

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-446 TO

PLANNED UNIT DEVELOPMENT

AUGUST 3, 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 2017-446 to Planned Unit Development.

Location: 13535 Beaver Street between Otis Road and Winn-Dixie Parkway

Real Estate Number(s): 001735-0030

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

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southwest, District 4

Applicant/Agent: Tony Ringler
Taylor & White, Inc.
9556 Historic Kings Road South, Suite 102
Jacksonville, Florida 32257

Owner: David Milward
The Trails, Inc.
13535 Beaver Street West
Jacksonville, Florida 32220

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2017-446 seeks to rezone approximately 2.11 acres of land from CCG-1 and AGR to PUD. The rezoning to PUD is being sought so that the property can be developed with a single family residential dwelling in the existing structure and

commercial recreational facilities on the remaining property. Specifically, there will be three paint ball fields. A Christmas village or haunted house is also anticipated. It is estimated the structure was originally constructed in the 1800's with several additions over the decades. Purported uses include a way station, general store, inn, boarding house and antiques store.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

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

Principal Uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; and Filling stations. Residential uses shall not be the sole use and shall not exceed 80 percent of a development. Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma

centers; Building trade contractors; Rescue missions; and Day labor pools.

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

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

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

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

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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

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

The CGC Land Use Category prohibits residential uses on the ground floor abutting roads classified as arterials or higher on the Functional Highway Classification Map. Beaver Street is classified as a principal arterial roadway; however the residential unit will be on the second floor.

(2) Consistency with the Concurrency Mobility and Management System

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

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a mixed use development containing one single family dwelling and commercial recreational facilities. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

Traffic and pedestrian circulation patterns: The site plan shows adequate vehicular circulation for the proposed uses.

The use and variety of building sizes and architectural styles: the structure has been enlarged over the years, each in a different style. The most predominate style is "Spanish Colonial". The application does not mention whether the architecture of the building may be modified in the future.

The particular land uses proposed and the conditions and limitations thereon: The written description limits seasonal activities to 90 days.

Compatible relationship between land uses in a mixed use project: The owner intends to live on the property and manage the proposed uses. This will limit the potential problems that may result from the proposed uses.

(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: The written description contains a restriction limiting seasonal events to 90 days for each occurrence. This will reduce the potential that the seasonal events will create adverse impacts to the surrounding area.

The type, number and location of surrounding external uses: The proposed development is located in a rural area which is largely undeveloped. A mixed use development at this location will present an opportunity to renovate an historic structure and provide commercial recreational opportunities.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	AGR	Undeveloped
	CGC	CCG-1	Undeveloped
South	AGR-iv	AGR	Undeveloped
	CGC	CCG-1	Undeveloped
East	CGC	CCG-1	Undeveloped
West	AGR-iv	AGR	Undeveloped
	LI	PUD (07-1057)	Undeveloped, proposed commercial uses

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a mixed use development containing one single family dwelling and commercial recreational facility. A mixed use development at this location will present an opportunity to renovate an historic structure and provide commercial recreational opportunities.

The existing residential density and intensity of use of surrounding lands: The nearest residential dwelling is approximately 400 feet to the east. The nearest concentrated residential dwellings are 2000 feet to the east.

The availability and location of utility services and public facilities and services: JEA indicates that water and sanitary sewer are available to the site. The agent requested availability based on two sinks and two toilets. The Department of Health will determine if the development must connect to JEA or have on-site septic. A private pump station is required for the sewer

connection.

(7) Usable open spaces plazas, recreation areas.

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

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. 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.

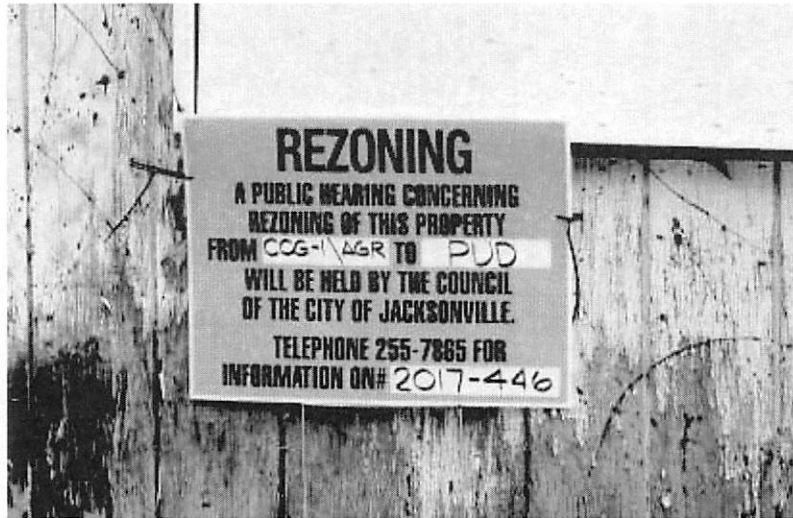
The written description provides a parking ratio of one space for each 2500 square feet of paint ball fields. There is approximately 27,400 square feet for those fields resulting in 11 parking spaces. The owner does have a lease agreement with the property to the east for additional parking.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 19, 2017, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2017-446 be **APPROVED with the following exhibits:**

