

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-557 TO

PLANNED UNIT DEVELOPMENT

SEPTEMBER 7, 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 **2017-557** to Planned Unit Development.

Location: 4578 San Jose Boulevard (SR 13) between Norwich Road and Worth Drive East

Real Estate Number(s): 100208-0000

Current Zoning District: Planned Unit Development (PUD 2015-774-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Applicant/Agent: Paul Harden, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Shops of Granada, LLC
J.C. Demetree, Jr.
P.O. Box 47050
Jacksonville, Florida 32247

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-557** seeks to rezone approximately 0.37 acres of land from PUD to PUD. The rezoning to PUD is being sought to add the retail sale and service of beer and wine for on premises consumption. The current PUD allows for restaurants, but omitted the sale of beer and wine. The current PUD included several conditions which were designed to limit the potential negative impacts to the surrounding single family dwellings. These conditions have been incorporated into the written description except condition #2 which limited the size of the restaurant to 2,500 square feet and a maximum of 70 seats, both inside and outside. The proposed written description allows the restaurant to

increase in size to 5,000 square feet, but the total number of seats is still 70.

The site was originally zoned RLD-60, then rezoned to PUD in 2000, pursuant to Ordinance 2000-1118 allowing Commercial Office type uses and a hair salon and martial arts studio. The subject property has been in continuous commercial use since the existing building was constructed over 30 years ago. The intent of this proposed rezoning is to clarify future uses of the currently vacant commercial building, so that continued use of the property can be achieved by allowing all permitted uses in the Commercial Office ("CO") zoning district along with additional specific Commercial Neighborhood ("CN") uses not currently allowed in the CO Zoning District.

CRITERIA FOR REVIEW

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

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

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 LDR category in the Urban Area is intended to provide single-family and multi-family dwellings; Commercial/retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and Other uses associated with and developed as an integral component of TND.

Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements. This PUD is compatible with the secondary uses of the LDR Land Use Category.

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

Principal Uses: Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND

site area: and Other uses associated with and developed as an integral component of TND.

Secondary Uses: Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements.

(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): Low Density Residential (LDR). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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

FLUE Policy 1.1.9 Permit commercial infill on commercially designated sites outside nodal areas where the infill development would: 1. Create a more compact land use pattern than development of new commercial nodes in the same area. 2. Incorporate shared access with

adjacent commercial sites, and/or direct access to a frontage or parallel road facility rather than a collector or arterial street.

FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, 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 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

FLUE Policy 3.2.6 The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for nonresidential traffic.

The Shops of Granada PUD is an existing and currently vacant 5,000 square foot commercial building on .37 acres. The property is located along the west side of SR 13 between Norwich Road and Worth Drive East. The proposal to rezone the property to clarify future uses so that continued use of the property can be achieved by allowing all Commercial Office and additional specific Commercial Neighborhood type uses is consistent with the 2030 Comprehensive Plan, and further the goals, objectives and policies contained therein.

(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 commercial development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

The use of existing and proposed landscaping: The subject property is currently "grandfathered" with respect to the Landscaping Requirements of the City's Zoning Code for the existing commercial building and its grounds. In the event the building is demolished or destroyed and subsequently reconstructed, the subject property will comply with the Landscaping Requirements of the City's Zoning Code in force at that time. The west property line behind the existing commercial building is buffered from the neighboring single-family home by a ten (10) foot high concrete block wall running along nearly the entire length of this boundary, as well as a 10 foot high Viburnum hedge and a five (5) foot chain link fence. The southerly boundary of the subject property is also buffered from its adjoining residential property by a seven (7) foot tall concrete block wall topped with barbed wire strung along supporting struts angled to the south. All lighting shall continue to be directed away from the neighboring single family residential properties. The existing commercial building shall be maintained in the same or better manner as it has been over the past 30+ years.

At such time however if the building is demolished or destroyed by natural or unnatural causes, causing the need for its reconstruction, it shall be limited to one story in height, with its existing rear and front yard setbacks along with parking spaces compliant with CO zoning district requirements.

The treatment of pedestrian ways: The project will be required to meet ADA minimum accessibility requirements and will connect to the existing sidewalk network along San Jose Boulevard (SR 13).

