLUM CURVED DATE: 3/9/15	REV# REV.DATE:	SCALE: AS NOTED DGNR: THW SALES: T. SHEEHY	Approval Signatures Required to insure that all spelling, colors, and specifications for sign(s) rendered meets customer & landlord approvals.	CUSTOMER: _____ LANDLORD: _____ DATE: _____ DATE: _____

3200 Valleyview Drive
 PH: 614-279-6700
 Columbus, OH 43204
 FX: 614-279-7525

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INTERIOR MENU
MODEL U0803-RIM-ILLUM CURVED
7 PANEL



INTERIOR CURVE MENU



PERSONAL REPRESENTATIVES' RELEASE
AND CERTIFICATE OF DISTRIBUTION OF REAL
PROPERTY
(multiple individual personal representatives)

The undersigned, FREDERICK HARDY BOWEN whose post office address is 6 Roberts Drive, Mountain Lakes, New Jersey 07046, as co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida. and DANIEL DWIGHT BOWEN, whose post office address is 170 Mitchell Street S.W., Atlanta Georgia 30303-3424, co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida ("decedent"), and as executor for the Estate of HENRIETTA BALDWIN BOWEN, File No. 202029, Fulton County, Georgia, decedent's daughter who died on January 23, 2006, respectively, hereby acknowledge that title to the real property located in Duval County, Florida, owned by the decedent at the time of death, described as follows:

Undivided one-third (1/3) interest in 2006 Park Street, Jacksonville, Florida, 32204; more particularly described as:

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside, according to Plat thereof recorded in Plat Book 1, Page 109, of the Public Records of Duval County, Florida; subject to all liens, encumbrances and restrictions of record and subject to the rights of parties in possession.

SUBJECT to any taxes or assessments levied or assessed against the said premises subsequent to December 31, 2005.

Property Appraiser's Parcel Identification Number 090885 0000, is vested one-third (1/3) interest each in FREDERICK HARDY BOWEN, individually, whose post office address is 6 Roberts Drive, Mountain Lakes, New Jersey 07046, DANIEL DWIGHT BOWEN, individually, whose post office address is 170 Mitchell Street S.W., Atlanta Georgia 30303-3424, and DANIEL DWIGHT BOWEN, whose post office address is 170 Mitchell Street S.W., Atlanta Georgia 30303-3424, as executor for the Estate of HENRIETTA BALDWIN BOWEN, File No. 202029, Fulton County,

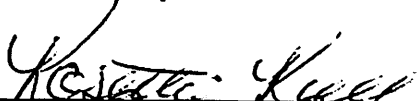
Georgia (the "Beneficiary" or "Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for Duval County, Florida, Probate Division, in File No. 16 2003 CP 000178, subject to rights of the co-personal representatives under Sections 733.607 and 733.608 of the Florida Probate Code to:

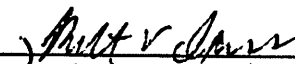
1. take possession or control of the Property, or
2. to use, sell, encumber or otherwise exercise control over the Property
 - a. for the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of the administration and
 - b. to enforce contribution and equalize advancement, or
 - c. for distribution.

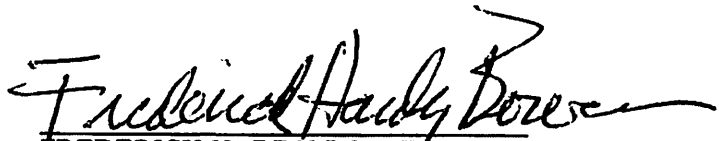
Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be released and distributed to the Beneficiary or Beneficiaries, the co-personal representatives hereby release the Property from all rights and powers of the co-personal representatives and acknowledge that the Property is vested one-third (1/3) interest each in FREDERICK HARDY BOWEN, individually, whose post office address is 6 Roberts Drive, Mountain Lakes, New Jersey 07046, DANIEL DWIGHT BOWEN, individually, whose post office address is 170 Mitchell Street S.W., Atlanta Georgia 30303-3424, and DANIEL DWIGHT BOWEN, as executor for the Estate of HENRIETTA BALDWIN BOWEN, File No. 202029, Fulton County, Georgia, whose post office address is 170 Mitchell Street S.W., Atlanta Georgia 30303-3424, free of all rights of the co-personal representatives.

IN WITNESS WHEREOF, the undersigned, as co-personal representatives of the estate of the decedent, have executed this instrument on as of April 30, 2006.

Executed in the presence of:


 Print name: Rosetta


 Print name: ROBERT

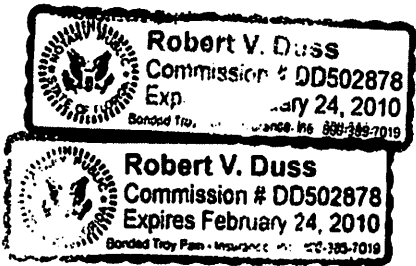

 FREDERICK HARDY BOWEN, as co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me on _____, 2006, by FREDERICK HARDY BOWEN, as a co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, deceased, File No. 16 2003 CP 000178, Duval County, Florida, who is personally known to me YES (yes or no) or who produced _____ (type of identification) as identification.

Robert V. Duss

Notary Public, State of _____
(Affix notarial seal)
My Commission Expires:
My Commission Number is:



Print name: _____

DANIEL DWIGHT BOWEN, co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida

Print name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2006, by DANIEL DWIGHT BOWEN, as co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida, who is personally known to me _____ (yes or no) or who produced _____ (type of identification) as identification.

Notary Public, State of _____
(Affix notarial seal)
My Commission Expires:
My Commission Number is:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2006, by FREDERICK HARDY BOWEN, as a co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, deceased, File No. 16 2003 CP 000178, Duval County, Florida, who is personally known to me _____ (yes or no) or who produced _____ (type of identification) as identification.

Notary Public, State of _____
(Affix notarial seal)
My Commission Expires: _____
My Commission Number is: _____

Grindya L. Williams
Print name: Grindya L. Williams

James Altman
Print name: James Altman

Daniel D. Bowen
DANIEL DWIGHT BOWEN, co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida

STATE OF Georgia
COUNTY OF Fulton

The foregoing instrument was acknowledged before me on September 12, 2006, by DANIEL DWIGHT BOWEN, as co-personal representative of the Estate of HENRIETTA BALDWIN BOWEN, File No. 16 2003 CP 000178, Duval County, Florida, who is personally known to me yes (yes or no) or who produced _____ (type of identification) as identification.

Donna R. Hampton
Notary Public, State of Georgia
(Affix notarial seal)
My Commission Expires: Notary Public, Fayette County, GA
My Commission Number is: Commission Expires January 23, 2009

[Signature]
Print name: Grindlyn L. Williams

[Signature]
Print name: James Altman

[Signature]
DANIEL DWIGHT BOWEN, as executor
of the Estate of HENRIETTA BALDWIN
BOWEN, File No.202029, Fulton County,
Georgia

STATE OF Georgia
COUNTY OF Fulton

The foregoing instrument was acknowledged before me on September 12, 2006
2006, by DANIEL DWIGHT BOWEN, as executor of the Estate of HENRIETTA BALDWIN
BOWEN, File No.202029, Fulton County, Georgia, who is personally known to me yes (yes or
no) or who produced _____ (type of identification)
as identification.