1. The original legal description dated May 5, 2017.
2. The original written description dated April 18, 2017.
3. The original site plan dated April 18, 2017.



Aerial view of property



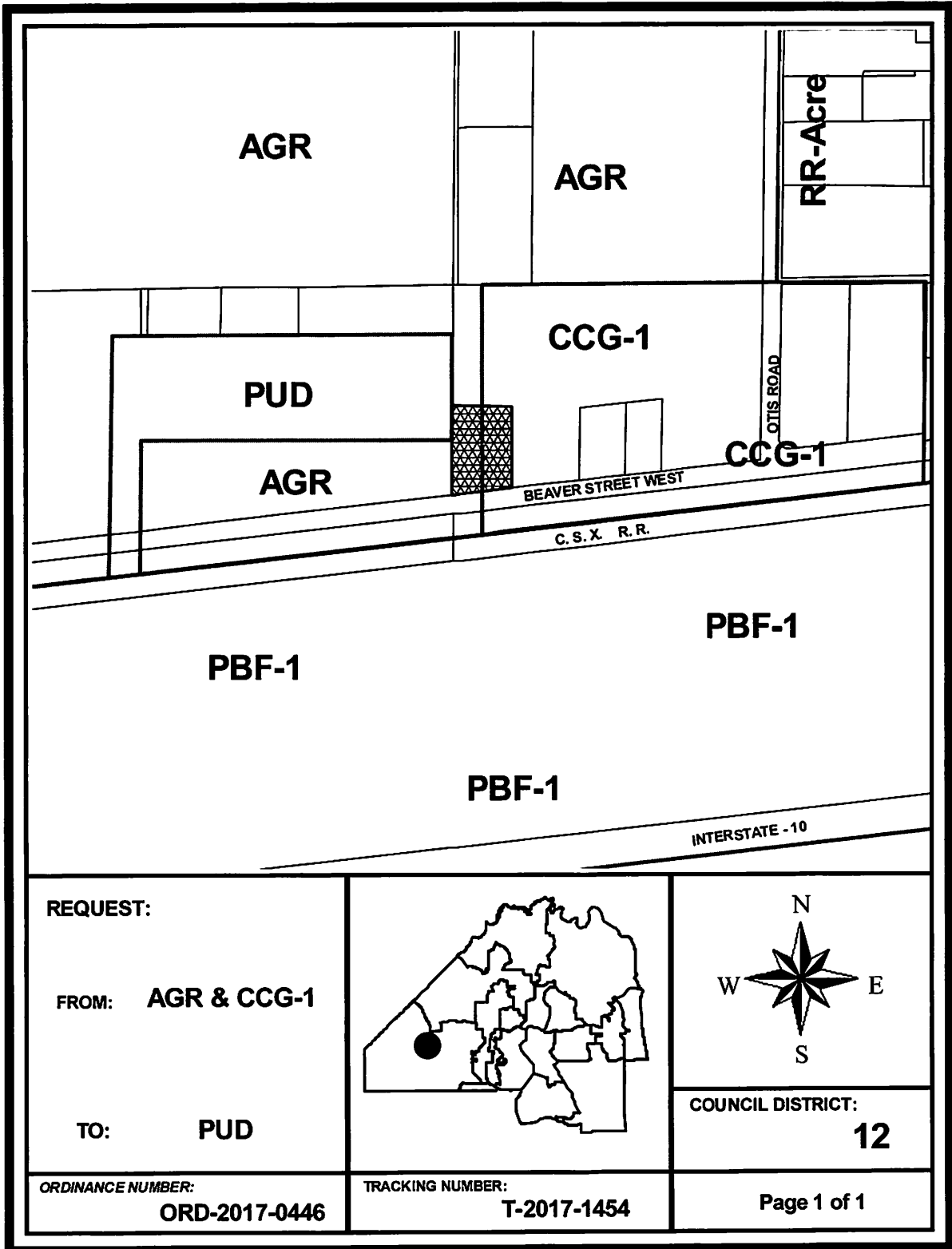
View of existing structure



View of subject property



View along Beaver Street



PLANNING AND DEVELOPMENT DEPARTMENT



MEMORANDUM

DATE: 7/24/2017

TO: Bruce Lewis
City Planner II

FROM: Soliman Peter Salem
City Planner Supervisor

SUBJECT: TRANSPORTATION REVIEW OF 2017-0446 OLD SPANISH TRAIL PUD

Beaver Street/US-90 (State Road-10), from the Eastern City Limit to Otis Road, is the directly accessed functionally classified roadway. Beaver Street is a 2-lane undivided Urban Highway in this vicinity and is currently operating at 23.75% of capacity. This proposal is for 8,750 square feet of ITE 435 Multipurpose Recreational Facility, which would generate 191 vpd. This Beaver Street segment has a maximum daily capacity of 24,200 vpd and a 2016 daily traffic volume of 5,700.

*Access to this site via Beaver Street/US-90 must be subject to FDOT access management requirements, and the applicant must request official comments from FDOT regarding parking regulations along Beaver Street/US-90 in the event of excessive parking demand.

Application For Rezoning To PUD**Planning and Development Department Info****Ordinance #** 2017-0446 **Staff Sign-Off/Date** BEL / 06/05/2017**Filing Date** 06/21/2017 **Number of Signs to Post** 1**Hearing Dates:****1st City Council** 06/06/2017 **Planning Commission** 08/03/2017**Land Use & Zoning** 08/15/2017 **2nd City Council** N/A**Neighborhood Association** NONE**Neighborhood Action Plan/Corridor Study** NONE**Application Info****Tracking #** 1454**Application Status** PENDING**Date Started** 05/05/2017**Date Submitted** 05/08/2017**General Information On Applicant****Last Name**

RINGLER

First Name

TONY

Middle Name**Company Name**

TAYLOR & WHITE, INC.

Mailing Address

9556 HISTORIC KINGS ROAD SOUTH, SUITE 102

City

JACKSONVILLE

State

FL

Zip Code 32257**Phone**

9043460671

Fax

904

Email

TONY.RINGLER@TAYLORANDWHITE.COM

General Information On Owner(s) **Check to fill first Owner with Applicant Info****Last Name**

MILWARD

First Name

DAVID