Traffic circulation patterns: The property is accessed from San Jose Boulevard (SR 13). This access point is preexisting and has functioned to provide full access since the construction of the existing building over 30 years ago.

Parking shown on Site Plan, and existing, does not meet design criteria of the Zoning Code. If site redevelopment/improvements trip the 50% rule, then parking design shall be brought into compliance (space dimensions, sidewalk and drive aisle/backup widths, etc).

Angled parking in right-of-way requires approval from City Engineer. Developer shall either obtain approval for the 7 spaces that back/maneuver in right-of-way or remove them and restore right-of-way.

The use and variety of building setback lines, separations, and buffering: The site shares a pair of 40+/- caliper inch live oak trees at its eastern boundary with the immediate neighboring single-family residence but otherwise features no significant variations of elevations, water courses, unique natural features etc. The west property line behind the existing commercial building is buffered from the neighboring single-family home by a ten (10) foot high concrete

block wall running along nearly the entire length of this boundary, as well as a 10 foot high Viburnum hedge and a five (5) foot chain link fence. The southerly boundary of the subject property is also buffered from its adjoining residential property by a seven (7) foot tall concrete block wall topped with barbed wire strung along supporting struts angled to the south. All lighting shall continue to be directed away from the neighboring single family residential properties.

Signage: Applicant proposes signage for the subject property that shall continue to conform to the requirements under Part 13 of the City's Zoning Code for the CO Zoning District.

(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 type, number and location of surrounding external uses: The proposed development is located at the intersection where San Jose Boulevard (SR 13) turns into Hendricks Avenue, in a commercial corridor on the western side of San Jose Boulevard (SR 13). There are multiple commercial uses in the area such as commercial/retail, restaurant, and professional office uses that front San Jose Boulevard (SR 13) and Hendricks Avenue. A less intense professional/office use is adjacent to the property to the northwest and shares access to San Jose Boulevard (SR 13).

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	LDR	RLD-90	Single family dwellings
	CGC	CCG-1	Dry cleaners, urgent care, restaurants
South	LDR	RLD-90	Single family dwellings
East	LDR	RLD-90	Single family dwellings
West	LDR	RLD-90	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category.

The availability and location of utility services and public facilities and services: The site is served by city sewer and water.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: San Jose Boulevard (SR 13) is an FDOT maintained roadway and is classified as a class I Arterial. There is a bus stop nearby in front of the adjacent property across San Jose on Hendricks Avenue. The PUD will have access directly onto San Jose Boulevard (SR 13) which intersects with Hendricks Avenue.

(7) Usable open spaces plazas, recreation areas.

There is no residential component to the development. No recreation area is required. The existing developed site provides passive open space within its building setbacks

(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.

(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 Transportation Planning Division has reviewed the application and has concerns about the parking layout which they consider insufficient. The parking area has seven parking spaces that can be accessed directly from San Jose Boulevard. Section 656.602 of the City Ordinance Code states "on-site maneuverability so that access to the parking space does not require maneuvering on a public or approved private street". The City of Jacksonville's Land Development Procedures Manual mandates that "The width of driveways shall conform to the Landscape Ordinance Section 656.1215(d) of the City Ordinance Code. Class II and III driveways which do not contain a landscape isle shall have a minimal width of 24 feet and a maximum width of 36 feet" and "in no event shall more than 50 percent of any street frontage be paved". In the present condition of the site, the frontage along San Jose is over 50 percent paved and the driveways do not meet the standards set forth. This creates a safety issue when automobiles back out into the road. Also there is no sidewalk along San Jose Boulevard which is hazardous to pedestrians. **The Division recommends the following conditions for approval:**