[Signature]
Notary Public, State of Georgia
(Affix notarial seal)
My Commission Expires Notary Public, Fayette County, GA
My Commission Number is: _____
Commission Expires January 23, 2009

**IN THE CIRCUIT COURT FOR DUVAL COUNTY,
FLORIDA PROBATE DIVISION**

IN RE: ESTATE OF

**HENRIETTA BALDWIN
BOWEN**

Deceased.

File No. 16-2 008 - GP - 0396

Division

DIVISION

PR-A

RECEIVED & FILED

09 FEB 26 AM 10:37

**CLERK OF CIRCUIT COURT
DUVAL COUNTY**

**ORDER OF SUMMARY ADMINISTRATION
(testate nonresident decedent)**

On the petition of DANIEL DWIGHT BOWEN and FREDERICK HARDY BOWEN for summary administration of the estate of Henrietta Baldwin Bowen, deceased, the court finding that the decedent died on January 23, 2006; that all interested persons have been served proper notice of the petition and hearing or have waived notice thereof; that the material allegations of the petition are true; that the will dated July 16, 1997, has been admitted to probate by order of this court as and for the last will of the decedent; and that the decedent's estate qualifies for summary administration and an Order of Summary Administration should be entered, it is

ADJUDGED that:

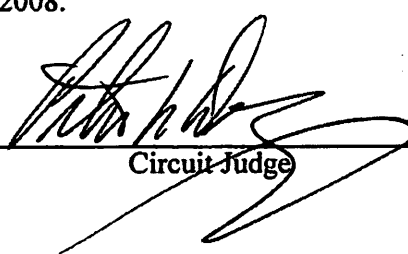
1. There be immediate distribution of the assets of the decedent as follows:

Name	Address	Asset, Share or Amount
FREDERICK HARDY BOWEN	6 Roberts Drive Mountain Lakes, NJ 07046	Fifty percent (50%) interest in the property described on Exhibit A attached hereto.
DANIEL DWIGHT BOWEN	173 Mount Vernon Drive Decatur, GA 30030	Fifty percent (50%) interest in the property described on Exhibit A attached hereto.

2. Those to whom specified parts of the decedent's estate are assigned by this order shall be entitled to receive and collect the same, and to maintain actions to enforce the right.

3. Debtors of the decedent, those holding property of the decedent, and those with whom securities or other property of decedent are registered, are authorized and empowered to comply with this order by paying, delivering, or transferring to those specified above the parts of the decedent's estate assigned to them by this order, and the persons so paying, delivering, or transferring shall not be accountable to anyone else for the property.

ORDERED on February 28, 2008.


Circuit Judge

IN THE CIRCUIT COURT FOR DUVAL COUNTY,
FLORIDA PROBATE DIVISION

IN RE: ESTATE OF

HENRIETTA BALDWIN
BOWEN

Deceased.

File No. **16-2008-CP-0396**
Division

EXHIBIT A

Undivided one-third (1/3) interest in 2006 Park Street, Jacksonville, Florida, 32204;
more particularly described as:

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to Plat thereof recorded in Plat Book 1, Page 109, of the
Public Records of Duval County, Florida; subject to all liens,
encumbrances and restrictions of record and subject to the rights of
parties in possession.

SUBJECT to any taxes or assessments levied or assessed
against the said premises subsequent to December 31, 2007.

Property Appraiser's Parcel Identification Number 090885 0000

PAID TO:
LAWYERS TITLE INSURANCE CORPORATION
8381 RAYMEADOWS ROAD, SUITE 3
JACKSONVILLE, FLORIDA 32216

6107 PG 661

OFFICIAL RECORDS

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, (the "Memorandum") is a memorandum of an unrecorded lease (hereinafter the "Lease") dated the 1st day of June, 1974, by and between Frederick Hardy Bowen and Henrietta Baldwin Bowen, of 4102 Ortega Forest, Jacksonville, Florida 32210, (hereinafter the "lessor") and Wendy's Management, Inc., Building 12, Suite 101, Perimeter Park, N.E., Atlanta, Georgia 30341, (hereinafter the "lessee"), for that certain premises located in the County of Duval and State of Florida, and being more fully described on Exhibit "A" attached hereto and made a part hereof.

The undersigned Lessor has succeeded to the interest of the lessor under the Lease and Wendy's International, Inc. has succeeded to the interest of lessee under the Lease.

For good and valuable consideration, Lessor has leased and is presently leasing to Wendy's the above-described premises for the term and under the conditions set forth in the Lease, said Lease being incorporated herein by this reference. The original term of the Lease is presently in full force and effect and expires on May 30, 1999. Lessee does not have the option to renew this lease.

This Memorandum is not a complete summary of the Lease. In the event of conflict of interpretation between this Memorandum and this Lease, the Lease would prevail. Originally executed counterparts of the Lease are in the possession of Lessor and Lessee at the addresses set forth above.

WITNESSES:

John T. Bowen
Henrietta Baldwin Bowen
John T. Bowen
Henrietta Baldwin Bowen
John T. Bowen
Henrietta Baldwin Bowen

LESSOR:

FREDERICK HARDY BOWEN,
CECILE NOEL BOWEN
MARY NOEL BOWEN GREEN

By: Frederick Hardy Bowen

By: Cecile Noel Bowen

By: Mary Noel Bowen Green

LESSEE:

WENDY'S INTERNATIONAL, INC.

By: R.E. Wallace
RONALD E. WALLACE
Vice President Site Acquisition

By: S.S. Jeska
S.S. JESKA
Vice President, Site Acquisition

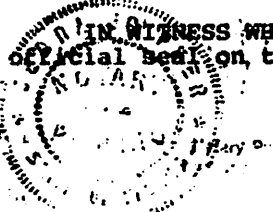
Law Dept.

1300

STATE OF FLORIDA)
COUNTY OF Duval) ss: (Individual)

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 25th day of March, 1986, before me personally appeared Freddie Henry Brown and Cecil Neil Brown Mary Nell Brown who were known to me that they were the persons described in and who executed the foregoing instrument, and who acknowledged that they executed the foregoing instrument for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.