Middle Name**Company/Trust Name**

THE TRAILS, INC.

Mailing Address

13535 BEAVER STREET WEST

City

JACKSONVILLE

State

FL

Zip Code

32220

Phone**Fax****Email****Property Information****Previous Zoning Application Filed For Site?** **If Yes, State Application No(s)****Map**RE#
001735 0030**Council District**
12**Planning District**
4**From Zoning District(s)**
CCG-1**To Zoning District**
PUD

Map

001735 0030	12	4	AGR	PUD
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Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 2.11

Development Number

Proposed PUD Name THE OLD SPANISH TRAIL

Justification For Rezoning Application

SEE WRITTEN DESCRIPTION

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
13535	BEAVER ST W	32220

Between Streets

OTIS RD and WINN-DIXIE PKWY

Required Attachments For Formal, Complete application

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

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

Supplemental Information

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

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

Public Hearings And Posting Of Signs

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

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

Application Certification

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

- Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,269.00
- 2) Plus Cost Per Acre or Portion Thereof**
2.11 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
7 Notifications @ \$7.00 /each: \$49.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,348.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

MAY 5, 2017

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF OTIS ROAD AND THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 90; THENCE S83°42'40"W, 1082.29 FEET ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 90, FOR THE POINT OF BEGINNING; THENCE CONTINUE S83°42'40"11W, 251.81 FEET, ALONG SAID RIGHT OF WAY LINE, TO A POINT ON THE WEST LINE OF SAID SECTION 22; THENCE ALONG THE WEST LINE OF SAID SECTION 22, RUN N00°35'37"E, 380.18 FEET; THENCE DEPARTING SAID LINE RUN S89°24'23"E, 250.00 FEET; THENCE S00°35'37"W, 350.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.11 ACRES, MORE OR LESS.