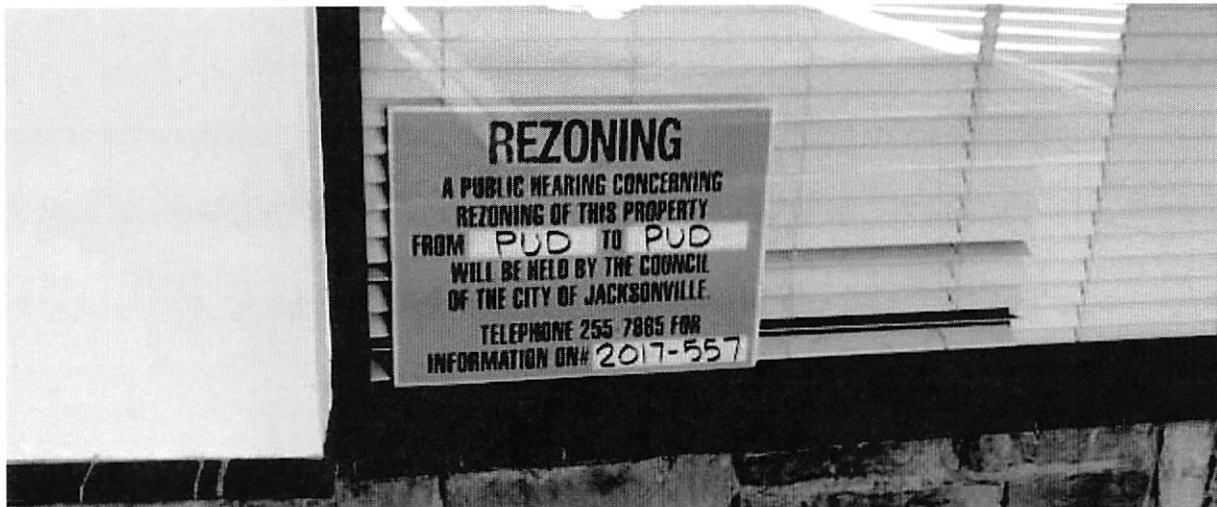
1. The parking area and ingress/egress driveways of the site shall be redesigned to meet compliance with the City of Jacksonville's Zoning Code.
2. Upon redesign of the parking area to meet the standards established by the City Ordinance Code, a sidewalk connecting to the existing sidewalks network shall be added, along with a landscaping buffer.

(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 August 25, 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 **2017-557** be **APPROVED with the following exhibits:**

1. The original legal description dated June 29, 2017.
2. The original written description dated August 1, 2017.
3. The original site plan dated August 24, 2015.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-557** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. The parking area and ingress/egress driveways of the site shall be redesigned to meet compliance with the City of Jacksonville's Zoning Code.
2. Upon redesign of the parking area to meet the standards established by the City Ordinance Code, a sidewalk connecting to the existing sidewalks network shall be added, along with a landscaping buffer.
3. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