[Signature]
Notary Public

STATE OF FLORIDA)
COUNTY OF) ss: (Corporate)

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the ___ day of ___, 1986, before me personally appeared _____ and _____, the _____ and _____ respectively of _____, a _____ corporation, who were known to me as the persons and officers described in and executed the foregoing instrument on behalf of said corporation, and who acknowledged that they held the position or title set forth in the instrument and certificate, they signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

Notary Public

STATE OF OHIO)
COUNTY OF FRANKLIN) ss:

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 26 day of March 1986, before me personally appeared Donald E. Tulke and S.S. Jeska, the VPSite Acquisition and VPSite Acquisition respectively of Wendy's International, Inc., an Ohio corporation, who were known to me as the persons and officers described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that they held the position or title set forth in the instrument and certificate, they signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

[Signature]
Notary Public

This instrument prepared by:
Dana Klein, Esq.
Wendy's International, Inc.
P.O. Box 256
4288 W. Dublin-Granville Road
Dublin, Ohio 43017

KATHLEEN REYES-MUPPER
NOTARY PUBLIC
EXPIRES 12/31/90

Those certain pieces, parcels or tracts of land situate, lying and being in the City of Jacksonville, County of Duval, State of Florida, more particularly described as follows:

Lot 10, Block 63, and Eastern 25 feet of Lot 9, Block 63, RIVERSIDE, and more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way line of Park Street with the Westerly right-of-way line of Margaret Street, being the N. E. corner of said Lot 10, Block 63, Riverside, thence along said Southerly right-of-way line of Park Street S. $76^{\circ} 09' 50''$ W. 125.0 feet; thence S $14^{\circ} 21' 10''$ E. 125.0 feet; thence N. $76^{\circ} 09' 50''$ E. 125.0 feet to the said Westerly right-of-way line of Margaret Street; thence N. $14^{\circ} 21' 10''$ W. along said Westerly right-of-way line of Margaret Street, 125.0 feet to the point of beginning.

56-30184
MAR 31 9 47 AM '96

RECORDED
MAR 31 1996
COUNTY OF DUVAL, FLA.
OFFICIAL RECORDS

EXHIBIT "A" to Lease dated June 1, 1974,
between FREDERICK HARDY BOWEN and WENDY'S
MANAGEMENT, INC.

2100

2

LAWYERS TITLE & RECORDS CORPORATION
2222 EAST 12TH AVENUE
ANN ARBOR, MICHIGAN 48106

VOL 6107 PG 664

ASSIGNMENT AND ASSUMPTION AGREEMENT

OFFICIAL RECORDS

For good and valuable consideration received by Wendy's International, Inc., an Ohio corporation (hereinafter called "Assignor"), from WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership, having a principal office at 402 E. Wilson Bridge Road, Worthington, Ohio 43085 (hereinafter called "Assignee"), Assignor does hereby assign, transfer, convey and set over unto Assignee, its successors and assigns, all of Assignor's estate, right, title and interest in, to and under that certain Lease as modified, amended, supplemented and/or extended (which Lease is hereinafter called "Lease") as set forth on Schedule A attached hereto and by this reference incorporated as a part hereof whereby the Lessor named therein leased to Assignor an interest in real property (hereinafter called the "Property") as more particularly described in Schedule B attached hereto and by this reference incorporated as part hereof.

To have and to hold the same unto Assignee, its successors and assigns, and subject to the covenants herein set forth by Assignor and the conditions therein contained and henceforth to be performed and observed.

In consideration of the said assignment and for other good and valuable consideration received by Assignee from Assignor, Assignee hereby accepts said assignment subject to and upon the terms and conditions set forth in this instrument and the Lease. Assignee hereby covenants with Assignor and Lessor and for the benefit of any assignee or successor in interest of Lessor, that Assignee, its successors and assigns, will henceforth assume and agree to keep, perform, fulfill or cause to be performed all the terms, covenants, conditions and obligations contained in said Lease which, by the terms thereof, are imposed upon Assignor and which accrue from and after the Effective Time (as defined in the Asset Purchase Agreement among Wendy's International, Inc. and Wend Coast of Florida Limited Partnership, dated March 27, 1986 (the "Agreement"), pursuant to the terms and conditions of which this Assignment and Assumption Agreement is being delivered) including, without limitation, the payment of the rent therein reserved.

2100

Assignee agrees that within five (5) days after receiving any notice from Lessor relating to performance of Assignor's or Assignee's obligations under said Lease, Assignee shall send a copy of said notice to Assignor at the above address, or to any other address Assignor from time to time may designate.

OFFICIAL RECORDS

Assignor and Assignee acknowledge that this Assignment and Assumption Agreement is being delivered pursuant and is subject to all of the terms, covenants, conditions and obligations under the Agreement, including the indemnification provisions of Article IX of the Agreement, as if Assignor and Assignee were both signatories thereto, which Agreement Assignor and Assignee hereby approve, ratify, confirm and agree to be bound by in all respects.

It is the intention of the parties hereto that this Assignment and Assumption Agreement shall become effective as of the Effective Time, 12:01 a.m. 4/1/86.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the 27 day of March, 1986.

ASSIGNOR:

WENDY'S INTERNATIONAL, INC.

Witnesses:

Deborah L. Edell

Dina Klein

Attest:

Thomas W. Barton, Jr.
Assistant Secretary

Witnesses:

Deborah L. Edell

Dina Klein

Attest:

T. R. Davis
Assistant Secretary

By:

John K. Casey
Senior Vice President
Development

ASSIGNEE:

WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership

By: WEND COAST MANAGEMENT CO., an Ohio corporation, General Partner

By: George W. Banning
Chairman

STATE OF OHIO
COUNTY OF FRANKLIN , SS:

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 27th day of March, 1986, before me personally appeared John K. Casey, the Senior Vice President - Development, of WENDY'S INTERNATIONAL INC., an Ohio corporation, who was known to me as the person and officer described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that he held the position or title set forth in the instrument and certificate, he signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

(SEAL)

Deborah L. Edel
Notary Public

Deborah L. Edel, Hancock County
Notary Public, State of Ohio
My Commission Expires April 2, 1986

STATE OF OHIO
COUNTY OF FRANKLIN , SS:

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 27th day of March, 1986, before me personally appeared George W. Banning, the Chairman of WEND COAST MANAGEMENT, INC., an Ohio corporation, the General Partner of WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership, who was known to me as the person and officer described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that he held the position or title set forth in the instrument and certificate, he signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

(SEAL)

Deborah L. Edel
Notary Public

Deborah L. Edel, Hancock County
Notary Public, State of Ohio
My Commission Expires April 2, 1986

Vol 6107 pg 667

OFFICIAL RECORDS

#058

SCHEDULE A

Lease between Frederick Hardy Bowen and Henrietta Baldwin Bowen and Wendy's International, Inc. (successor by merger to Wendy's Management, Inc.), dated June 1, 1974

Store #058 (L)

Vol 6107 pg 668

OFFICIAL RECORDS

SCHEDULE B

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to plat thereof, recorded in Plat Book 1, page 109, current public
records, Duval County, Florida.

56-30185
MAR 31 9 47 AM '86

RECORDED PUBLIC
DUVAL COUNTY, FLA.
MAR 31 1986

OFFICIAL RECORDS

ASSIGNMENT OF LESSEE'S INTEREST IN LEASE

KNOW ALL MEN BY THESE PRESENTS, that WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership (hereinafter "Wend Coast"), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by BANCOHIO NATIONAL BANK, a national banking association (hereinafter "BancOhio"), the receipt whereof is hereby acknowledged, does hereby SELL, ASSIGN, CONVEY, SET OVER AND TRANSFER to BancOhio, its successors and assigns, all of its right, title and interest under, in and to that certain Lease ("Lease"), bearing the date of June 1, 1974 between Frederick Hardy Bowen and Henrietta Baldwin Bowen as "Lessor" and Wend Coast or its predecessor as "Lessee", together with all of its right, title and interest in the real property described in said Lease and all buildings, improvements and personal property situated thereon, said real property being described in Exhibit A attached hereto and made a part hereof, subject to the covenants, conditions and provisions contained in said Lease.