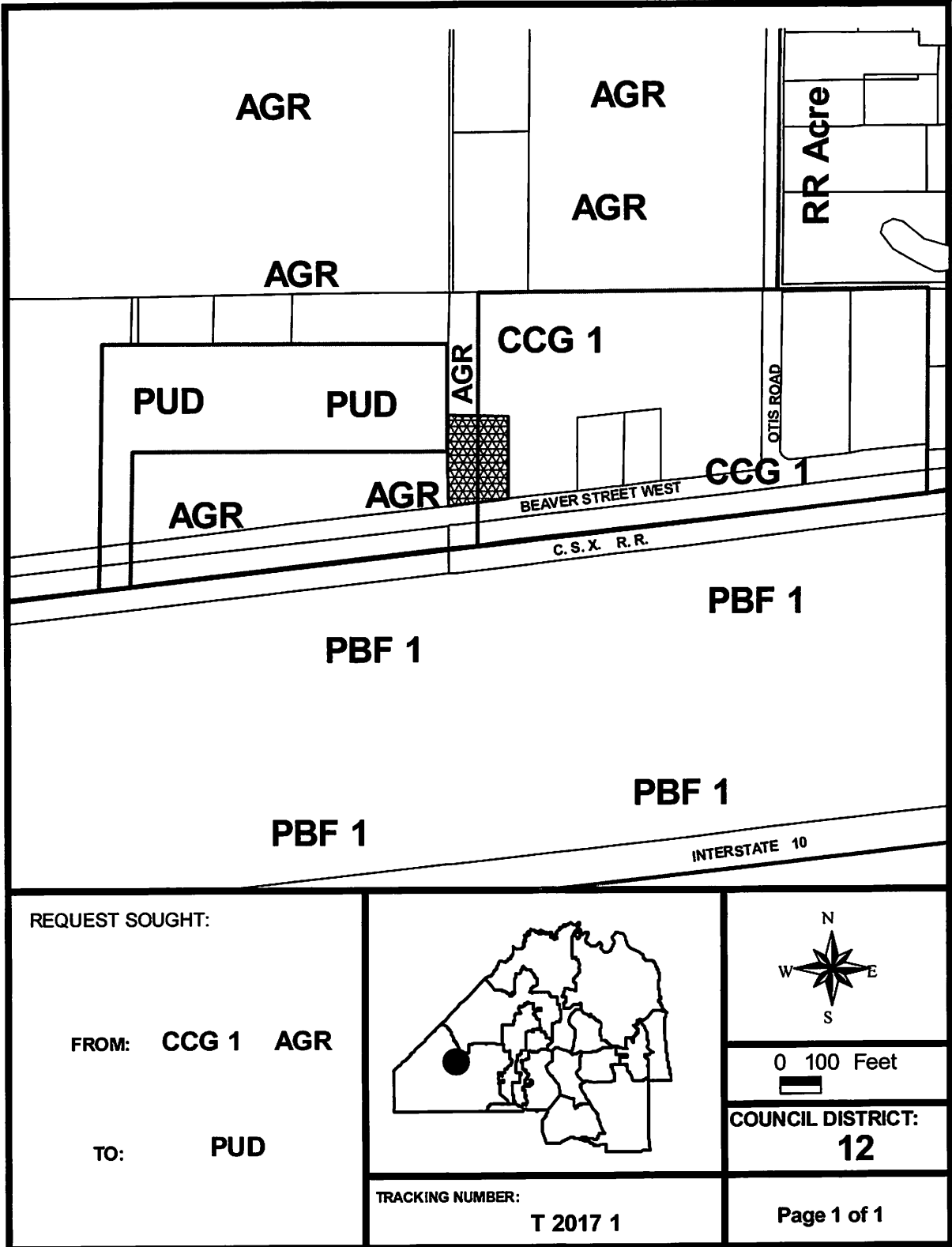


EXHIBIT A

Property Ownership Affidavit

Date: 04-22-2017

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, David Milward hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for The Old Spanish Trail PUD
submitted to the Jacksonville Planning and Development Department.

David Milward

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 22nd day of
April (month), 2017 (year) by David Milward
who is personally known to me or has produced _____
as identification.

Deanna L. Carver
(Notary Signature)

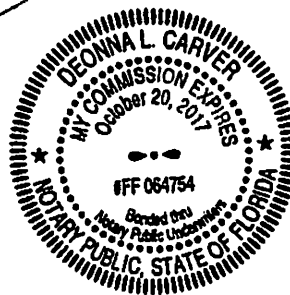


EXHIBIT B

Agent Authorization

Date: 04-22-2017

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

Re: Agent Authorization for the following site location:

The Old Spanish Trail PUD

Gentleman:

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

David Milward

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 22nd day of April (month), 2017 (year) by David Milward, who is personally known to me or has produced _____ as identification.

