



April 6, 2017

The Honorable Lori N. Boyer, President  
The Honorable Danny Becton, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2017-191** **Application for: Bennett Creek Warehouse PUD**

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairperson Becton and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission ("PC") respectfully offers this report for consideration by the Land Use and Zoning Committee ("LUZ").

● Recommendation by JPDD:  Approve  Approve with Conditions  Deny

● Recommendation by PC to LUZ:  Approve  Approve with Conditions  Deny

● This rezoning is subject to the following exhibits:

1. The original legal description dated November 1, 2016.
2. The original written description dated October 21, 2016.
3. The original site plan dated October 24, 2016.

● Recommended Planning Commission Conditions\* to the Ordinance:

1. ~~The subject property shall be developed in accordance with Section 656.1215 of the Zoning Code.~~

\*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~strikethrough~~.

● Recommended PC Conditions that can be incorporated into the Written Description: None

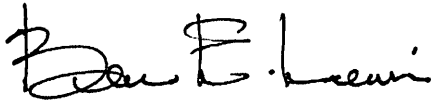
● PC Vote: 6-1

- PC Commentary: There was one speaker in opposition, who represents the adjacent property owner. Opposes the development as it is not compatible with their uses. Their company sold the land with the understanding it would be used for multi-family development.  
The agent indicated the land was previously zoned IBP-2 and the self-storage use would have been allowed by right.

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Blanchard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abel Harding, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Padgett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marshall Adkison	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Hagan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joshua Garrison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dawn Motes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis, City Planner Supervisor  
Planning and Development Department

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2017-0191**

**TO PLANNED UNIT DEVELOPMENT**

**APRIL 6, 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 2017-0191 to Planned Unit Development.

***Location:*** 0 Bowden Road,  
between Bowden Road and Bennett Creek Drive

***Real Estate Numbers:*** 152570-0250

***Current Zoning District:*** Planned Unit Development (PUD 2006-0726)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Business Park (BP)

***Planning District:*** Southeast, District 3

***Planning Commissioner:*** Daniel Blanchard

***City Council District:*** The Honorable Scott Wilson, District 4

***Applicant/Agent:*** Wyman R. Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, FL 32207

***Owner:*** Bowden Road Housing II, LTD.  
580 Village Boulevard, Suite 360  
West Palm Beach, FL 33409

***Staff Recommendation:*** **APPROVE WITH CONDITION**

**GENERAL INFORMATION**

Application for Planned Unit Development 2017-0191 seeks to rezone approximately 7.53± acres of land from PUD (2006-0726) to PUD. The property is located east of Salisbury Road and

south of Bowden Road in the Bowden Commerce Center. Bowden Commerce Center is accessed via a private roadway, Bennett Creek Drive, which runs along the subject site's southern property boundary. The property has a current zoning designation of PUD, subject to Ordinance 2006-0726, and is located in the Business Park (BP) future land use category within the Urban Development Area (UA) as designated in the *2030 Comprehensive Plan*. The current PUD zoning district allows for multi-family units and associated recreational facilities and amenities. Due to a change in market conditions, the multi-family units were never built so the majority of the site remains vacant; however, two tennis courts and a landscaped recreational area were constructed in the southeast corner of the subject parcel to be utilized by the adjacent Bennett Creek Apartments (PUD 2006-0147), located to the southeast of the subject site. The remaining adjacent parcels are zoned Industrial Business Park (IBP) and consist of office uses.

The rezoning to PUD is being sought to add the use of personal self-storage facility and related development criteria to the permitted uses for the subject site. All existing development rights and approvals under the current PUD, 2006-0726, would remain in effect.

#### **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 BP functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the *2030 Comprehensive Plan*. The proposed PUD sets out a development plan for the mostly undeveloped infill property located in the Bowden Commerce Center. The proposed PUD seeks to permit the development of a personal self-storage facility, not to exceed 129,750 square feet. The subject site is located primarily among office uses, with a multi-family apartment complex to the southeast, developed subject to PUD 2006-0147. Light industrial and warehousing uses are a permitted use in the BP land use category.

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

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 meet all portions of the City's land use regulations and further their intent by providing specific development standards.

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

*(1) Consistency with the 2030 Comprehensive Plan*

In accordance with Section 656.129 of the Zoning Code, *Advisory recommendation on amendment of Zoning Code or rezoning of land*, the subject property is within the BP functional land use category as identified in the Future Land Use Map series (FLUMs). The PUD site plan appears to be compatible with the development characteristics of the BP, Urban Area (UA) land use category description.

This proposed rezoning to Planned Unit Development is consistent with the *2030 Comprehensive Plan* including the following Future Land Use Element (FLUE) goals, objectives and policies:

**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 Policy 1.1.12**

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

**FLUE Policy 1.1.22**

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

**FLUE Policy 1.2.9**

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the

Sanitary Sewer Sub-Element.

**FLUE Goal 3**

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**FLUE Policy 3.2.1**

The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

**FLUE Policy 3.2.29**

The City shall continue to update its comprehensive inventory and mapping of industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational compatibility".

**FLUE Policy 3.2.30**

The area shown on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility" are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

**FLUE Objective 6.3**

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

The subject site is a mostly vacant infill parcel, located in the Urban Area as identified in the FLUE of the *2030 Comprehensive Plan* and is in the midst of the Bowden Commerce Center, an office park which is primarily zoned Industrial Business Park (IBP). The proposed rezoning to PUD would allow for the unique site development of a personal self-storage warehouse alongside recreational amenities (tennis courts and gazebo) associated with an abutting apartment community; the recreational uses and adjacent roadway serve as a buffer to the residential portion of the community. Due to the location of the subject site, near residential uses but among a majority of office park uses, and situated on an infill site which is well-connected to existing infrastructure, the proposed rezoning maintains a compact and compatible land use pattern. Therefore, the proposed rezoning is consistent with FLUE Policies 1.1.11, 1.1.12, 1.1.22, 3.2.1, FLUE Objective 6.3, and FLUE Goal 3. Further, the subject site is served by city water and city sewer and is located in an area identified as an "Industrial Situational Compatibility Zone" within the FLUE of the *2030 Comprehensive Plan*. Areas in this zone are deemed to be compatible with industrial uses, such as a warehousing facility. As such, the proposed rezoning is also consistent with FLUE Policies 1.2.9, 3.2.29, and 3.2.30.

The proposed rezoning has been identified as being related to the following issues identified in the *2030 Comprehensive Plan*:

**Airport Environment Zone**

The site is located within the 300 foot Height and Hazard Zone. Zoning will limit development to a maximum height of less than 300 feet, unless approved by the Jacksonville Aviation Authority (JAA) or the Federal Aviation Administration (FAA). Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

**Future Land Use Element**

**FLUE Objective 2.5**

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

**Industrial Zones**

The subject property is located within the "Industrial Situational Compatibility Zone." This zone is an area identified on the Industrial Preservation Map (Map L-23) of the FLUE of the *2030 Comprehensive Plan* as strategically located for industrial lands for future industrial expansion and economic development.

**Future Land Use Element**

**FLUE Policy 3.2.29**

The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility."

**FLUE Policy 3.2.30**

The area shown on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility" are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the *2030 Comprehensive Plan* pursuant to Chapter 650, Comprehensive Planning Ordinance.

*(2) Consistency with the Concurrency and Mobility Management System*

Pursuant to the provisions of Chapter 655 of the Ordinance Code, *Concurrency and Mobility Management System*, the development will be required to comply with all appropriate

requirements of the Concurrency and Mobility Management System Office (CMSO) prior to development approvals. The previous development agreement for the site (#17389, Bowden Road PUD) was cancelled as it expired on November 21, 2008.

*(3) Allocation of residential land use*

The proposed PUD adds a non-residential use, personal self-storage facility to the existing approved PUD, which contains multi-family uses. As such, this proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis contained within the FLUE of the *2030 Comprehensive Plan*.

*(4) Internal compatibility*

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

The existence or absence of, and the location of, open spaces, plazas, recreational areas and common areas: The proposed PUD is for a warehousing storage facility; therefore, no open space or recreational area requirements exist. However, the existing recreational amenities which serve the adjacent apartment community are expected to remain.

The use of existing and proposed landscaping: The subject site is mostly undeveloped. No landscaping exists except for a screen of street trees located approximately every 25 feet on center along the Bennett Creek Drive frontage to the south. These trees would remain, and native or ornamental vegetation, shrubs, and irrigation would also be provided along the southern boundary. Aside from this landscaping, the PUD proposes no other perimeter landscaping, no uncomplimentary buffer, and no vehicular use area interior landscaping. Staff is recommending that the proposed development comply with Section 656.1215 of the Zoning Code with regards to perimeter landscaping.

The treatment of pedestrian ways: A sidewalk is located along the southern boundary of the property along Bennett Creek Drive. Sidewalks will be provided as required by the *2030 Comprehensive Plan*.

Traffic and pedestrian circulation pattern: The property will be accessed via Bennett Creek Drive, a private roadway which connects to Salisbury Road. Access to Bowden Road is permitted via a private drive through the Bowden Commerce Center, but it is not required. A sidewalk is provided along the southern boundary of the property, along Bennett Creek Drive. Due to the proposed warehouse storage use of the site, pedestrian circulation on-site is not anticipated.

The use and variety of building setback lines, separations and buffering: The proposed development consists of a series of personal storage warehouses. Each warehouse building will be a minimum of 20 feet from the property boundaries, with the exception of the most westerly building which shall be a minimum of ten (10) feet from the property boundary. The proposed written description states that encroachments such as sidewalks, driveways, parking, signage,



utility structures, retention ponds, fences, HVAC units, and similar are permitted within the minimum building setbacks. The existing recreational amenities in the southeastern portion of the subject site are also permitted within the minimum building setbacks.

**Signage:** The PUD proposes one double-faced or two single-faced illuminated monument parcel identification signs not to exceed 24 square feet in area per sign face and eight (8) feet in height at the entrance to the development from Bennett Creek Drive. Real estate signs, directional signs, construction signs, and wall signs are all permitted and will comply with Sec. 656, Part 13 of the Zoning Code.