This Assignment of Lessee's Interest in Lease is intended as additional security for certain loans made by BancOhio to Lessee in an amount not to exceed the principal amount of \$18,000,000 and as long as no default or event of default has occurred pursuant to the Loan and Security Agreement of even date herewith between BancOhio and Lessee, BancOhio will not exercise any of its rights as assignee of the Lease.

IN WITNESS WHEREOF, Wend Coast of Florida Limited Partnership by Wend Coast Management Co., its general partner, has hereunto set its hand this 22nd day of July, 1986. 3

Signed and acknowledged
in the presence of:

WEND COAST OF FLORIDA LIMITED
PARTNERSHIP

By: WEND COAST MANAGEMENT CO.,
Its General Partner

Robert W. Water
Robert W. Water

By: *George W. Banning*
George W. Banning,
Chairman of the Board

2030C
2006 Park Street
Jacksonville, Florida

This instrument prepared by: Jack R. Pignat, Esq.
After recording return to: Jack R. Pignat
Porter, Wright, Morris & Arthur
41 South High Street
Columbus, Ohio 43215

OFFICIAL RECORDS

STATE OF OHIO
COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 21st day of July, 1986, by George W. Banning, Chairman of the Board of Wend Coast Management Co., an Ohio corporation, on behalf of the corporation, general partner of Wend Coast of Florida Limited Partnership, an Ohio limited partnership, on behalf of the partnership.

Robert W. Werth
Notary Public

ROBERT W. WERTH
ATTORNEY AT LAW
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R.C.

CONSENT OF LESSOR

The undersigned, being the Lessor in the aforesaid Lease, hereby consents to the foregoing Assignment of Lessee's Interest in Lease. Lessor further agrees that upon any default by Lessee under the Lease it will give written notice of such default to BancOhio with a description of the nature of the default by mailing the same by United States mail, postage prepaid, certified or registered mail, return receipt requested, addressed to:

BancOhio National Bank
c/o William J. Whitley
155 East Broad Street
Columbus, Ohio 43215

BancOhio shall have twenty (20) days following receipt of such notice to remedy any monetary default or to diligently commence to remedy any non-monetary default with the remedy of said non-monetary default to be completed within an additional twenty (20) days. For so long as BancOhio remedies any defaults in accordance with the foregoing sentence Lessor will not terminate the lease (except upon termination of the lease term) and will accept performance by BancOhio of the terms of the Lease.

Dated this 19 day of July, 1986.

Frederick Hardy Bowen
FREDERICK HARDY BOWEN (Lessor)

Henrietta Baldwin Bowen
HENRIETTA BALDWIN BOWEN (Lessor)

VOL 6889 PG 0888

OFFICIAL RECORDS

Store #358 (1)

SCHEDULE B

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to plat thereof, recorded in Plat Book 1, page 109, current public
records, Duval County, Florida.

043772

FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA

APR 26 2 26 PM '90

Thompson Bank
CLERK OF DISTRICT COURT

Will Case
Bill Petty

OFFICIAL RECORDS

ASSIGNMENT OF LESSEE'S INTEREST IN LEASE

KNOW ALL MEN BY THESE PRESENTS, that WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership (hereinafter "Wend Coast"), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by WENDY'S INTERNATIONAL, INC., an Ohio corporation (hereinafter "Wendy's"), the receipt whereof is hereby acknowledged, does hereby SELL, ASSIGN, CONVEY, SET OVER AND TRANSFER to Wendy's, its successors and assigns, all of its right, title and interest under, in and to that certain Lease ("Lease"), bearing the date of June 1, 1974 between Frederick Hardy Bowen and Henrietta Baldwin Bowen as "Lessor", and Wend Coast or its predecessor as "Lessee", together with all of its right, title and interest in the real property described in said Lease and all buildings, improvements and personal property situated thereon, said real property being described in Exhibit A attached hereto and made a part hereof, subject to the covenants, conditions and provisions contained in said Lease.

This Assignment of Lessee's Interest in Lease is intended as additional security for a certain loan made by Wendy's to Lessee in an amount not to exceed the principal amount of \$3,000,000 and as long as no default or event of default has occurred pursuant to the Loan and Security Agreement of even date herewith between Wendy's and Lessee, Wendy's will not exercise any of its rights as assignee of the Lease.

IN WITNESS WHEREOF, Wend Coast of Florida Limited Partnership by Wend Coast Management Co., its general partner, has hereunto set its hand this 20th day of October, 1988.

Signed and acknowledged in the presence of:

WEND COAST OF FLORIDA LIMITED PARTNERSHIP

[Handwritten signatures]

By: Wend Coast Management Co., its general partner

By: *[Signature]*
George W. Banning,
Chairman of the Board

3

STATE OF OHIO
COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 20th day of October, 1988, by George W. Banning, Chairman of the Board of Wend Coast Management Co., an Ohio corporation, on behalf of the corporation, general partner of Wend Coast of Florida Limited Partnership, an Ohio limited partnership, on behalf of the partnership.

[Signature]
Notary Public

LINDA M. GREIDER
Notary Public, State of Ohio
My Commission Expires Mar. 26, 1991

CONSENT OF LESSOR

The undersigned, being the Lessor in the aforesaid Lease, hereby consents to the foregoing Assignment of Lessee's Interest in Lease. ~~Lessor further agrees that upon any default by Lessee under the lease it will give written notice of such default to Wendy's with a description of the nature of the default by mailing the same by~~

[Handwritten initials]
C. N. B. T.M.B.

OFFICIAL RECORDS

~~United States mail, postage prepaid, certified or registered mail, return receipt request, addressed to:~~

Wendy's International, Inc.
4288 West Dublin Granville Road
Dublin, Ohio 43017
Attention: General Counsel

Wendy's shall have twenty (20) days following receipt of such notice to remedy any monetary default or to diligently commence to remedy any nonmonetary default with the remedy of said nonmonetary default to be completed within an additional twenty (20) days. For so long as Wendy's remedies any defaults in accordance with the foregoing sentence, Lessor will not terminate the Lease (except upon termination of the lease term) and will accept performance by Wendy's ~~at the terms of the Lease.~~

The undersigned have succeeded to the interest of the Lessor under the original Lease dated the 1st day of June, 1974.

Dated this ____ day of _____, 1988.

Frederick Hardy Bowen
FREDERICK HARDY BOWEN ("Lessor")

Cecile Noel Bowen
~~HEMPHRETTA-BALDWIN-BOWEN~~ ("Lessor")
CECILE NOEL BOWEN

EX-18-10
C.N.
m.n.B.

Mary Noel Bowen Green
MARY NOEL BOWEN GREEN ("Lessor")

2006 Park Street
Jacksonville, Florida

VOL 6909 PAGE 584

OFFICIAL RECORDS

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to plat thereof, recorded in Plat Book 1, page 109, current public
records, Duval County, Florida.