Deonna L. Carver

(Notary Signature)



EXHIBIT C

Binding Letter

Date: 04-22-2017

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: The Old Spanish Trail PUD

Ladies and Gentlemen:

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

Sincerely,

By: David Milward

(Owner's Signature)

Its: DAVID MILWARD

EXHIBIT D

Written Description

The Old Spanish Trail

April 18, 2017

I. PROJECT DESCRIPTION

The subject property identified as Real Estate No. 001735-0030 on Map Panel # 4422 is comprised of approximately 2.11 acres. The property is located on the north side of Beaver Street (US 90) with a property address being 13535 Beaver Street West, Jacksonville, Florida 32220. This site is currently occupied with a historical building dating back to approximately 1880 and is in a rural area with a PUD of LI sharing a westerly property line.

The current Land Use Category is Community/General Commercial (CGC) and will remain as (CGC). This PUD Rezoning is to add recreation and entertainment as an approved use as well as single family residential and maintain the current Community Commercial General 1 (CCG-1) "Permitted Uses" and "Permissible Uses by Exception" over the entire site, removing the AGR zoning designation and the addition of Community Commercial General 2 (CCG-2) uses.

To achieve a well-balanced and organized combination of residential, nonresidential, 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 we request a Rezoning to PUD for the proposed Old Spanish Trail for the use and benefit of the surrounding neighborhood and to protect single family residential neighborhoods by requiring that any other Land Uses with single family areas meet all applicable requirements described in the Development Areas and the Plan Category Description of the Operative Provision of the 2030 Comprehensive Plan and Land Development Regulation. This proposed commercial site will have a maximum of one single tenant which the tenant / owner will reside on the property.

The subject property will be developed by the current owner "Trails, Inc.".

II. STATEMENTS

- A. This proposed PUD differs from the usual application of the City of Jacksonville Zoning Code since Agricultural (AGR) Zoning does not allow the proposed uses by Right or Exception.
- B. Rezoning to PUD this will allow recreational and entertainment facilities to the permitted uses.
- C. The continued operation and maintenance of all on-site facilities and utilities will be privately owned and maintained by the property owner. The owner is the contractor and the tenant, so the property will be kept to City Code in order to stay a viable business.
- D. The Justification for the Rezoning to PUD is to allow recreation and entertainment facilities open to the public for profit. Trails, Inc. intends to remain owner of this property, but cannot conduct its business to raise the funds needed to restore the building to its turn of the century appearance under the current Zoning.
- E. The phased schedule of construction will, upon approval of the Rezoning, begin as soon as Zoning and Permits are issued. Completion is anticipated to be within 6 months of Permits and Zoning approval.

III. USES AND RESTRICTIONS

A. Permitted Uses:

- 1. As shown on the Conceptual Site Plan (subject to change) as EXHIBIT "E", The Old Spanish Trail consists of three (3) paintball "fields" of which will remain wooded and under brushed, an existing 9100 square feet building which will house the owner/operator, an existing 7700 square feet barn/shed, a 300 sf modular restroom facility and associated parking. A more detailed Site Plan shall be provided at the time of "Application for Verification of Substantial Compliance to a Planned Unit Development" as required. A description of the permissible uses by exception in the PUD is contained below in Part "B".**
- 2. Single-family dwellings.**
- 3. Medical and dental or chiropractor offices and clinics (But not hospitals)**
- 4. Professional offices.**
- 5. Home occupation**
- 6. Business offices.**
- 7. Employment office. (But not a day labor pool)**
- 8. Facilities for the production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products in conjunction with a professional service being rendered at the time provided and the gross floor area shall not exceed four thousand, five hundred square feet.**
- 9. Multiple family dwellings.**
- 10. Restaurant with or without drive-thru lanes**
- 11. Schools meeting the performance standards and development criteria set forth in Part 4**
- 12. Neighborhood retail sales and service establishments**
- 13. Banks with drive-thru tellers and ATM (Maximum of 4 drive-thru lanes)**
- 14. An establishment or facility which includes the retail sale of beer and/or wine in for on or off premises consumption.**
- 15. Automated car washes meeting the performance standards and development criteria set forth in Part 4.**
- 16. Retail sales outlets for sale of new and/or used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods**
- 17. Animal boarding for household pets, meeting the performance standards and development criteria set forth in Part 4**
- 18. Parks, playgrounds and playfields or recreational or community structures.**
- 19. Private camps, camping grounds, parks and recreational areas and travel trailer parks.**
- 20. Private Clubs**
- 21. Cosmetology and similar uses**
- 22. Seasonal outdoor or indoor entertainment facilities. (I.e. Christmas Village, Haunted Trail, etc.)**
- 23. Open Air Market / Flea Market**
- 24. Bed & Breakfast establishments meeting the criteria performance standards and development criteria set forth in Part 4.**
- 25. Retail plant nurseries including outside display, including on-site mulching.**
- 26. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permit holder**
- 27. Agricultural, horticultural and forestry uses.**
- 28. Barns, greenhouses, stables and other uses customarily accessory to agricultural, horticultural or forestry activities.**
- 29. Roadside stands only for the sale of agricultural products grown on the premises.**