*(5) External Compatibility*

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

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: In general, the northern and western boundaries of the proposed site are bounded by parking which serves the office uses of Bowden Commerce Center. The eastern property line is bounded by parking and a retention pond. The southern boundary fronts Bennett Creek Drive. As such, the parking areas and roadway on the perimeter of the subject site provide appropriate buffers and transitions between the proposed primary use of the property and adjacent properties.

The type, number and location of surrounding external uses: The subject property is predominantly surrounded by IBP Zoning Districts (office park uses), with one multi-family residential PUD located to the southeast of the subject site. An existing recreation area is located in the southeastern portion of the subject site which serves as an amenity for and a buffer to the residential use. With this use as a buffer to the residential, the proposed use of a self-storage warehouse facility would be compatible with the dominant business park uses surrounding the site.

The Comprehensive Plan and existing zoning on surrounding lands: The request for the proposed PUD to develop a personal self-storage facility within the BP land use category is consistent with the adjacent uses, zoning and land use categories as shown below:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	RPI	IBP	Offices
East	RPI	IBP	Retention pond
South	RPI/BP	IBP/PUD	Offices & apartments
West	RPI	IBP	Offices

**Lighting:** The applicant has not submitted a lighting plan for the proposed development. However, the PUD states that any lighting within the PUD shall be designed and installed to localize illumination onto the property and to minimize unreasonable interference or impact on adjacent uses.

*(6) Intensity of Development*

The proposed development is consistent with the BP functional land use category and is a personal self-storage facility, not to exceed 129,750 square feet. The PUD is appropriate at this location with specific reference to the following:

The availability and location of utility services and public facilities and services: Jacksonville Electric Authority (JEA) electric, water, and sewer services are available at this location. A JEA letter of availability has been issued.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system and arteries: As shown on the proposed site plan, access to the site will be available via Bennett Creek Drive, a private local roadway which connects directly to Salisbury Road, a local road which leads to Bowden Road, a 4-lane collector roadway. Bennett Creek Drive is located approximately 800 feet to the south of Bowden Road. A collector is a surface street which provides land access and traffic circulation within residential, commercial and industrial areas. Collector roads collect and distribute traffic between local roads and arterial roads. Collectors are roadways providing service that is of relatively moderate traffic volume, moderate trip length and moderate operating speed. Access to Bowden Road may also be provided via a private drive through the Bowden Commerce Center, but it is not required as this would send traffic circulating through a parking area. Currently, there is a sidewalk along one side of Bennett Creek Drive, the side which abuts the subject site's southern boundary.

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

The proposed PUD is for a warehousing storage facility; therefore, no open space or recreational area requirements exist. However, the existing recreational amenities which serve the adjacent apartment community are expected to remain.

*(8) Impact on wetlands*

A 2005 Geographical Information Systems shape file did not identify any wetlands on the portion of the parcel subject to the PUD rezoning. However any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

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

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

Based on Part 6 of the Zoning Code, the proposed development will generate a parking demand of 65 spaces. However, parking is not likely to be a problem given that the proposed use of self-storage facility is a relatively infrequent visit for most customers. As such, the proposed PUD requests that only 55 spaces be provided on site.

*(11) Sidewalks, trails, and bikeways*

The project will be required to maintain a pedestrian system that meets the *2030 Comprehensive Plan*.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on March 17, 2017, the required Notice of Public Hearing signs were posted.



*Source: Staff, Planning and Development Department  
Date: March 17, 2017*

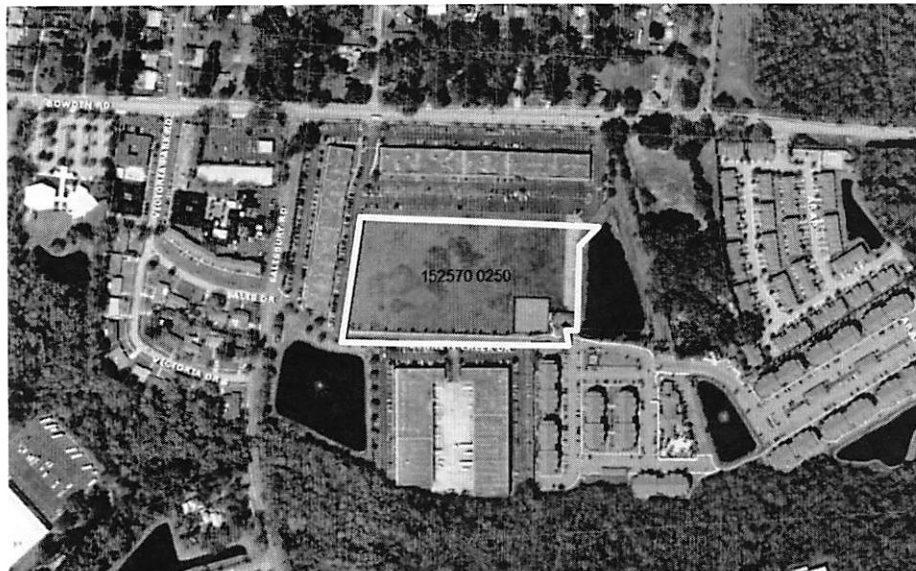
**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2017-0191 be **APPROVED** with the following exhibits:

1. The legal description dated November 1, 2016.
2. The written description dated October 21, 2016.
3. The site plan dated October 24, 2016.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2017-0191 be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. The subject property shall be developed in accordance with Section 656.1215 of the Zoning Code.



**Aerial**

*Source: Staff, Planning and Development Department  
Date: March 20, 2017*



**Subject Site, looking east**

*Source: Staff, Planning and Development Department*

*Date: March 17, 2017*



**Subject Site, looking north (office uses at northern property boundary)**

*Source: Staff, Planning and Development Department*

*Date: March 17, 2017*



**Subject Site's western property boundary – parking and office uses**  
*Source: Staff, Planning and Development Department*  
*Date: March 17, 2017*



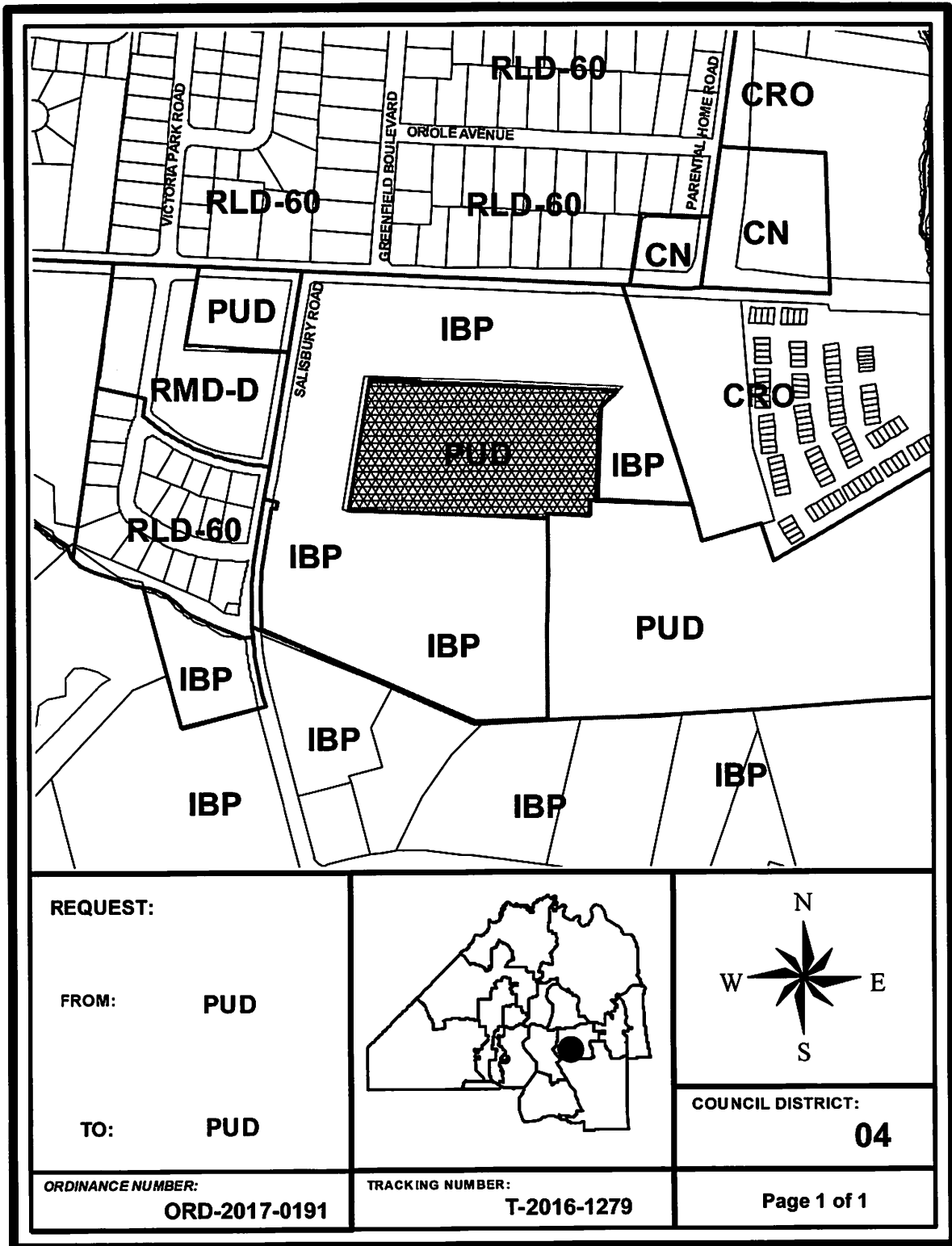
**Office uses across Bennett Creek Drive from subject site**  
*Source: Staff, Planning and Development Department*  
*Date: March 17, 2017*