057549

FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA

JUN 1 12 12 PM '90

RECORDED
Thompson
CLERK OF PUBLIC RECORDS

This instrument prepared by:
Vivian L. Opelt
Attorney at Law
4288 W. Dublin-Granville Road
Dublin, Ohio 43017

ASSIGNMENT

NOW ALL MEN BY THESE PRESENTS:

BancOhio National Bank, a national banking association, ("Assignor") in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration received from or on behalf of Wendy's of N.E. Florida, Inc., a Florida corporation ("Assignee"), at or before the ensembling and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over unto Assignee, its successors or assigns, all of Assignor's right, title and interest in the following:

1. Mortgage ("Mortgage") dated July 28, 1986, made by Wend Coast of Florida Limited Partnership ("Wend Coast") in favor of Assignor and recorded in Official Records Book 6169 at Page 480 of the Public Records of Duval County, Florida as modified by the Mortgage Modification, Security and Spreader Agreement ("Modification" of even date herewith by Wend Coast of Florida Limited Partnership in favor of Assignor and recorded in Official Records Book ^{2185# 90-57551} at Page _____ of the Public Record of _____ County, Florida and the Mortgage ("Leasehold Mortgage") dated July 28, 1986, made by Wend Coast in favor of Assignor and recorded in Official Records Book 6169 at Page 500 of the Public Records of Duval County, Florida.

2. The Assignments of Lessee's Interest in Lease dated July 28, 1986 or otherwise, ("Assignments") made by Wend Coast in favor of Assignor regarding the leases identified in Exhibit A attached hereto and made a part hereof by reference and relating to the real property identified in Exhibits B attached hereto and made a part hereof by reference.

3. Loan and Security Agreement dated July 28, 1986, by

OFFICIAL RECORDS

and among Wend Coast of Florida Limited Partnership, George Banning and Wend Coast Management Co. in favor of Assignor.

4. Term Note dated July 28, 1986 by Wend Coast of Florida Limited Partnership as maker in favor of Assignor, in the original principal amount of \$16,000,000.00.

5. Demand Note dated July 28, 1986 by Wend Coast of Florida Limited Partnership and George Banning as maker in favor of Assignor, in the original principal amount of \$2,000,000.00.

6. Notice of Recording of Foreign Judgment, Stipulation and Affidavit to Domesticate the Foreign Judgment filed under Case No. C190-1039 in the Ninth Judicial Circuit in and for Orange County, Florida.

7. UCC Financing Statement from Wend Coast of Florida Limited Partnership to Assignor recorded on July 30, 1986 as Number 1860111097 with the Florida Secretary of State.

8. UCC Financing Statement from Wend Coast of Florida Limited Partnership to Assignor, document No. 86-75431, recorded on July 30, 1986 in Official Records Book 6169 at Page 550 of the Public Records of Duval County, Florida.

9. UCC Financing Statement from Wend Coast of Florida Limited Partnership to Assignor recorded on _____ as Instrument Number _____ with the Florida Secretary of State.

10. UCC Financing Statement from Wend Coast of Florida Limited Partnership to Assignor recorded on _____ as Instrument Number _____ of the Public Records of _____ County, Florida.

11. Lessor's Estoppel Certificates obtained by Assignor for the Assignments of Lessee's Interests in Leases identified in paragraph number 2 hereof.

12. Lawyers Title Insurance Corporation Policy #82-01-301381.

13. Lawyers Title Insurance Corporation Escrow Letters set forth on Exhibit C attached hereto and made a part hereof.

OFFICIAL RECORDS

14. Two (2) Certificates of Insurance of Hazard Insurance Co. in favor of Assignor as loss payee and named insured.

15. Two (2) Mutual Life Insurance Co. of New York Policies (#1183-39-35B and #1190-31-86B) on the life of George Banning in the face amount of \$4,500,000.00 and \$1,500,000.00, respectively.

16. Collateral Assignment of Policy #1190-31-86B and ^{WCC} 1183-39-35B

17. Borrower's Certificate dated July 28, 1986 from Wend Coast of Florida Limited Partnership, George Banning and Wend Coast Management Co. in favor of Assignor.

18. Acknowledgment Letter dated July 16, 1986 from Dan B. Younker to William J. Whitley regarding the Insurance Policies from Wend Coast, George Banning and Wend Coast Management Co. to Assignor.

19. Consent to Collateral Assignment dated July 28, 1986 to Assignor from Wend Coast of Florida Limited Partnership, with the consent of Wendy's International, Inc.

20. All other instruments, documents and rights, if any, of Assignor with respect to the loan evidenced, secured or insured by the foregoing items one (1) through nineteen (19).

TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns forever.

Assignor warrants and represents as follows:

- (a) Assignor has full and complete power and authority to deliver this Assignment and said documents.
- (b) In the event Assignor receives a notice of default, or otherwise, relating to the leases which are the subject of the Mortgage, Leasehold Mortgage, Modification and/or Assignments referred to herein, Assignor shall promptly mail said notice to Assignee by overnight courier. At the request of Assignee, Assignor also agrees, on behalf of Assignee and at Assignee's cost and expense, to execute any documents or perform such other acts as reasonably required for Assignee to exercise any cure rights granted

OFFICIAL RECORDS

to Assignor in the Mortgage, Modification and/or Assignments.

This Assignment is being delivered pursuant and is subject to all of the terms and conditions of the Purchase Agreement by and between Bancohio National Bank and Wendy's International, Inc. dated May 30, 1990.

IN WITNESS WHEREOF, this instrument has been executed as of the 30th day of May, 1990.

WITNESSES:

BANCOHIO NATIONAL BANK,
a national banking association

George W. Shaw, Jr.
X. R. Langawey

By: William C Lucas
Its: VP

STATE OF Ohio
COUNTY OF Franklin, SS:

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 30th day of May, 1990, before me personally appeared William C. Lucas, Jr., the Vice President of BANCOHIO NATIONAL BANK, a national banking association, who was known to me as the person and officer described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that he held the position or title set forth in the instrument and certificate, he signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

George W. Shaw, Jr.
Notary Public



GEORGE W. SHAW, JR.
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES AUGUST 5, 1994

OFFICIAL RECORDS

EXHIBIT A

1. Lease Agreement dated November 5, 1974 between Hobart H. Joost and Rita H. Joost, Lessor and Wend Coast of Florida Limited Partnership (as successor to Wendy's Management, Inc.), Lessee.
2. Lease Agreement dated February 1, 1974 between Harold F. Stokes and Kay B. Stokes, Lessor and Wend Coast of Florida Limited Partnership (as successor to Wendy's Management, Inc.), Lessee.
3. Lease Agreement dated March 6, 1975 between William C. Demetree and Jack C. Demetree, Lessor and Wend Coast of Florida Limited Partnership (as successor to Wendy's of Jacksonville, Inc.), Lessee.
4. Lease Agreement dated January 1, 1974 between Charles L. Rodgers and Linda R. Wray, Lessor and Wend Coast of Florida Limited Partnership (as successor to Wendy's Management, Inc.), Lessee.
5. Lease Agreement dated June 1, 1974 between Frederick and Henrietta Bowen, Lessor and Wend Coast of Florida Limited Partnership (as successor to Wendy's Management, Inc.), Lessee.