B. Permissible Uses by Exception:

1. **Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in Part 4**
2. **Day care centers meeting the performance standards and development criteria set forth in Part 4**
3. **Churches, including a rectory or similar uses, meeting the performance standards and development criteria set forth in Part 4**
4. **Homes for the aged or orphans and similar uses**
5. **Hospice facilities**
6. **Libraries, museums and community centers**
7. **Radio and television broadcasting studios and offices (but not antenna or transmitting facilities).**
8. **Art galleries, dance, art, gymnastics, karate, and martial arts and music studios, and theaters for stage performances (but not motion picture theaters)**
9. **Vocational, trade or business schools**
10. **Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4**
11. **Community residential homes of up to six residents meeting the performance standards and criteria set forth in Part 4**
12. **An establishment or facility which includes the retail sale of liquor for on or off premises consumption.**

C. Limitations on Permitted or Permissible Uses by Exception:

- a. **Products shall be sold only at retail.**
- b. **No vehicles other than passenger automobiles or trucks of not more than ¾ ton payload capacity or 5,000 pounds in actual scale weight shall be used in the business operation except for delivery and pick-up services.**
- c. **Seasonal outdoor and indoor activities which are open to the public, shall be limited to 90 consecutive calendar days of operation for each occurrence.**

D. Permitted Accessory Uses and Structures:

- a. **Accessory uses and structures are allowed as defined in Section 656.403 of the City of Jacksonville Zoning Code.**
- b. **Utility uses, (such as A/C units, lift station, compressor/compressor pad and dumpsters may be placed within the building setback.**

IV. DESIGN GUIDELINES

A. Lot Requirements:

- (1) **Minimum lot area:** 6,000 square feet (except as otherwise required for certain uses)
- (2) **Minimum lot width:** none
- (3) **Maximum lot coverage:** (Building): none
- (4) **Minimum front yard:** (Building): none
- (5) **Minimum side yard:** (Building): none
- (6) **Minimum rear yard:** (Building): 10 feet
- (7) **Maximum height of structures:** 60 feet

B. Ingress, Egress and Circulation:

(1) Parking Requirements.

- a. Parking will be provided at a rate of 1 space per 2500 square feet of playable field area. There will be no restriction on the maximum number of spaces allowed.
- b. Seasonal events shall be supplemented by the use of off-site parking on the adjacent parcel(s) under lease agreement.

(2) Vehicular Access.

- a. Vehicular access to the property will be via two (2) existing driveways.

(3) Pedestrian Access.

- a. This PUD is located in a rural area with no pedestrian access to any roads in the area, it shall remain in this current condition.

C. Signs:

- (1) Up to four (4) temporary signs not exceeding 50 square foot per side and 20 ft in height for no more than 120 maximum consecutive days during seasonal events.
- (2) One street frontage permanent sign not exceeding 250 square foot and 50 ft in height.

Landscaping:

(1) **Tree Protection and Landscape Buffers:** The location of landscaping may vary from the strict requirements of Part 12 and be relocated to alternative placement to provide for improved sight design and function. Landscaping will be designed in accordance with the regulations and provisions of Part 12, of the City of Jacksonville Zoning Code, applicable to commercial projects except as noted below:

- a) The "Interior Landscaping Vehicular Use Area" will be per EXHIBIT "E".
- b) Parking spaces for can be reduced to add Landscaping, if required by the City of Jacksonville Planning and Development Department.

D. Recreation and Open Space:

(1) The purpose of this PUD is to allow a public accessible recreation and entertainment facility.

E. Utilities:

Water will be proved by private system.
Sanitary sewer will be provided by private system.
Electric will be provided by JEA.