**View west on Bennett Creek Drive (subject site on the right)**

*Source: Staff, Planning and Development Department*

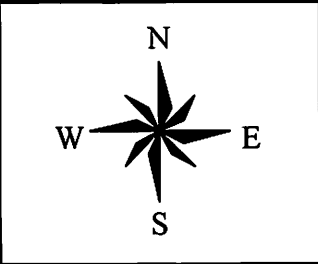
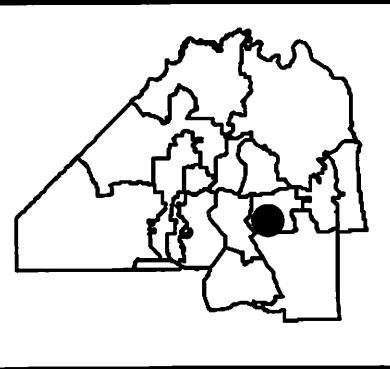
*Date: March 17, 2017*



**REQUEST:**

**FROM:** PUD

**TO:** PUD



**COUNCIL DISTRICT:**

**04**

**ORDINANCE NUMBER:**

**ORD-2017-0191**

**TRACKING NUMBER:**

**T-2016-1279**

**Page 1 of 1**



### Application For Rezoning To PUD

#### Planning and Development Department Info

**Ordinance #** 2017-0191 **Staff Sign-Off/Date** SCK / 02/09/2017  
**Filing Date** 03/02/2017 **Number of Signs to Post** 4  
**Hearing Dates:**  
**1st City Council** 04/11/2017 **Planning Comission** 04/06/2017  
**Land Use & Zoning** 04/18/2017 **2nd City Council** N/A  
**Neighborhood Association** N/A  
**Neighborhood Action Plan/Corridor Study** N/A

#### Application Info

**Tracking #** 1279 **Application Status** PAID  
**Date Started** 10/13/2016 **Date Submitted** 10/28/2016

#### General Information On Applicant

**Last Name** DUGGAN **First Name** WYMAN **Middle Name** R  
**Company Name**  
 ROGERS TOWERS, P.A.  
**Mailing Address**  
 1301 RIVERPLACE BOULEVARD, SUITE 1500  
**City** JACKSONVILLE **State** FL **Zip Code** 32207  
**Phone** 9043983911 **Fax** 9043960663 **Email** WDUGGAN@RTLAW.COM

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

**Last Name** SEE **First Name** BELOW **Middle Name**  
**Company/Trust Name**  
 BOWDEN ROAD HOUSING II, LTD.  
**Mailing Address**  
 580 VILLAGE BLVD. SUITE 360  
**City** WEST PALM BEACH **State** FL **Zip Code** 33409  
**Phone** **Fax** **Email**

#### Property Information

**Previous Zoning Application Filed For Site?**   
**If Yes, State Application No(s)** 2006-726-E  

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 152570 0250 4	4	3	PUD	PUD

Ensure that RE# is a 10 digit number with a space (##### #)  
**Existing Land Use Category**  
 BP

**Land Use Category Proposed?****If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre) 7.53****Development Number****Proposed PUD Name** BENNETT CREEK WAREHOUSE PUD**Justification For Rezoning Application**

SEE ATTACHED WRITTEN DESCRIPTION.

**Location Of Property****General Location**

SOUTHPOINT

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
0	BOWDEN RD	32216

**Between Streets**

BOWDEN ROAD and BENNETT CREEK DRIVE

**Required Attachments For Formal, Complete application**

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

- Exhibit 1** ✓ A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** ✓ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ✓ Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** ✓ Binding Letter.
- Exhibit D** ✓ Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** ✓ Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** ✓ Land Use Table
- Exhibit G** ✓ Copy of the deed to indicate proof of property ownership.

**Supplemental Information**

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

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

**Exhibit K** ✓ Site Location Map.

### Public Hearings And Posting Of Signs

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

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

### Application Certification

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

✓ Agreed to and submitted

### Filing Fee Information

- |  |                   |
|--|-------------------|
| <b>1) Rezoning Application's General Base Fee:</b>                     | \$2,269.00        |
| <b>2) Plus Cost Per Acre or Portion Thereof</b>                        |                   |
| 7.53 Acres @ \$10.00 /acre:  | \$80.00           |
| <b>3) Plus Notification Costs Per Addressee</b>                        |                   |
| 9 Notifications @ \$7.00 /each:  | \$63.00           |
| <b>4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):</b> | <b>\$2,412.00</b> |

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

**EXHIBIT A - Property Ownership Affidavit**

Date: 10/14/16

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

Re: Property Owner Affidavit for the following site location:  
RE #152570-0250

To Whom it May Concern:

I \_\_\_\_\_ hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:\*

Print Corporate Name:

Bowden Road Housing II, Ltd.

By \_\_\_\_\_

By \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: William T. FABBR:

Its: Executive VP.

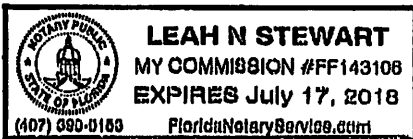
\*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 14th day of October 2016, by William T. Fabbri, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

Leah N. Stewart  
(Signature of NOTARY PUBLIC)

LEAH STEWART  
(Printed name of NOTARY PUBLIC)



State of Florida at Large.  
My commission expires: \_\_\_\_\_

**EXHIBIT B - Agent Authorization Affidavit- Property Owner**

Date: 10/14/16

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

Re: Agent Authorization for the following site location: RE #152570-0250

To Whom it May Concern:

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

If Owner is Individual:

If Owner is Corporate Entity:\*

By \_\_\_\_\_

Print Corporate Name:

Bowden Road Housing II, Ltd.

Print Name: \_\_\_\_\_

By [Signature]

Print Name: William T. Fabra

Its: Executive V.P.

\*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 14th day of October 2016, by William T. Fabra, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

[Signature]

(Signature of NOTARY PUBLIC)

LEAH STEWART  
(Printed name of NOTARY PUBLIC)



State of Florida at Large.  
My commission expires: July 17, 2018

# EXHIBIT C

## Binding Letter


City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

RE: Bennett Creek Warehouse PUD

Ladies and Gentleman:

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

Sincerely,

By:  \_\_\_\_\_

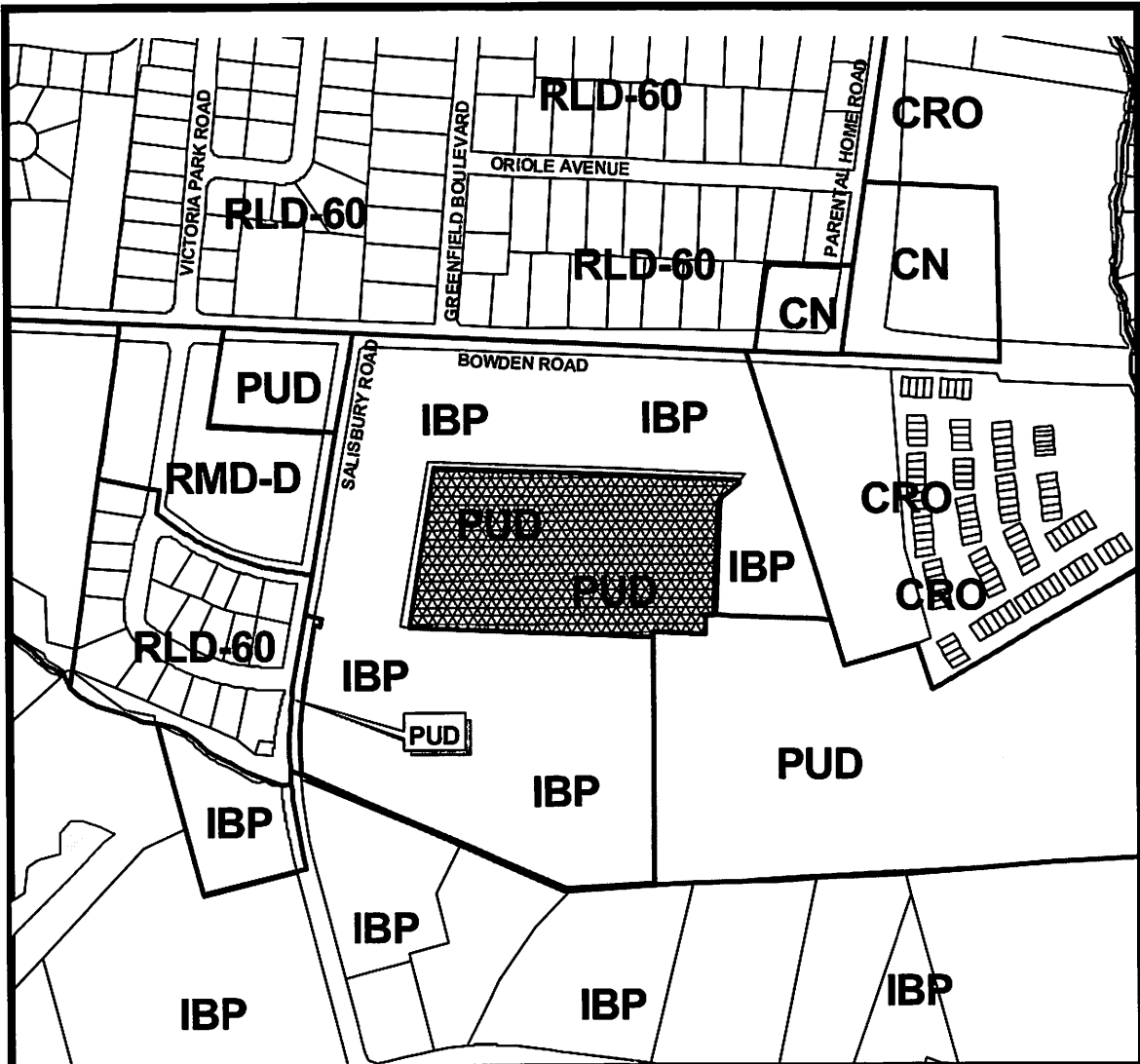
Its: Executive V.P.