OFFICIAL RECORDS

EXHIBIT B

PARCEL B

A parcel of land being a part of Farm Tract No. 3 of the DIXIE FARMS SUBDIVISION, as recorded in the current public records of Duval County, Florida, Plat Book 7, Page 12, and being more particularly described as follows:

Commence from a POINT OF REFERENCE at the intersection of the Southerly right of way of University Boulevard (an 80' R/W) with the Westerly right of way of Powers Avenue, (an 85' R/W as now established); thence run South $52^{\circ}43'32''$ W., 75.00 feet along the Southerly right of way line of University Boulevard to the Point of Beginning; thence continue South $52^{\circ}43'32''$ W., 75.00 feet along the Southerly right of way line of University Boulevard; thence South $31^{\circ}31'58''$ E., 161.0 feet; thence run North $58^{\circ}28'02''$ E., 74.25 feet; thence run North $31^{\circ}31'58''$ W., 176.0 feet, to the POINT OF BEGINNING.

1K

EXHIBIT B

OFFICIAL RECORDS

Store #073 (L)

SCHEDULE B

That certain piece, parcel or tract of land lying, situate or being a part of Tract 5, Section 18, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida, being more particularly described as follows:

For a point of reference, commence at the intersection of the Westerly Right of Way line of Blanding Boulevard (a 100 foot Right of Way as now established) with the Southerly Right of Way line of 103rd Street, County Road No. 29, formerly known as Jacksonville Heights Road (an 80' Right of Way as now established); thence South 89° 37' 00" West along the said Southerly Right of Way line of 103rd Street, a distance of 148.00 feet for the point of beginning. From the point of beginning thus described, continue South 89° 37' 00" West, along the Southerly Right of Way line of 103rd Street, a distance of 132.00 feet; thence South 0° 04' 00" East parallel to the said Westerly Right of Way line of Blanding Boulevard a distance of 225.00 feet; thence North 89° 37' 00" East parallel to the said Southerly Right of Way line of 103rd Street, a distance of 132.00 feet; thence North 0° 04' 00" West, parallel to the said Westerly Right of Way line of Blanding Boulevard a distance of 225.00 feet to the point of beginning.

EXCEPTING THEREFROM:

That certain piece, parcel or tract of land lying, situate or being a part of Tract 5, Section 18, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, page 93 of the current public records of Duval County, Florida, being more particularly described as follows:

For a point of reference, commence at the intersection of the Westerly Right of Way line of Blanding Boulevard (a 100 foot Right of Way as now established) with the Southerly Right of Way line of 103rd Street, County Road No. 29, formerly known as Jacksonville Heights Road (an 80 foot Right of Way as now established); thence South 89° 37' 00" West along the said Southerly Right of Way line of 103rd Street, a distance of 148.0 feet for the point of beginning. From the point of beginning thus described, continue South 89° 37' 00" West, along the southerly Right of Way line of 103rd Street, a distance of 132.0 feet; thence South 0° 04' 00" East parallel to the said Westerly Right of Way line of Blanding Boulevard a distance of 225.0 feet; thence North 89° 37' 00" East parallel to the said Southerly Right of Way line of 103rd Street, a distance of 132.0 feet; thence North 0° 04' 00" West, parallel to the said Westerly Right of Way line of Blanding Boulevard a distance of 225.0 feet to the point of beginning.

Lying southerly of and within 52 feet of the survey line of 103rd Street, Section 72220-2501, said survey line being described as follows:

Begin at the SW corner of Section 7, T-3-S, R-26-E, (NW corner of Section 18, T-3-S, R-26-E) run thence S 89° 53' 43" E 1317.39 feet to the end of said survey line.

Containing 1584 sq. ft. or 0.04 acre more or less, exclusive of existing road right of way.

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EXHIBIT B

WELZ 1763 0
JACKSONVILLE

OFFICIAL RECORDS

Store #040 (L)

SCHEDULE B

Lot 102, Block 131, Murray Hill Heights, according to plat thereof,
recorded in Plat Book 5, page 86 and 86A, current public records,
Duval County, Florida

EXHIBIT B

OFFICIAL RECORDS

SCHEDULE B

That certain portion of the Castro-Y-Ferrer Grant, Section 38, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the intersection of the south right-of-way line of Atlantic Boulevard (as now established as a 100 foot right-of-way) with the west right-of-way line of Penman Road (as now established as a 100 foot right-of-way) and run North $89^{\circ}46'50''$ West along said south right-of-way line of Atlantic Boulevard a distance of 453.50 feet to a point for the Point of Beginning:

From the Point of Beginning thus established, run South $6^{\circ}21'$ East a distance of 200 feet to a point; thence run North $89^{\circ}46'50''$ West, parallel to said south right-of-way line of Atlantic Boulevard, a distance of 100 feet to a point; thence run South $6^{\circ}21'$ East a distance of 200 feet to a point in said south right-of-way line of Atlantic Boulevard; thence run South $89^{\circ}46'50''$ East along said south right-of-way line of Atlantic Boulevard a distance of 100 feet to the Point of Beginning.

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EXHIBIT B

2006 WPK
JACKSONVILLE
Store 0058 (1)

OFFICIAL RECORDS

SCHEDULE B

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to plat thereof, recorded in Plat Book 1, page 109, current public
records, Duval County, Florida.

057552

FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA

JUN 1 12 12 PM '90

Therese A. Brown
CLERK OF RECORDS

EXHIBIT B

\$24.00

133606W

VOL 7235 PG 1234

OFFICIAL RECORDS

NOTICE TO CLERK: THIS ASSIGNMENT IS GIVEN IN CONNECTION WITH THE PLAN OF REORGANIZATION UNDER CHAPTER 11 OF THE UNITED STATES BANKRUPTCY CODE (THE "CODE") AND THEREFORE IS EXEMPT FROM FLORIDA DOCUMENTARY STAMP TAX PURSUANT TO §1146(c) OF THE CODE.

ASSIGNMENT AND ASSUMPTION AGREEMENT

5

For good and valuable consideration received by WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership, whose post office address is 4421 Parkbreeze Court, Orlando, Florida 32808 ("Assignor") from WENDY'S OF N.E. FLORIDA, INC., a Florida corporation, whose post office address is P. O. Box 266, 4288 West Dublin Granville Road, Dublin, Ohio 43017 ("Assignee"). Assignor does hereby assign, transfer, convey and set over unto Assignee, its successors and assigns, all of Assignor's estate, right, title and interest in, to and under the Lease with Frederick Hardy Bowen, Cecile Noel Bowen and Mary Noel Bowen Green, as Lessor, as modified, amended, supplemented, extended and/or assigned and any memorandum of lease pertaining thereto, all as set forth on Schedule A attached hereto and by this reference incorporated as a part hereof (collectively, the "Lease"). Pursuant to the Lease, the Lessor named therein has leased to Assignor the real property (the "Property") as more particularly described in Schedule B attached hereto and by this reference incorporated as a part hereof.