F. Wetlands:

(1) Wetland Permitting will be per Federal, State and Local requirements.

G. Retention:

(1) Storm water will be designed in accordance with the surface water run-off requirements of the City of Jacksonville and St. Johns River Water Management District.

H. Phasing:

(1) The PUD may be completed in one (1) phase.

I. Lighting:

(1) Site lighting shall be designed and installed to direct downward and reflect back toward the subject property to prevent glare or excessive light on surrounding properties.

J. Construction Trailer:

(1) On-site construction trailers will be allowed.

V. DEVELOPMENT PLAN APPROVAL

A. Verification of Substantial Compliance with this PUD:

(1) With each request for Verification of Substantial Compliance with this PUD, a Preliminary Development Plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all the existing and proposed uses within the Property, and showing the general layout of the overall Property.

EXHIBIT F
Land Use Table

Total gross acreage	2.11 Acres	100%
Amount of each different use by acreage		
Single Family	0.5 Acres	24%
Total number of dwelling units	1 d.u.	
Multiple Family	0 Acres	0%
Total number of dwelling units	0 d.u.	
Commercial	1.61 Acres	76%
Industrial	0 Acres	0%
Other land use	0 Acres	0%
Active recreation and / or open space	0 Acres	0%
Passive open space	0 Acres	0%
Public and private right-of-way	0 Acres	0%
Maximum coverage of buildings and structures	60,000 sf	65%

EXHIBIT G

Warranty Deed

Prepared by and return to:

GLOBAL TITLE PROFESSIONALS, LLC
1633 RACE TRACK ROAD #206
JACKSONVILLE, FL. 32259

Parcel ID Number: 001735-0000

S/P Consideration: \$260,000.00

GTP2-051014

Warranty Deed

This Indenture, Made this 15th day of July, 2014 by and between, CARLOS R. MENENDEZ AND SHIRLA R. MENENDEZ, HUSBAND AND WIFE ("Grantor"), whose address is: 13525 W. Beaver Street, Jacksonville, Florida 32220 to THE TRAILS, INC., A FLORIDA CORPORATION, ("Grantee"), whose address is: 13535 W. Beaver Street, Jacksonville, Florida 32220

*"grantor" and "grantee" are used for singular or plural, as context requires

WITNESSETH: That said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in DUVAL County, Florida, wit:

All that certain piece, parcel or tract of land, situate, lying and being in the County of DUVAL State of Florida and being further described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Subject to covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2014 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER WITH ALL THE TENEMENTS, HERIDATEMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE APPERTAINING.

TO HAVE AND TO HOLD, THE SAME IN FEE SIMPLE FOREVER.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land and does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

EXHIBIT G

Warranty Deed (cont)

IN WITNESS WHEREOF, grantor has hereunto set
grantor's hand and seal the day and year first
above written. Witnesses:

[Signature]
(Witness signature)
Print witness name Howard J. Smith

X [Signature]
CARLOS R. MENENDEZ

X [Signature]
(Witness signature)
Print witness name SHIRLA R. MENENDEZ

X [Signature]
SHIRLA R. MENENDEZ

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 15 day of JULY, 2014 by Carlos R. Menendez and Shirla R. Menendez, who are personally known to me or who have produced Drivers' licenses. as identification.

[Signature]
Notary Public
Print Name: Howard J. Smith

(Seal)