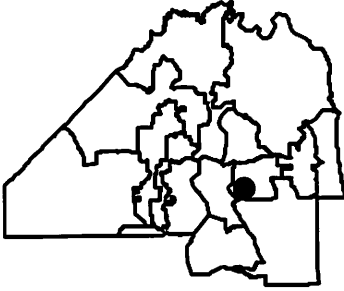


CONTAINING 7.53 ACRES MORE OR LESS

FOR POINT OF REFERENCE, COMMENCE AT THE EXTREME NORTHEASTERLY CORNER OF THOSE CERTAIN LANDS KNOWN AS "SOUTHPOINT - PHASE II", DESCRIBED IN PROTECTIVE COVENANTS RECORDED AT OFFICIAL RECORDS VOLUME 5652, PAGE 2106, OF THE PUBLIC RECORDS OF JACKSONVILLE, DUAL COUNTY, FLORIDA, AND RUN WESTERLY, ALONG THE NORTHERLY BOUNDARY OF SAID LANDS AS FOLLOWS: FIRST COURSE, S 35°03'45"W, A DISTANCE OF 175.71 FEET; SECOND COURSE, S 50°40'42"W, A DISTANCE OF 250.02 FEET; THIRD COURSE, S 86°29'32"W, A DISTANCE OF 1302.48 FEET; THENCE N 00°29'52" E, A DISTANCE OF 682.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°29'52"E, A DISTANCE OF 13.01 FEET; THENCE S 87°32'35"E, A DISTANCE OF 134.91; THENCE N 02°27'25"E, A DISTANCE OF 50.00 FEET; THENCE N 87°32'35"E, A DISTANCE OF 20.00 FEET; THENCE N-02°27'25"E, A DISTANCE OF 282.28 FEET; THENCE N 17°30'01"E, A DISTANCE OF 26.73 FEET THENCE N 48°12'54"E, A DISTANCE OF 31.51 FEET; THENCE N 48°43'30"E, A DISTANCE OF 29.04 FEET THENCE N 36°42'10"E, A DISTANCE OF 11.89 FEET; THENCE N 87°32'35"W, A DISTANCE OF 809.69 FEET; THENCE S 09°21'00"W, A DISTANCE OF 425.93 FEET; THENCE S 77°11'40"E, A DISTANCE OF 0.85 FEET; THENCE S 87°32'35"E, A DISTANCE OF 648.31 FEET TO THE POINT OF BEGINNING.

PORTIONS OF THE FRANCIS RICHARD GRANT SECTIONS 50 AND 56, TOWNSHIP 3 SOUTH, RANGE 27 EAST, JACKSONVILLE, DUAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Legal Description



REQUEST SOUGHT:		
<p>FROM: PUD</p> <p>TO: PUD</p>		<p>0 100 Feet</p>  <p>COUNCIL DISTRICT: <b>04</b></p>
<p>TRACKING NUMBER: <b>T-2016-1279</b></p>		<p>Page 1 of 1</p>



**EXHIBIT "D"**

**Bennett Creek Warehouse PUD  
Written Description  
October 21, 2016**

**I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A. Current Land Use Category: BP
- B. Current Zoning District: PUD
- C. Requested Zoning District: PUD
- D. Real Estate Number: 152570-0250

**II. SUMMARY DESCRIPTION OF THE PLAN**

The Applicant Bowden Road Housing II Ltd. proposes to rezone approximately 7.53± acres of property (the "Property") from Planned Unit Development (PUD) to PUD. The subject property is located east of Salisbury Road and south of Bowden Road in the Bowden Commerce Center, as shown on Exhibit "K", and is mostly undeveloped. The Property is more particularly described in the legal description attached as Exhibit "1" to this application.

The Property was rezoned to PUD by Ord. 2006-726-E (the Bennett Creek Multifamily Phase II PUD), which approved the development of up to 144 multifamily residential dwelling units. Due to changing market conditions, these units were not built, however, two tennis courts and a landscaped recreation area with cabana/gazebo were constructed. These amenities are utilized by the adjacent Bennett Creek Multifamily Phase I PUD approved by Ord. 2006-147-E, and these uses may remain under this PUD rezoning application. In addition, a portion of the Property is currently utilized for overflow off-street parking serving the Bowden Commerce Center. This parking will remain but will now serve the proposed warehouse development.

The purpose of this rezoning is to add a personal property storage warehouse use and related development criteria to the Property. A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan"). All existing development rights and approvals under Ord. 2006-726-E shall remain valid and in effect. This application seeks to add an alternative permitted use to the Property.

**III. PUD DEVELOPMENT CRITERIA**

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

- 1. *Permitted uses.* Personal property storage warehouse and related management/leasing office; all uses approved under Ord. 2006-726-E.

2. *Permitted accessory uses and structures.* Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code, provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures. In addition, accessory uses and structures may be located within any required uncomplimentary buffer.
3. *Minimum lot requirement (width and area).* Approximately 7.53 acres as shown on the Site Plan.
4. *Maximum lot coverage by all buildings.* Sixty-five percent (65%).
5. *Minimum Yard Requirements and Building Setbacks.* Each warehouse building shall be a minimum of twenty (20) feet from the Property boundaries, except that the northwest corner of Building A, as shown on the Site Plan, shall be a minimum of ten (10) feet from the Property boundary. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks. The existing recreational amenities previously constructed on the Property shall be permitted within the minimum building setbacks.
6. *Maximum height of structure.* Thirty-five (35) feet. Spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

**B. Overall Development Criteria.**

1. *Access.* As shown on the Site Plan, access to the site will be available via Bennett Creek Drive, a private road connecting to Salisbury Road. Access to Bowden Road is also permitted via private drive through Bowden Commerce Center, but not required.

Interior access roads/drives will be privately owned and maintained by the owner and/or an owners' association and/or a management company and may be gated. The location and design of all access points and interior access roads/drives is conceptual and the final location and design of all access points and interior access roads/drives is subject to the review and approval of the City Traffic Engineer and the City Planning and Development Department.

2. *Pedestrian Circulation.* An internal sidewalk is in place along one side of Bennett Creek Drive.

3. *Recreational/Open Space.* Not applicable, but the existing recreational amenities may remain.
4. *Parking and Loading Requirements.* The proposed 129,750 square feet of warehouse space generates a parking demand of 65 spaces per Code, and 55 spaces will be provided on the Property.
5. *Signage.* There will be one double-faced or two single-faced illuminated monument parcel identification sign(s), not to exceed twenty-four (24) square feet in area per sign face and eight (8) feet in height, at the entrance to the development from Bennett Creek Drive.

Real estate signs, directional signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Wall signs not exceeding ten (10) percent of the square footage of the occupancy frontage or respective side of a building abutting a public right-of-way or approved private street are permitted within the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

6. *Landscaping/fencing.* No uncomplimentary buffer will be required. No vehicular use area interior landscaping will be required. A screen of street trees with a minimum 4" DBH every twenty-five (25) feet on center will be provided along the Bennett Creek Drive frontage of the Property (except for the existing recreational amenity frontage), along with space for native or ornamental vegetation, shrubs, and irrigation. Otherwise, no perimeter landscaping will be provided where the Property shares a common boundary with RE #152854-0000 as of the date of approval of this application. If provided, fencing will be a minimum of six (6) feet in height and consist of 100% opaque white vinyl.
7. *Architectural Design.* Buildings (including roof types and facades), structures and signage will be constructed and painted with materials which are aesthetically compatible.
8. *Lighting.* Any lighting within the PUD shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on adjacent uses.

9. *Stormwater Retention.* The Property will utilize the existing stormwater retention/detention system serving the business park.
10. *Utilities.* Electric utility, water and sewer services will be provided by the JEA.
11. *Maintenance of Common Areas and Infrastructure.* The Property will be maintained by the owner and/or an owners' association and/or a management company.
12. *Conceptual Site Plan.* The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department. The building locations and roadways shown on the Site Plan are schematic and may change prior to development subject to the review and approval of the Planning and Development Department.
13. *Temporary Uses.* Temporary sales and leasing office(s) and/or construction trailer(s) shall be allowed to be placed on site and moved throughout the site as necessary.
14. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically listed, but similar to or associated with a listed use may be permitted by a minor modification. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.

#### IV. PUD REVIEW CRITERIA

- A. **Consistency with Comprehensive Plan:** The Property is located within the BP land use category according to the Future Land Use Map of the 2030 Comprehensive Plan, which permits the proposed use.
- B. **Roadways / Consistency with the Concurrency Management System:** The development of the Property will comply with the requirements of Development Agreement #17389 dated October 15, 1998, applicable to the Property, and/or with the requirements of the concurrency and mobility management system.
- C. **Allocation of Residential Land Use:** N/A.

- D. Internal Compatibility:** The Site Plan attached as Exhibit "E" addresses access and circulation within the site. Access to the site is permitted from Salisbury Road and Bowden Road and may be gated. Internal access will be provided by approved private roads and drives. The PUD contains special provisions for signage, landscaping, parking, and other issues. Architectural design guidelines within the PUD provide that buildings, structures and signage within the Property are constructed and painted with materials which are aesthetically compatible. Final engineering plans will be subject to review and approval of the City Traffic Engineer.
- E. External Compatibility / Intensity of Development:** The proposed development is consistent and comparable to the planned and permitted development in the area. The surrounding land use categories include RPI to the north, east, and west, and BP to the south. Zoning within the business park consists of IBP to the north, east, and west for existing warehouse facilities, and PUD (Ordinance 2006-147-E) to the south for 264 rental apartment units. The apartment units are owned by Bowden Road Housing Ltd., an affiliate entity to the applicant Bowden Road Housing II Ltd.; both entities have the same ultimate managing entity (TRG Member of FL I, LLC). The uses approved under Ord. 2006-726-E will continue to be permitted. The Property is located in a developed area with a mix of office, institutional, industrial and residential uses. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.
- F. Usable Open Spaces, Plazas, Recreation Areas:** N/A, however, the existing recreational amenities may remain.
- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.
- H. Listed Species Regulations:** Not required.
- I. Off-Street Parking & Loading Requirements:** The proposed 129,750 square feet of warehouse space generates a parking demand of 65 spaces per Code, and 55 spaces will be provided on the Property.
- J. Pedestrian Circulation System:** An internal sidewalk is in place along one side of Bennett Creek Drive.