#1.00
Jed

To have and to hold the same unto Assignee, its successors and assigns, and subject to the covenants herein set forth by Assignee and the conditions therein contained and henceforth to be performed and observed.

This assignment is subject to (i) taxes and assessments now and hereafter due and payable, (ii) conditions, limitations, restrictions, covenants, reservations, agreements and easements of record, if any, and (iii) the mortgages, security interests, financing statements, judgment liens and other instruments held by Wendy's International, Inc., BancOhio National Bank and/or Assignee or any subsidiary, affiliate, successor or assign of Wendy's International, Inc. and/or Assignee, which effect or encumber the Lease or the Property (hereinafter collectively referred to as the "Security Instruments"), including, without limitation, those Security Instruments described on Schedule A.

Assignor and Assignee hereby acknowledge and agree that the Security Instruments shall remain in full force and effect after the execution, delivery and recording of this Assignment and Assumption Agreement and that there shall not be any merger of the leasehold interest obtained by Assignee with or into the security interest or lien of Wendy's International, Inc., BancOhio National Bank and/or Assignee or any subsidiary, affiliate, successor or assign of Wendy's International, Inc. and/or Assignee on or in the Lease and Property under the Security Instruments.

8861186170
133291
Real Estate Lease
1988 Form 6862
Jacksonville, Florida
Good Through 1994

Record + Release To
LAWYERS TITLE INS. CORP.
8354 BAYMEADOWS RD.
SUITE 3
JACKSONVILLE, FLORIDA 32256
WJI
Call

OFFICIAL RECORDS

In consideration of the said assignment and for other good and valuable consideration received by Assignee from Assignor, Assignee hereby accepts said assignment subject to and upon the terms and conditions set forth in this instrument and the Lease. Assignee hereby covenants with Assignor and Lessor, and for the benefit of any assignee or successor in interest of Lessor, that Assignee, its successors and assigns, will henceforth assume and agree to keep, perform, fulfill or cause to be performed, all the terms, covenants, conditions and obligations contained in said Lease which, by the terms thereof, are imposed upon Assignor and which accrue from and after the date hereof.

It is the intention of the parties hereto that this Assignment and Assumption Agreement shall become effective as of 12:01 a.m. on the date immediately following the date set forth above.

BE WITNESS WHEREOF, the parties hereto have executed this instrument as of the 6th day of December, 1991.

Signed, acknowledged and delivered in the presence of:

David A. Hill

Witness: Margaret G. Hill
Shirley McQuinn

Witness: Linda M. Lewis
(as to Assignor)

WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership ("Assignor")

By: Wend Coast Management Co., an Ohio corporation/Sole General Partner

By: *Kenneth W. Daisy*

Kenneth W. Daisy,
Executive Vice President

David A. Hill

Witness: Margaret G. Hill
Shirley McQuinn

Witness: Linda M. Lewis
(as to Assignee)

WENDY'S OF N.E. FLORIDA, INC., a Florida corporation ("Assignee")

By: *Raymond W. Baker*

Raymond W. Baker, Vice President

VOL 7235 PG 1236

STATE OF FLORIDA
COUNTY OF ORANGE

OFFICIAL RECORDS

The foregoing instrument was acknowledged before me this 6th day of December, 1991 by Kenneth W. Daley, Executive Vice President of Wend Coast Management Co., an Ohio corporation, on behalf of the corporation and on the corporation's behalf as sole general partner of WEND COAST OF FLORIDA LIMITED PARTNERSHIP, an Ohio limited partnership, on behalf of the partnership.



Elizabeth K. Bradshaw
Notary Public STATE OF FLORIDA AT LARGE
My Commission EXPIRES JULY 13, 1993

The foregoing instrument was acknowledged before me this 6th day of December, 1991 by Raymond W. Baker, Vice President of WENDY'S OF N.E. FLORIDA, INC., a Florida corporation, on behalf of the corporation.



Elizabeth K. Bradshaw
Notary Public STATE OF FLORIDA AT LARGE
My Commission EXPIRES JULY 13, 1993

This instrument prepared by
~~and recorded return to~~
Raymond W. Baker, Esq.
Wendy's International, Inc.
P. O. Box 298
4282 West Dublin Granville Road
Dublin, Ohio 43017

SCHEDULE A

DL7235 161237

OFFICIAL RECORDS

LESSOR: Frederick Hardy Bowen, Cecile Noel Bowen and Mary Noel Bowen Green

LESSEE: Wend Coast of Florida Limited Partnership

PROPERTY: 2006 Park Street
Jacksonville, Florida (Duval County)
Store No. 088

LEASE DOCUMENTS:

Lease Agreement dated June 1, 1974 by and between Frederick Hardy Bowen, Cecile Noel Bowen and Mary Noel Bowen Green and Wendy's International, Inc. (successor in interest to Wendy's Management, Inc.).

Memorandum of Lease by and between Frederick Hardy Bowen, Cecile Noel Bowen and Mary Noel Bowen Green and Wendy's International, Inc. as recorded on March 31, 1986 in Official Records Book 6107, Page 661 in the Circuit Court Clerk's Office of Duval County, Florida.

Assignment and Assumption Agreement dated March 27, 1988 from Wendy's International, Inc. to Wend Coast of Florida Limited Partnership as recorded on March 31, 1988 in Official Records Book 6107, Page 664 in the Circuit Court Clerk's Office of Duval County, Florida.

SECURITY INSTRUMENTS:

Assignment of Lessee's interest in Lease from Wend Coast of Florida Limited Partnership to BancOhio National Bank dated July 28, 1988 as recorded in Official Records Book 6889, Page 888 in the Circuit Court Clerk's Office of Duval County, Florida as the same was subsequently assigned to Wendy's of N.E. Florida, Inc.

Assignment of Lessee's interest in Lease from Wend Coast of Florida Limited Partnership to Wendy's International, Inc. dated October 20, 1988 as recorded in Official Records Book 6909, Page 882 in the Circuit Court Clerk's Office of Duval County, Florida.

VL7235 #01268

OFFICIAL RECORDS

Store #01 (L)

SCHEDULE B

The Easterly 25 feet of Lot 9 and all of Lot 10, Block 63, Riverside,
according to plat thereof, recorded in Plat Book 1, page 109, current public
records, Duval County, Florida.