My Commission Expires: 8/22/17

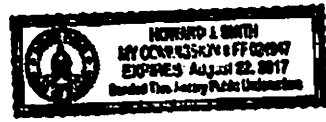
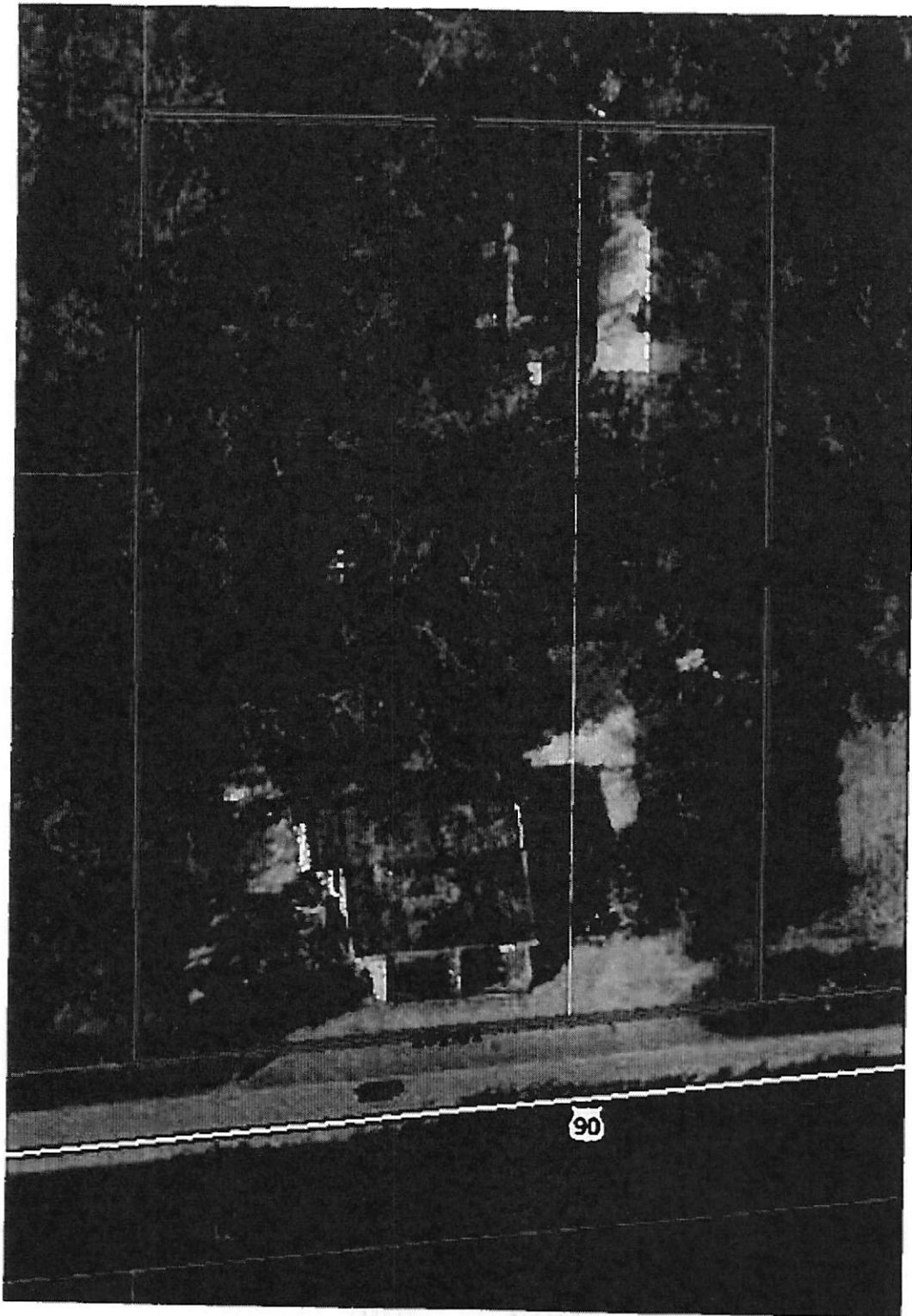


EXHIBIT H

Aerial Photograph





21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Tony Ringler
Taylor & White, Inc
9556 Historic Kings Rd S 102
Jacksonville, Florida, 32257

June 15, 2017

Project Name: The Old Spanish Trail PUD
Availability#: 2017-1146

Dear Mr/Mrs Tony Ringler,

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

Point of Connection:

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

Offsite Improvements:

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

Reservation of Capacity:

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

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

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

Sincerely,

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



21 West Church Street
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2017-1146
 Request Received On: 6/13/2017
 Availability Response: 6/15/2017
 Prepared by: Mollie Price

Project Information

Name: The Old Spanish Trail PUD
 Type: OTHER
 Requested Flow: 350 gpd
 Location: 13525 West Beaver Street near Otis and West Beaver
 Parcel ID No.: 001735-0030
 Description: Outdoor Entertainment

Potable Water Connection

Water Treatment Grid: NORTH GRID
 Connection Point #1: Existing 8-in water line in the northwest corner of Beaver St W and Halsema Rd N
 Connection Point #2: NA
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. JEA must approve construction and accept the lines prior to meter issue.

Sewer Connection

Sewer Treatment Plant: SOUTHWEST
 Connection Point #1: Existing 4-in forcemain on the west side of Halsema Rd N, approximately 200-ft north of Beaver St W
 Connection Point #2: NA
 Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. 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. 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.). Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

Reclaimed Water Connection

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

General Comments:

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