**V. ADDITIONAL 656.341 CRITERIA**

- A. **Professional Consultants:** Planner/architect: N/A. Engineer: ETM.  
Developer: Bowden Road Housing II, Ltd.
- B. **Differences from the Usual Application of the Zoning Code:** The current development standards for the Property are as set forth in Ordinance 2006-726-E. The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and PUD Conceptual Site Plan; it provides for site-specific design standards and criteria; and it permits a unique and creative approach to the planning and development of the Property.
- C. **Land Coverage of All Buildings and Structures/Nonresidential Floor Area:** Not to exceed sixty-five percent (65%) of the Property.
- D. **Amount of Public and Private Rights of Way:** The internal circulation consists of private drives.
- E. **Operation and Maintenance of Areas and Functions:** The Property is privately owned and will remain so.



CONCEPTUAL SITE PLAN  
PROPOSED ZONING: PUD  
OCTOBER 24, 2016

GRAPHIC SCALE  
SCALE: 1" = 50'-0"

# EXHIBIT F

PUD Name

**Bennett Creek Warehouse PUD**

## Land Use Table

---

Total gross acreage	<b>7.53</b> Acres	100 %
Amount of each different land use by acreage		
Single family	<b>0</b> Acres	<b>0</b> %
Total number of dwelling units	<b>0</b> D.U.	
Multiple family	<b>0</b> Acres	<b>100</b> %
Total number of dwelling units	<b>0</b> D.U.	
Commercial	<b>0</b> Acres	<b>0</b> %
Industrial	<b>2.98</b> Acres	<b>39.5</b> %
Other land use	<b>0</b> Acres	<b>0</b> %
Active recreation and/or open space	<b>0.58</b> Acres	<b>7.7</b> %
Passive open space	<b>1.24</b> Acres	<b>16.5</b> %
Public and private right-of-way	<b>2.73</b> Acres	<b>36.3</b> %
Maximum coverage of buildings and structures	<b>129,750</b> Sq. Ft.	<b>39.5</b> %



THIS INSTRUMENT PREPARED BY  
AND RETURN TO:  
Ann L. Smith, Esq.  
Broad and Cassel  
7777 Glades Road, Suite 300  
Boca Raton, Florida 33434

Property Appraisers Folio  
Number: 152570-0100

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the 27<sup>th</sup> day of October 2006, by SEALY BOWDEN LAND, L.L.C., a Georgia limited liability company ("Grantor"), whose address is 8401 North Central Expressway, Suite 150, Dallas, Texas 75225 to BOWDEN ROAD HOUSING II, LTD., a Florida limited partnership ("Grantee"), whose post office address is % The Richman Group of Florida, Inc., The Brandywine Centre 1, 580 Village Blvd, Suite 120, West Palm Beach, Florida 33409-1953.

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee, and its successors and assigns, all that certain real property lying and being in Duval County, Florida, and more particularly described on Exhibit A attached hereto and made a part hereof ("Property").

Subject to easements, restrictions, reservations and all other matters of record, none of which Grantor seeks to reimpose, and to real property taxes and assessments for the year 2006 and thereafter.

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

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby fully warrants title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

[Signature Page Follows]

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

Signed, sealed and delivered in the presence of:

[Signature]  
Print Name: JEREMY W. DRACH

[Signature]  
Print Name: Peter Eckel

GRANTOR:

SEALY BOWDEN LAND, L.L.C., a Georgia limited liability company

By: [Signature]

Name: Mark P. Sealy

Title: Manager

Parish STATE OF Louisiana  
COUNTY OF Caddo

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of October 2006, by Mark P. Sealy, the Manager of SEALY BOWDEN LAND, L.L.C. a Georgia limited liability company, on behalf of such company, who is personally known to me or produced personally known as identification.

[Signature]  
Notary Public  
Name: Peggy Day Gill

My Commission Expires:

PEGGY DAY GILL, NOTARY PUBLIC  
CADDO PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE  
NOTARY NO. 2425



CONTAINING 7.53 ACRES MORE OR LESS

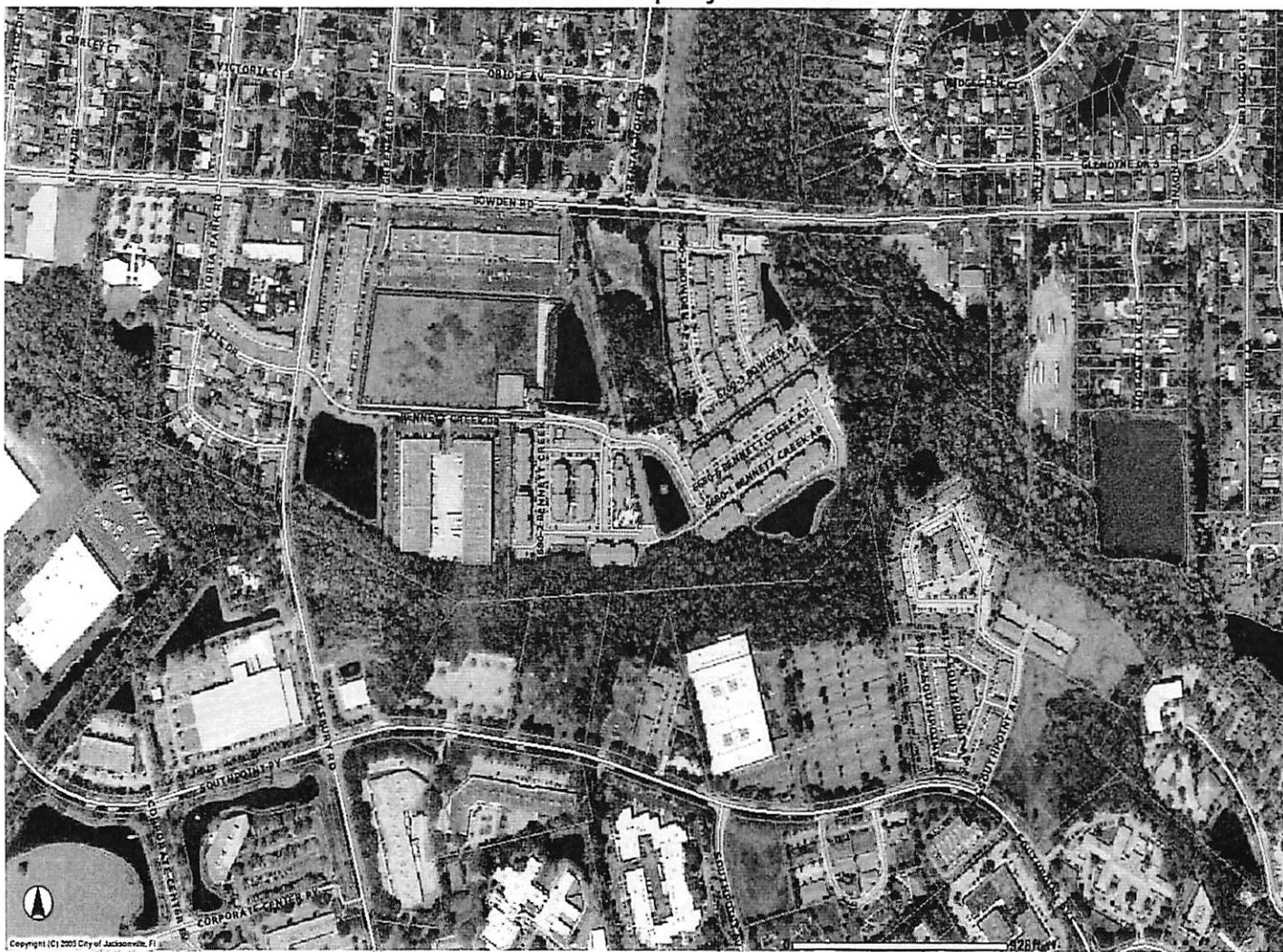
BEGINNING,  
87°32'35"E, A DISTANCE OF 648.31 FEET TO THE POINT OF  
THENCE S 77°11'40"E, A DISTANCE OF 0.85 FEET; THENCE S  
FEET; THENCE S 09°21'00"W, A DISTANCE OF 425.93 FEET;  
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DISTANCE OF 29.04 FEET THENCE N 36°42'10"E, A DISTANCE  
A DISTANCE OF 31.51 FEET; THENCE N 48°43'30"E, A  
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COURSE, S 50°40'42"W, A DISTANCE OF 250.02 FEET; THIRD  
COURSE, S 35°03'45"W, A DISTANCE OF 175.71 FEET; SECOND  
NORTHERLY BOUNDARY OF SAID LANDS AS FOLLOWS: FIRST  
DUVAL COUNTY, FLORIDA, AND RUN WESTERLY, ALONG THE  
PAGE 2106, OF THE PUBLIC RECORDS OF JACKSONVILLE,  
COVENANTS RECORDED AT OFFICIAL RECORDS VOLUME 5652,  
AS "SOUTHPOINT - PHASE II", DESCRIBED IN PROTECTIVE  
NORTHEASTERLY CORNER OF THOSE CERTAIN LANDS KNOWN  
FOR POINT OF REFERENCE, COMMENCE AT THE EXTREME

DESCRIBED AS FOLLOWS:  
PORTIONS OF THE FRANCIS RICHARD GRANT SECTIONS 50  
AND 56, TOWNSHIP 3 SOUTH, RANGE 27 EAST, JACKSONVILLE,  
DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY

Legal Description

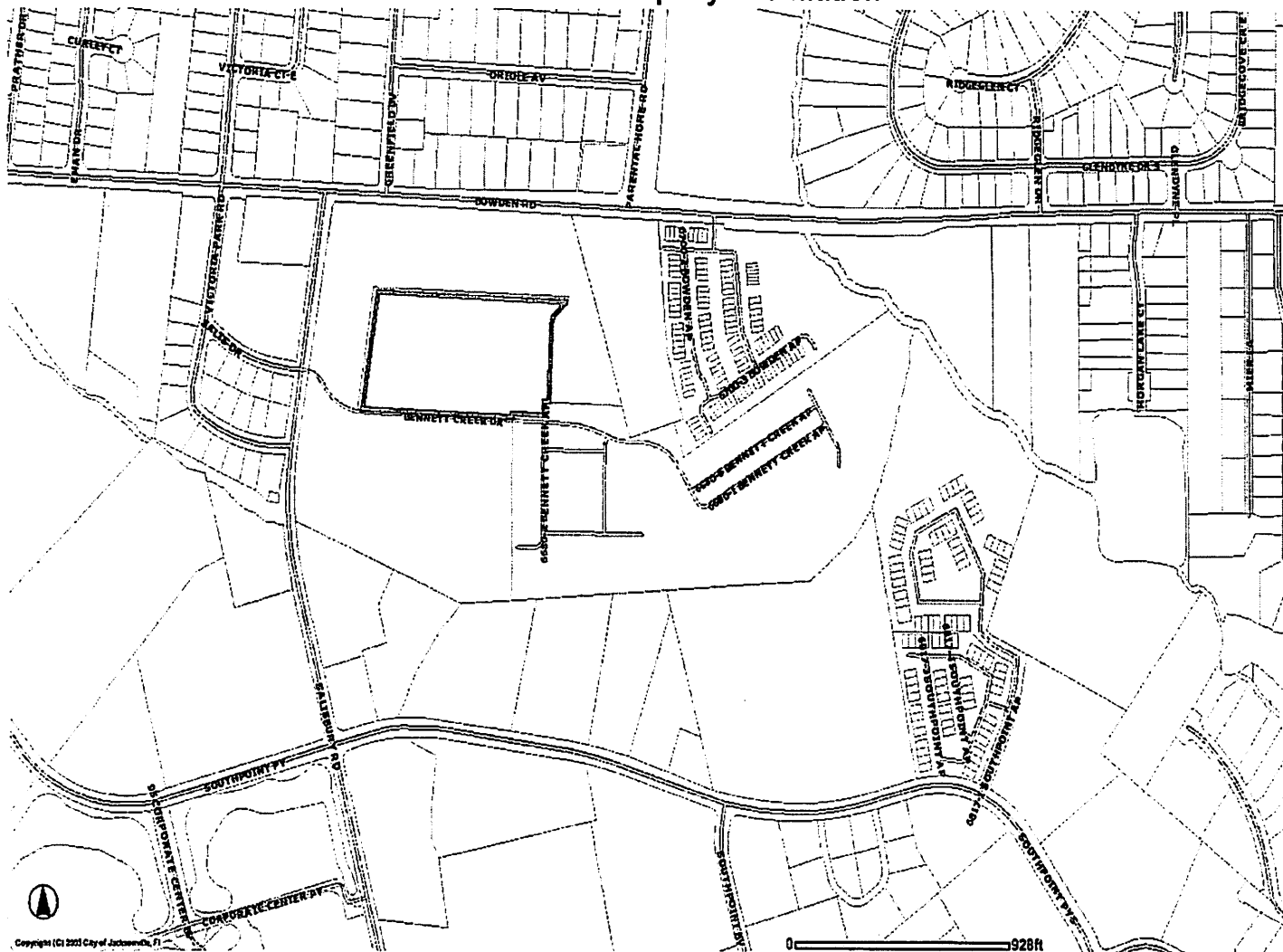
EXHIBIT "A"

### JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Pane	Legal Descriptions	Flood Zone	Ash Site	JEDC Zone	Evacuation Zone	CPAC	Noise Zone	AP#
152570 0250	BOWDEN ROAD HOUSING II LTD	0 BOWDEN RD JACKSONVILLE 32216	2334300	7.53	1362001568	7509	50-3S-27E 7.53 F RICHARD GRANT PT SECS 50,56 RECD O/R 13620-1568	NOT IN FLOOD ZONE	Not in Ash Site Zone	Not in Enterprise Zone	ZONE D	N/A / Planning Dist: 3	NA	NA

### JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Pane	Legal Descriptions	Flood Zone	Ash Site Zone	JEDC Zone	Evacuation Zone	CPAC	Noise Zone	AP#
152570 0250	BOWDEN ROAD HOUSING II LTD	0 BOWDEN RD JACKSONVILLE 32216	2334300	7.53	1362001568	7509	50-3S-27E 7.53 F RICHARD GRANT PT SECS 50,56 RECD O/R 13620-1568	NOT IN FLOOD ZONE	Not in Ash Site Zone	Not in Enterprise Zone	ZONE D	N/A / Planning Dist: 3	NA	NA

**BOWDEN ROAD HOUSING II LTD**  
 C/O THE RICHMAN GROUP OF FLORIDA  
 580 VILLAGE BLVD STE 360  
 WEST PALM BEACH, FL 33409-1953

**Primary Site Address**  
 0 BOWDEN RD  
 Jacksonville FL 32216

**Official Record Book/Page**  
 13620-01568

**File #**  
 7509

**0 BOWDEN RD**

**Property Detail**

RE #	152570-0250
Tax District	GS
Property Use	0000 Vacant Res < 20 Acres
# of Buildings	0
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	00000 SECTION LAND
Total Area	328205

**Value Summary**

	2016 Certified	2017 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$94,980.00	\$88,656.00
Land Value (Market)	\$1,722,032.00	\$1,722,032.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$1,817,012.00	\$1,810,688.00
Assessed Value	\$1,817,012.00	\$1,810,688.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$1,817,012.00	See below

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification [Learn how the Property Appraiser's Office values property.](#)

**Taxable Values and Exemptions – In Progress**

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value  
 No applicable exemptions

SJRWMD/FIND Taxable Value  
 No applicable exemptions

School Taxable Value  
 No applicable exemptions

**Sales History**

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
13620-01568	10/27/2006	\$2,334,300.00	SW - Special Warranty	Qualified	Vacant

**Extra Features**

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	TCAR5	Tennis Court Asphalt	0	120	120	14,400.00	\$79,903.00
2	CDWR2	Canopy Detached Wood	0	16	16	256.00	\$8,753.00

**Land & Legal**

Land										Legal	
LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value	LN	Legal Description
1	0101	RES MD 8-19 UNITS PER AC	PUD	0.00	0.00	Common	328,006.00	Square Footage	\$1,722,032.00	1	50-3S-27E 7.53
										2	F RICHARD GRANT
										3	PT SECS 50,56 RECD O/R 13620-1568

**Buildings**

No data found for this section

**2016 Notice of Proposed Property Taxes Notice (TRIM Notice)**

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Gov Ex B & B	\$1,817,012.00	\$0.00	\$1,817,012.00	\$20,743.99	\$20,790.07	\$20,097.42
Public Schools: By State Law	\$1,817,012.00	\$0.00	\$1,817,012.00	\$8,827.42	\$8,274.67	\$8,536.32
By Local Board	\$1,817,012.00	\$0.00	\$1,817,012.00	\$4,075.59	\$4,084.64	\$3,941.10
FL Inland Navigation Dist.	\$1,817,012.00	\$0.00	\$1,817,012.00	\$58.02	\$58.14	\$54.33
Water Mgmt Dist. SJRWMD	\$1,817,012.00	\$0.00	\$1,817,012.00	\$548.07	\$524.21	\$524.21
Gen Gov Voted	\$1,817,012.00	\$0.00	\$1,817,012.00	\$0.00	\$0.00	\$0.00
School Board Voted	\$1,817,012.00	\$0.00	\$1,817,012.00	\$0.00	\$0.00	\$0.00
Totals				\$34,253.09	\$33,731.73	\$33,153.38
	<b>Just Value</b>	<b>Assessed Value</b>	<b>Exemptions</b>	<b>Taxable Value</b>		
Last Year	\$1,812,985.00	\$1,812,985.00	\$0.00	\$1,812,985.00		
Current Year	\$1,817,012.00	\$1,817,012.00	\$0.00	\$1,817,012.00		

**2016 TRIM Property Record Card (PRC)**

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

**Property Record Card (PRC)**

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

**2016**

**2015**

**2014**

- To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: 

**More Information**

[Contact Us](#) | [Parcel Tax Record](#) | [GIS Map](#) | [Map this property on Google Maps](#) | [City Fees Record](#)

**FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS**

## Detail by Entity Name

### Florida Limited Partnership

BOWDEN ROAD HOUSING II, LTD.

### Filing Information

<b>Document Number</b>	A06000000537
<b>FEI/EIN Number</b>	20-4732415
<b>Date Filed</b>	04/19/2006
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

477 SOUTH ROSEMARY AVENUE  
STE 301  
WEST PALM BEACH, FL 33401

Changed: 04/05/2012

### Mailing Address

477 SOUTH ROSEMARY AVENUE  
STE 301  
WEST PALM BEACH, FL 33401

Changed: 04/05/2012

### Registered Agent Name & Address

NATIONAL CORPORATE RESEARCH,LTD.,INC.  
115 North Calhoun St.  
Suite 4  
Tallahassee, FL 32301

Name Changed: 03/19/2014

Address Changed: 07/07/2015

### General Partner Detail

#### **Name & Address**

Document Number L06000040356

BOWDEN ROAD HOUSING II GP, LLC  
477 SOUTH ROSEMARY AVE., SUITE 301  
WEST PALM BEACH, FL 33401



**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2014	03/19/2014
2015	03/16/2015
2016	03/01/2016

**Document Images**

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<a href="#">04/05/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
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**FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS****Detail by Entity Name****Florida Limited Liability Company**

BOWDEN ROAD HOUSING II GP, LLC

**Filing Information**

Document Number	L06000040356
FEI/EIN Number	20-4721251
Date Filed	04/18/2006
State	FL
Status	ACTIVE

**Principal Address**

477 SOUTH ROSEMARY AVENUE  
SUITE 301  
WEST PALM BEACH, FL 33401

Changed: 04/05/2012

**Mailing Address**

477 SOUTH ROSEMARY AVENUE  
SUITE 301  
WEST PALM BEACH, FL 33401

Changed: 04/05/2012

**Registered Agent Name & Address**

NATIONAL CORPORATE RESEARCH, LTD., INC.  
115 North Calhoun St.  
Suite 4  
Tallahassee, FL 32301

Name Changed: 03/19/2014

Address Changed: 07/07/2015

**Authorized Person(s) Detail****Name & Address**

Title SM

TRG Member of FL I, LLC  
477 SOUTH ROSEMARY AVE., SUITE 301  
WEST PALM BEACH, FL 33401

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2014	03/19/2014
2015	03/16/2015
2016	03/01/2016

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State of Florida, Department of State

**FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS****Detail by Entity Name****Florida Limited Liability Company**