91-0128887
FILED AND RECORDED
AT DUVAL COUNTY FLA

91 DEC 13 PM 2:58
RECORD VERIFIED
[Signature]
CLERK OF CIRCUIT COURT

SITE DEVELOPMENT SUMMARY:

SITE AREA = 0.36 ACRES
 CURRENT ZONING = CCG-1
 CCG-1 ALLOWS USE BY RIGHT
 VARIATIONS FROM RIVERSIDE/AVONDALE OVERLAY
 WILL REQUIRE REZONING TO PUD

PROPOSED BUILDING:
 USB SQE CONCEPT
 2,406 SF

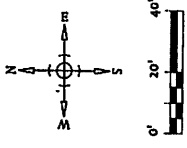
40 SEATX (INSIDE)
 10 EMPLOYEEX

REQUIRED PARKING:
 17 * 12 = 12 PARKING SPACES

PROVIDED PARKING:
 17 PARKING SPACES (INCLUDING 1 ADA)

BIKE PARKING:
 10% OF REQUIRED VEHICLE PARKING
 17 * 0.10 = 1.5 (2) SPACES PROVIDED (1 RACK, DOUBLE SIDED)

SIGNS:
 POLE SIGNS PROHIBITED WITHIN OVERLAY, MUST BE GROUND SIGN
 MAX. HT = 5'
 10' SETBACK (REQUEST WAIVER IN PUD TO REDUCE TO 5')
 MAX. AREA PER FACE = 32 SF FOR BUILDINGS LESS THAN 40,000 SF



NORTH
 85 LF
 2/2
 1/1

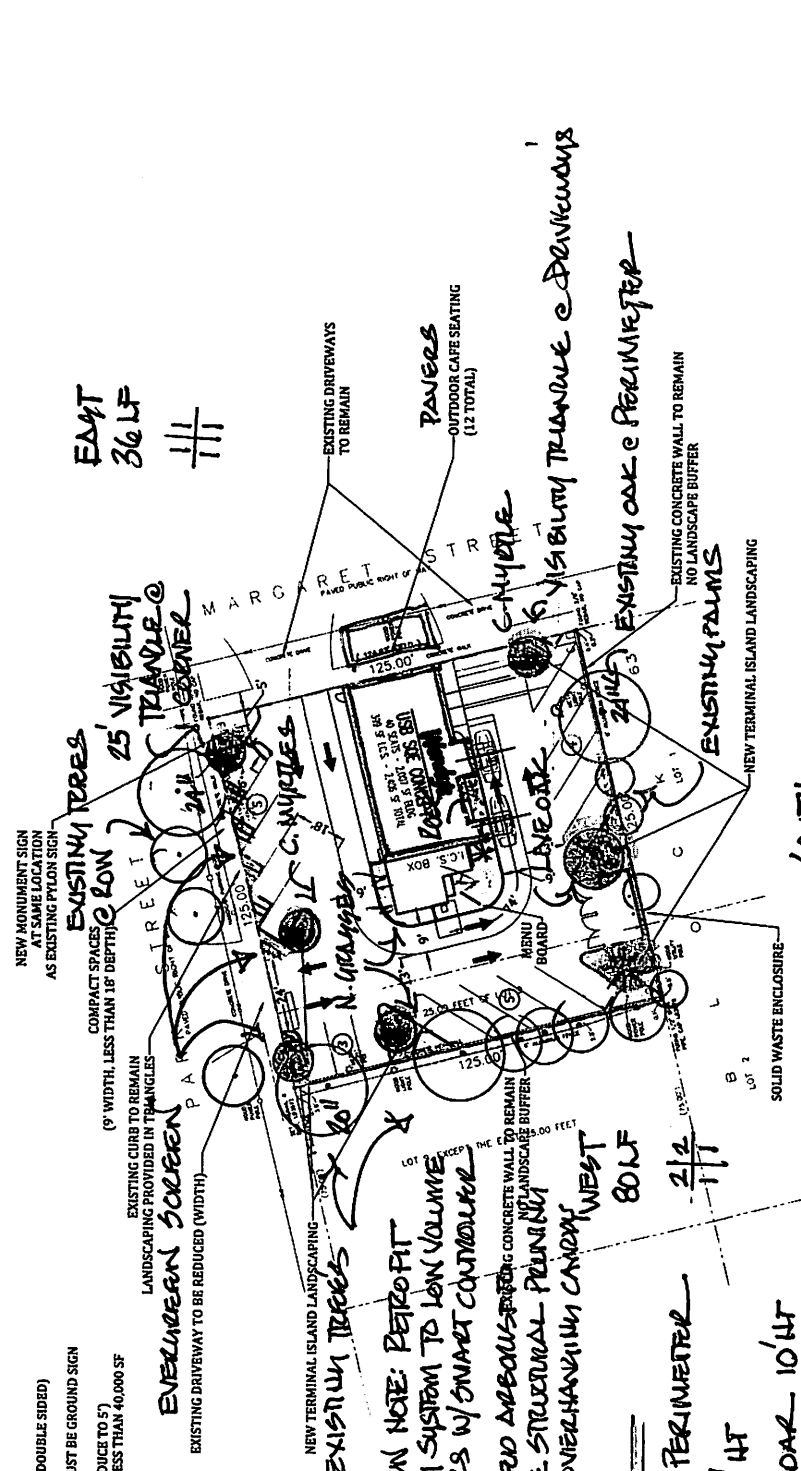
EAST
 36 LF
 1/1

SOUTH
 85 LF
 2/2
 1/1

1. REVISION NOTE: RETROFIT EXISTING SYSTEM TO LOW VOLUME ENTRANCES w/ SMART CONTROLLER
2. CERTIFIED ARBOWS FOR PROXIMATE STRUCTURAL PLANNING TO LIFT OVERHANGING CANOPY WEST

LEGEND

- EXISTING TREES & PERIMETER
- GRAPE HYDRILE 10' HT
- ✱ FIFTEEN RED CEDAR 10' HT
- LIVE OAK 10-12' HT
- ▨ EVERGREEN SCREEN 3' HT
- ▨ NATIVE GROUND COVERS



LANDSCAPE CONCEPT PLAN



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street
Jacksonville, Florida 32202-3139

Doug Skiles
Envision Design + Engineering, LLC
2002 San Marco Boulevard, Suite 203
Jacksonville, Florida, 32207

June 01, 2016

Project Name: Wendy's Park Street
Availability#: 2016-0842

Dear Mr/Mrs Doug Skiles,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

Point of Connection:

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on jea.com.

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit www.jea.com
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

Mollie Price
Water/Wastewater System Planning
(904) 904-665-7710



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC WATER SEWER RECLAIMED

Availability#: 2016-0842
 Request Received On: 6/1/2016
 Availability Response: 6/1/2016
 Prepared by: Mollie Price

Project Information

Name: Wendy's Park Street
 Type: Restaurant
 Requested Flow: 2,400 gpd
 Location: 2006 Park Street
 Parcel ID No.: 090885-0000
 Description: Demolition & reconstruction of new Wendy's fast food restaurant

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Existing water connection can be used
 Connection Point #2: Existing 6-in water line on the south side of Park St
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

Sewer Connection

Sewer Treatment Plant: SOUTHWEST
 Connection Point #1: Existing sanitary sewer connection can be used
 Connection Point #2: Existing 8-in gravity sanitary sewer line on the south side of Park St
 Special Conditions: For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

Reclaimed Water Connection

Sewer Region/Plant: North Grid
 Connection Point #1: No reclaim in the foreseeable future
 Connection Point #2: NA
 Special Conditions: No reclaim in the foreseeable future.

General Comments:

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.