TRG MEMBER OF FL I, LLC

**Filing Information**

Document Number	L10000047714
FEI/EIN Number	30-0626819
Date Filed	05/04/2010
State	FL
Status	ACTIVE

**Principal Address**

477 SOUTH ROSEMARY AVE  
SUITE 301  
WEST PALM BEACH, FL 33401

Changed: 03/30/2012

**Mailing Address**

477 SOUTH ROSEMARY AVE  
SUITE 301  
WEST PALM BEACH, FL 33401

Changed: 03/30/2012

**Registered Agent Name & Address**

NATIONAL CORPORATE RESEARCH, LTD., INC.  
115 North Calhoun St.  
Suite 4  
Tallahassee, FL 32301

Name Changed: 03/25/2014

Address Changed: 07/07/2015

**Authorized Person(s) Detail****Name & Address**

Title PRES

MILLER, KRISTIN M  
340 PEMBERWICK RD  
GREENWICH, CT 06831

Title EVP

FABBRI, WILLIAM T  
477 SOUTH ROSEMARY AVE  
SUITE 301  
WEST PALM BEACH, FL 33401

Title T

DANIELS, MAYA  
4350 W. CYPRESS STREET  
SUITE 340  
TAMPA, FL 33607

Title S

DODGE, GINA K  
340 PEMBERWICK ROAD  
GREENWICH, CT 06831

**Annual Reports**

Report Year	Filed Date
2015	04/01/2015
2016	03/14/2016
2016	09/14/2016

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<a href="#"><u>05/04/2010 -- Florida Limited Liability</u></a>	<a href="#">View image in PDF format</a>



ELECTRIC

WATER

SEWER

RECLAIMED

21 West Church Street  
Jacksonville, Florida 32202-3139

Paul Hutchinson  
England-Thims & Miller, Inc.  
14775 Old St. Augustine Road  
Jacksonville, Florida, 32258

November 14, 2016

Project Name: Bennett Creek Warehouse  
Availability#: 2016-1725

Dear Mr/Mrs Paul Hutchinson,

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](http://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](http://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](http://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#: 2016-1725  
 Request Received On: 11/2/2016  
 Availability Response: 11/14/2016  
 Prepared by: Mollie Price

**Project Information**

Name: Bennett Creek Warehouse  
 Type: Warehouse  
 Requested Flow: 3,893 gpd  
 Location: Bennett Creek Drive just east of Salisbury Road  
 Parcel ID No.: 152570-0250  
 Description: Construction of 129,750 SF warehouse with associated infrastructure.

**Potable Water Connection**

Water Treatment Grid: SOUTH GRID  
 Connection Point #1: Private water line on the south side of Bennett Creek Dr (see Special Conditions)  
 Connection Point #2: Existing 12-in water line on the west side of easement located approx. 0.30 west of Salisbury Rd  
 Special Conditions: In order to connect to private water line, you must have written approval from the current owners of the Bowden Road Business Park/ owner of water line. 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: ARLINGTON EAST  
 Connection Point #1: Private sewer line on the south side of Bennett Creek Dr (see Special Conditions)  
 Connection Point #2: Existing 12-in forcemain on the east side of of easement located approx. 0.30 west of Salisbury Rd  
 Special Conditions: In order to connect to private sewer line, you must have written approval from the current owners of the Bowden Road Business Park/ owner of sewer line. 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. If connection to the gravity sewer system is unavailable, then connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

**Reclaimed Water Connection**

Sewer Region/Plant: South 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.



**Duval County, City Of Jacksonville**  
**Michael Corrigan , Tax Collector**  
 231 E. Forsyth Street  
 Jacksonville, FL 32202

**General Collection Receipt**

Account No: CR391733  
 User: Kelly, Susan

Date: 11/22/2016  
 Email: KSusan@coj.net

**REZONING/VARIANCE/EXCEPTION**

Name: Wyman Duggan, Rogers Towers, P.A.  
 Address: 1301 Riverplace Blvd, Suite 1500  
 Description: PUD rezoning for T1279 - Bennett Creek Warehouse PUD

TranCode	IndexCode	SubObject	GLAcct	SubsidNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
701	PDCU011	342504									2412.00

**Total Due: \$2,412.00**

**Michael Corrigan , Tax Collector**  
**General Collections Receipt**  
**City of Jacksonville, Duval County**

Account No: CR391733**REZONING/VARIANCE/EXCEPTION**  
 Name: Wyman Duggan, Rogers Towers, P.A.  
 Address: 1301 Riverplace Blvd, Suite 1500  
 Description: PUD rezoning for T1279 - Bennett Creek Warehouse PUD

Date: 11/22/2016

**Total Due: \$2,412.00**



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    - ▷ New CR
    - ▷ New General CR
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    - ▷ TC Search
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    - ▷ User's Guide

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CR Type (Template) : REZONING/VARIANCE/EXCEPTION

CR#: 391733

Amount: \$

Name:

Paid:

Date: Range?

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Results

	CRNumber	Template	Name	Original Amount	Amount Due	Status	Created On	Status Changed	Control Number
<a href="#">View</a>	CR391733	REZONING/VARIANCE/EXCEPTION	Wyman Duggan, Rogers Towers, P.A.	\$2,412.00	\$0.00	Paid	11/22/2016	12/27/2016	798884

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ATTACHMENT

1 Introduced and amended by the Land Use and Zoning  
2 Committee:

3  
4  
5 **ORDINANCE 2006-726-E**

6 AN ORDINANCE REZONING APPROXIMATELY 7.53± ACRES  
7 LOCATED IN COUNCIL DISTRICT 4 AT 6500 BOWDEN  
8 ROAD BETWEEN BOWDEN ROAD AND SOUTHPOINT  
9 PARKWAY (PORTION OF R.E. NO. 152854-0000), AS  
10 DESCRIBED HEREIN, OWNED BY SEALY BOWDEN LAND,  
11 LLC, FROM IBP-2 (INDUSTRIAL BUSINESS PARK-2)  
12 DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT)  
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
14 ZONING CODE, TO PERMIT MULTI-FAMILY  
15 RESIDENTIAL USES, AS DESCRIBED IN THE APPROVED  
16 WRITTEN DESCRIPTION AND SITE PLAN FOR THE  
17 BENNETT CREEK MULTIFAMILY PHASE II PUD;  
18 PROVIDING AN EFFECTIVE DATE.

19  
20 **WHEREAS**, Sealy Bowden Land, LLC, the owner of approximately  
21 7.53± acres located in Council District 4 at 6500 Bowden Road  
22 between Bowden Road and Southpoint Parkway (Portion of R.E. No.  
23 152854-0000), as more particularly described in **Exhibit 1, attached**  
24 **hereto** (Subject Property), has applied for a rezoning and  
25 reclassification of that property from IBP-2 (Industrial Business  
26 Park-2) District to PUD (Planned Unit Development) District, as  
27 described in Section 1 below; and

28 **WHEREAS**, the Planning Commission has considered the  
29 application and has rendered an advisory opinion; and

1           **WHEREAS**, the Land Use and Zoning Committee, after due notice  
2 and public hearing, has made its recommendation to the Council; and

3           **WHEREAS**, the Council finds that such rezoning is: (1)  
4 consistent with the 2010 Comprehensive Plan; (2) furthers the  
5 goals, objectives and policies of the 2010 Comprehensive Plan; and  
6 (3) is not in conflict with any portion of the City's land use  
7 regulations; and

8           **WHEREAS**, the Council finds the proposed rezoning does not  
9 adversely affect the orderly development of the City as embodied in  
10 the Zoning Code; will not adversely affect the health and safety of  
11 residents in the area; will not be detrimental to the natural  
12 environment or to the use or development of the adjacent properties  
13 in the general neighborhood; and will accomplish the objectives and  
14 meet the standards of Section 656.340 (Planned Unit Development) of  
15 the Zoning Code; now therefore

16           **BE IT ORDAINED** by the Council of the City of Jacksonville:

17           **Section 1. Property Rezoned.** The Subject Property is  
18 hereby rezoned and reclassified from IBP-2 (Industrial Business  
19 Park-2) District to PUD (Planned Unit Development) District, as  
20 shown and described in the approved site plan dated June 7, 2006  
21 and written description dated July 26, 2006 for the Bennett Creek  
22 Multifamily Phase II PUD. The PUD district for the Subject  
23 Property shall generally permit multi-family residential uses, as  
24 more specifically shown and described in the approved site plan and  
25 written description, both on file as **Revised Exhibit 2** in the City  
26 Council Legislative Services Division.

27           **Section 2. Rezoning Approved Subject to Condition.** This  
28 rezoning is approved subject to the following condition:

29           (a) Development shall proceed in accordance with the Traffic  
30 Engineering Division Memorandum dated July 27, 2006, and attached  
31 hereto as **Exhibit 3**, and the Transportation Planning Division

1 Memorandum dated August 2, 2006, and attached hereto as **Exhibit 4**,  
2 or as otherwise approved by the Traffic Engineering Division and  
3 the Planning and Development Department.

4       **Section 3.       Owner and Description.**       The Subject Property  
5 is owned by Sealy Bowden Land, LLC and is legally described in  
6 **Exhibit 1.** The agent is Wyman R. Duggan, Esquire, 1301 Riverplace  
7 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 346-5502.

8       **Section 4.       Effective Date.**       The adoption of this  
9 ordinance shall be deemed to constitute a quasi-judicial action of  
10 the City Council and shall become effective upon signature by the  
11 Council President and the Council Secretary.

12  
13 Form Approved:

14  
15   /s/ Shannon K. Eller          

16 Office of General Counsel

17 Legislation Prepared By Shannon K. Eller

18 G:\shared\LEGIS.CC\2006\ord\PUD\2006-726-E.doc

**Bennett Creek Multifamily Phase II PUD**  
**Revised Written Description**  
**July 26, 2006**

**I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A. Current Land Use Category: BP
- B. Current Zoning District: IBP-2
- C. Requested Zoning District: PUD
- D. Real Estate Number: 152854-0000 (portion)

**II. SUMMARY DESCRIPTION OF THE PLAN**

The Applicant proposes to rezone approximately 7.53± acres of property (the "Property") from Industrial Business Park-2 (IBP-2) to Planned Unit Development (PUD). The subject property is located east of Salisbury Road and south of Bowden Road in the Bowden Commerce Center, as shown on Exhibit "K", and is undeveloped. The Property is more particularly described in the legal description attached as Exhibit "1" to this application.

The purpose of this rezoning is to add multifamily uses and related multifamily development criteria to the Property to permit a maximum of one hundred forty-four (144) dwelling units that may be up to forty-five (4045) feet in height. Recreational facilities for the exclusive use of the residents and their guests will be provided. A conceptual site plan of the proposed multifamily development is attached as Exhibit "E" to this application (the "Site Plan").

**III. PUD DEVELOPMENT CRITERIA**

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

- 1. *Permitted uses.* Multi-family residential condominiums and apartments, related amenities including but not limited to cabana/clubhouse, health/exercise facility, business/conference center, sales office, and similar uses; park/open space; essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and land communication devices, small satellite dishes, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code; and home occupations meeting the performance standards and development criteria set forth in Part 4 of the

2. *Permitted accessory uses and structures.* Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code, provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures. In addition, accessory uses and structures may be located within any required uncomplimentary buffer.
3. *Minimum lot requirement (width and area).* Approximately 7.53 acres as shown on the Site Plan.
4. *Maximum lot coverage by all buildings.* Thirty-five percent (35%).
5. *Minimum Yard Requirements and Building Setbacks.* Each residential building shall be a minimum of twenty (20) feet from the Property boundaries. Encroachments by sidewalks, driveways, parking, signage, utility structures, retention ponds, fences, street/park furniture, HVAC units, and other similar improvements shall be permitted within the minimum building setbacks.
6. *Maximum height of structure.* Forty (40) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

**B. Overall Development Criteria.**

1. *Access.* As shown on the Site Plan, access to the site will be available via a private road from existing access points on Salisbury Road and Bowden Road.

Interior access roads will be privately owned and maintained by the owner and/or an owners' association and/or a management company and may be gated. The location and design of all access points and interior access roads is conceptual and the final location and design of all access points and interior access roads is subject to the review and approval of the City Traffic Engineer and the City Planning and Development Department.

2. *Pedestrian Circulation.* External sidewalks will not be provided along Salisbury Road. Internal sidewalks will be provided along one side of the interior access roads. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

3. *Recreational/Open Space.* Pursuant to the Comprehensive Plan, recreational/open space will be provided at a minimum of one hundred fifty (150) square feet per unit, to include tot lots, recreation areas, and clubhouse and related amenities.
4. *Parking and Loading Requirements.* The parking and loading requirements of Part 6 of the Zoning Code will be met. Reductions in the amount of parking provided may be accomplished through an administrative modification.
5. *Signage.* There will be one double-faced or two single-faced illuminated monument parcel identification sign(s), not to exceed twenty-four (24) square feet in area per sign face and eight (8) feet in height, at the entrance to the development from the access road within Bowden Commerce Park.

Real estate signs, directional signs and construction signs in compliance with Part 13 of the Zoning Code are permitted. Temporary signs for models units are also permitted. Wall signs not exceeding ten (10) percent of the square footage of the occupancy frontage or respective side of a building abutting a public right-of-way or approved private street are permitted within the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary to the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

6. *Landscaping/fencing.* Landscaping will be provided in accordance with the requirements set forth in Part 12 of the Zoning Code; provided, however, that any required uncomplimentary buffer may overlap with the building setbacks. In addition, accessory structures may be located within any required uncomplimentary buffer. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs; fencing and irrigation.
7. *Architectural Design.* Buildings (including roof types and facades), structures and signage will be constructed and painted with materials which are aesthetically compatible.

Cellular towers, communication antennas and communication towers as described in Part 15 of the Zoning Code are prohibited within the PUD.



- Dumpsters, propane tanks, and similar appurtenances in each parcel shall be kept behind substantially opaque enclosures composed of the same material and painted the same color as the structures located on the parcel, such that the dumpster, propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.
8. *Lighting.* Lighting within the PUD shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on adjacent uses.
  9. *Stormwater Retention.* The Property will utilize the existing on-site stormwater retention/detention system serving the business park.
  10. *Utilities.* Electric utility, water and sewer services will be provided by the Jacksonville Electric Authority.
  11. *Maintenance of Common Areas and Infrastructure.* The common areas and infrastructure within the Property will be maintained by the owner and/or an owners' association and/or a management company. A separate plat may be filed for the private drives, common areas, and stormwater retention/detention areas.
  12. *Conceptual Site Plan.* The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including the internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department. The building locations and roadways shown on the Site Plan are schematic and may change prior to development subject to the review and approval of the Planning and Development Department.
  13. *Phasing.* Upon approval of the construction plans for the infrastructure improvements within the PUD, the Applicant may seek and obtain building permits for the construction of the residential and recreational buildings within the PUD prior to the recordation of the plat(s), if any.
  14. *Temporary Uses.* Temporary sales and leasing office(s) and/or construction trailer(s) shall be allowed to be placed on site and moved throughout the site as necessary.
  15. *Modifications.* Amendments to this approved PUD district may be accomplished by administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically listed, but similar

to or associated with a listed use may be permitted by a minor modification. PUD amendments, including administrative modification, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.

16. *Miscellaneous.* At least sixty (60) percent of any rental apartments will be offered for lease at the then prevailing market rate for comparable rental apartment units in southeast Jacksonville. In addition, the Applicant or its successors in interest will deposit Thirteen Thousand Six Hundred Thirty-Six and No/100 Dollars (\$13,636.00) in a special City account for Greenfield Elementary School playground equipment improvements within twenty (20) business days of the issuance of a certificate of occupancy for the proposed development.

#### IV. PUD REVIEW CRITERIA

- A. **Consistency with Comprehensive Plan:** The Property is located within the BP land use category according to the Future Land Use Map of the Comprehensive Plan, which permits multifamily residential development at a gross density of up to twenty (20) units per acre. The PUD permits a maximum of one hundred forty-four (144) units on approximately 7.53 acres and therefore is consistent with the Comprehensive Plan.
- B. **Roadways / Consistency with the Concurrency Management System:** The development of the Property will comply with the requirements of Development Agreement #17389 dated October 15, 1998, applicable to the Property.
- C. **Allocation of Residential Land Use:** This proposed development will not exceed the projected holding capacity reflected in Table L-20 of the Future Land Use Element of the 2010 Comprehensive Plan.
- D. **Internal Compatibility:** The Site Plan attached as Exhibit "E" addresses access and circulation within the site. Access to the site will be available from Salisbury Road and Bowden Road and may be gated. Internal access will be provided by approved private roads. The PUD contains special provisions for signage, landscaping, sidewalks, parking, and other issues relating to the common areas and vehicular and pedestrian traffic. Architectural design guidelines within the PUD provide that buildings, structures and signage within the Property are constructed and painted with materials which are aesthetically compatible and that dumpsters or similar appurtenances are screened from view from surrounding roadways and adjacent properties. Final engineering plans will be subject to review and approval of the City Traffic Engineer.

- E. External Compatibility / Intensity of Development:** The proposed development is consistent and comparable to the planned and permitted development in the area. The surrounding land use categories include RPI to the north, and BP to the east, west and south. Zoning within the business park consists of CRO for existing warehouse facilities, and PUD (Ordinance 2006-147-E) for 264 rental apartment units. The Property is located in a developed area with a mix of office, institutional, industrial and residential uses. The proposed PUD includes specific design and site planning features complementary to the surrounding uses and general character of the area and provides an important housing opportunity for the Southpoint business/commercial complex and for St. Luke's Hospital. Therefore, the proposed PUD is compatible in both intensity and density with the surrounding zoning districts and property uses.
- F. Usable Open Spaces, Plazas, Recreation Areas:** Pursuant to the Comprehensive Plan, recreational/open space will be provided at a minimum of one hundred fifty (150) square feet per unit unless a lesser amount is approved by the Planning and Development Department.
- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.
- H. Listed Species Regulations:** Not required.
- I. Off-Street Parking & Loading Requirements:** The parking and loading requirements of Part 6 of the Zoning Code will be met. Reductions in the amount of parking provided may be accomplished through an administrative deviation.
- J. Pedestrian Circulation System:** External sidewalks will not be provided along Salisbury Road. Internal sidewalks will be provided along one side of the interior access roads. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.



DEPARTMENT OF PUBLIC WORKS



July 27, 2006

**MEMORANDUM**

**TO:** Ben Giddens, Senior Planner  
Planning and Development Department

**FROM:** Rick Ball, Traffic Operations Superintendent  
Traffic Engineering Division

**Subject:** Bennett Creek Multi-family Phase II, PUD  
City Development No.:  
PUD R-2006-0726

Upon review of the referenced application, and based on the information provided to date, the Traffic Engineering Division has the following comments.

1. Identification signage, walls, fences and landscaping shall not obstruct horizontal sight distance as defined by Ordinance Code Section 654.106 (kk).
2. If gates are proposed for interior access roads, then an adequate public turn around area prior to gate is required.
3. Provide sidewalks as per the 2010 Comprehensive Plan and Land Development Manual.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 387-8969.

cc: Transportation Planning Division

EXHIBIT 3  
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R2006-0726 Bennett Creek Multifamily Phase II PUD



PLANNING AND DEVELOPMENT DEPARTMENT

**MEMORANDUM**

**TO:** Ed Randolph, Senior Planner  
Current Planning Division

**FROM:** Jinsan Lee, Ph.D., Senior Transportation Planner  
Transportation Planning Division

**SUBJECT:** TRANSPORTATION REVIEW OF BENNETT CREEK M/F PHASE II PUD  
R-2006-0726

**DATE:** August 2, 2006

The development is estimated to generate 1,016 average daily trips with 97 p.m. peak hour trips for 144 dwelling units of apartments.

The proposed development would adversely impact Bowden Road, which is currently operating at level of service "F".

The applicant will be required to enter into a Fair Share Agreement.

**cc:** Lawrence Kiefer, Chief  
Traffic Engineering Division

EXHIBIT 4  
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