View of building



View of building



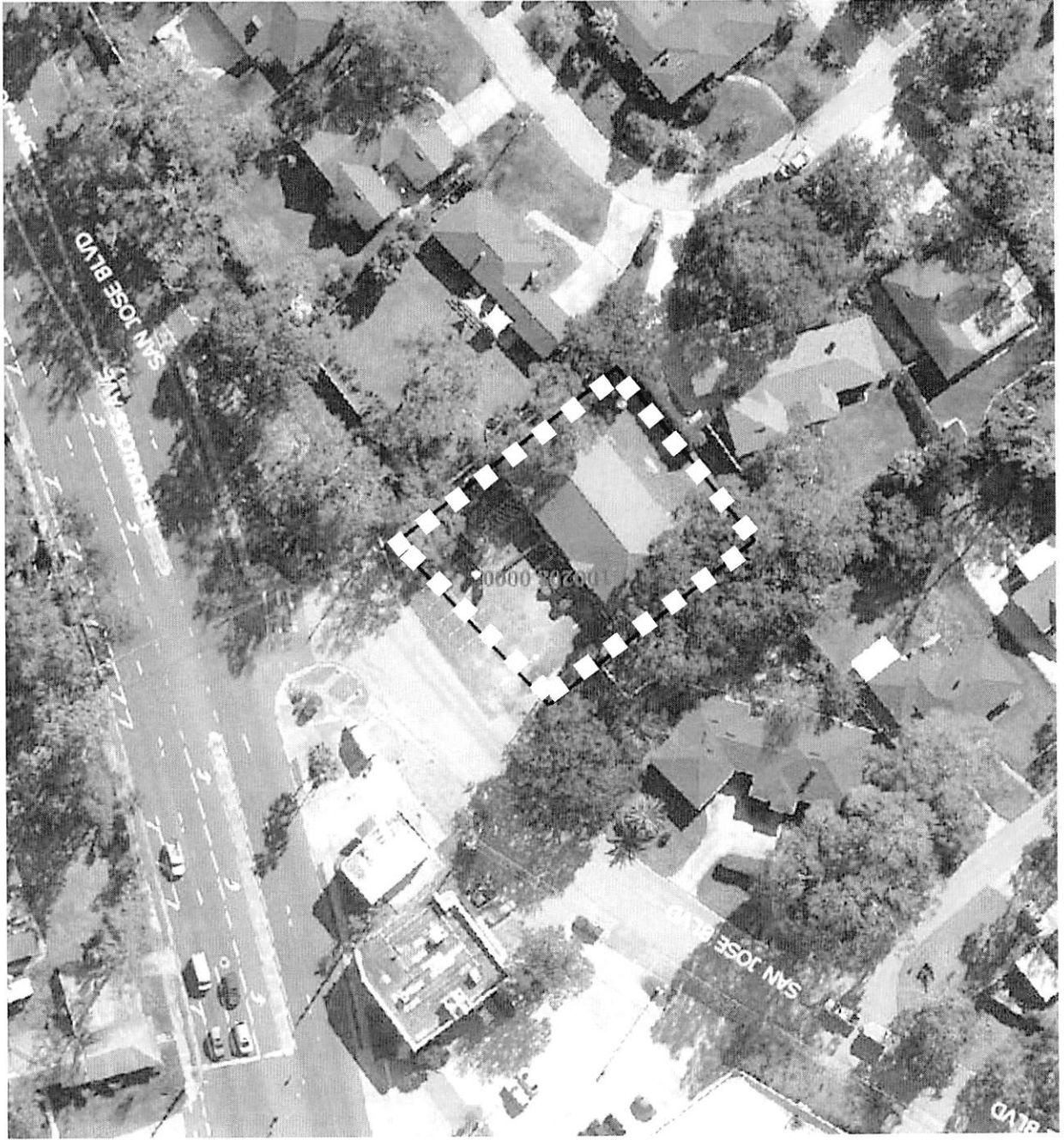
View of building



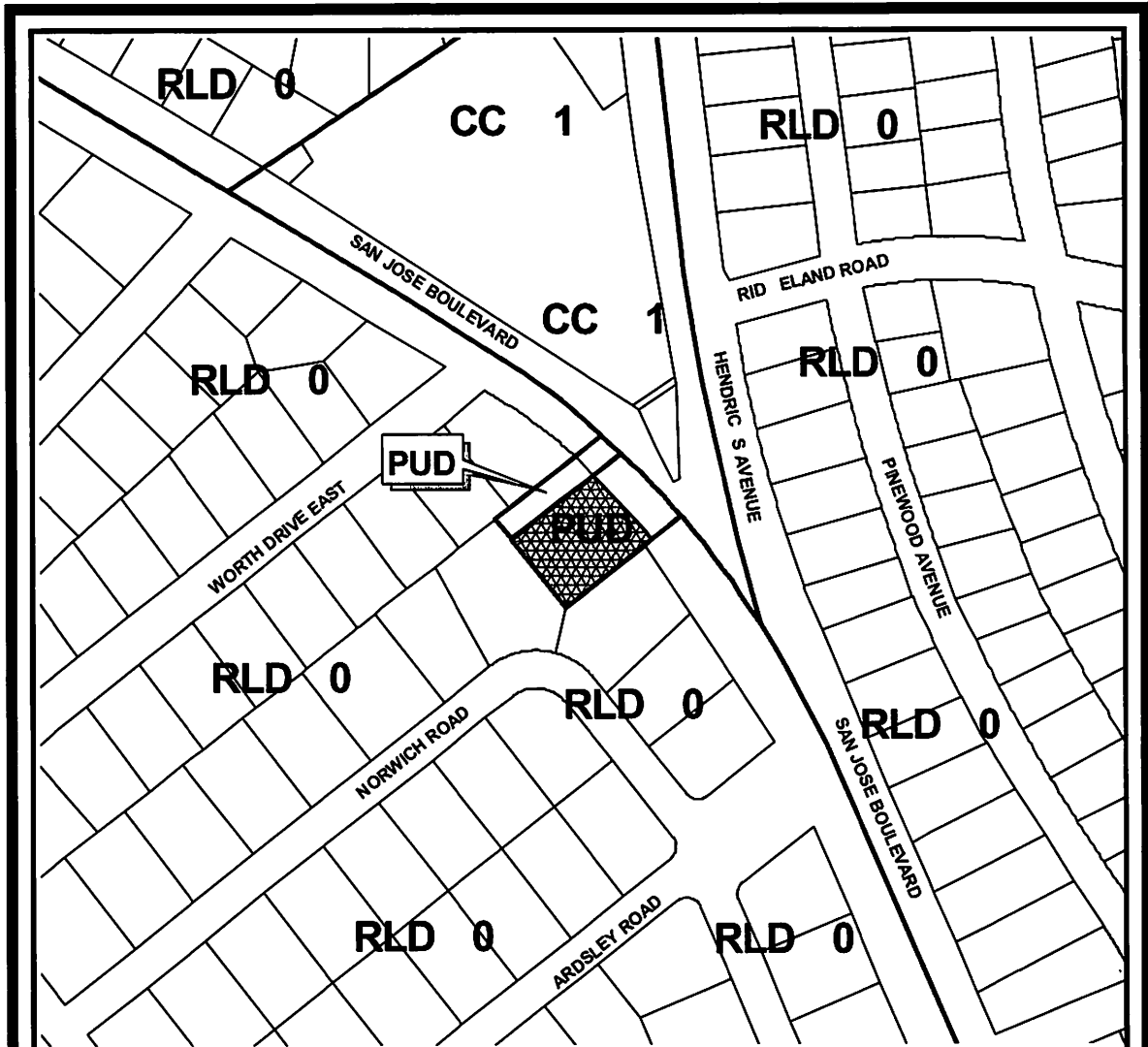
View of parking area

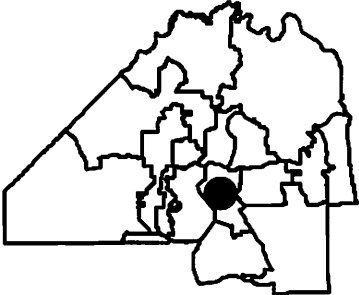
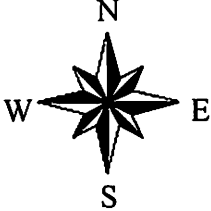


View of sidewalk on south side of property



Aerial view of subject property



<p>REQUEST:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		
<p>ORDINANCE NUMBER: ORD 2017 0 7</p>	<p>TRAC IN NUMBER: T 2017 1 1</p>	<p>COUNCIL DISTRICT: 0</p> <p>Page 1 of 1</p>

PLANNING AND DEVELOPMENT DEPARTMENT



MEMORANDUM

DATE: 8/31/2017

TO: Bruce E. Lewis
City Planner Supervisor

FROM: Devin P. Scott
City Planner I

SUBJECT: TRANSPORTATION REVIEW OF 2017-0557 SHOPS OF GRANADA PUD

San Jose Boulevard, from Hendricks Avenue to Hendricks Avenue, is the directly accessed functionally classified roadway. San Jose Boulevard is a 2-lane undivided Class II Collector in this vicinity and is currently operating at 78.82% of capacity. This proposal is for 5,000 square feet of ITE 931 Quality Restaurant, which would generate 450 vpd. This San Jose Boulevard segment has a maximum daily capacity of 14,040 vpd and a 2016 daily traffic volume of 11,066.

(ITE 931 Quality Restaurant- 5,000 SF)

*The Transportation Planning Division conditions the following for approval:

The parking area and ingress/egress driveways of the site shall be redesigned to meet compliance with the City of Jacksonville's Zoning Code.

1) Section 656.602 of the City Ordinance Code states "on-site maneuverability so that access to the parking space does not require maneuvering on a public or approved private street".

Currently, access is allowed to the seven parking spaces that are fronted by San Jose Boulevard.

2) The City of Jacksonville's Land Development Procedures Manual mandates that "The width of driveways shall conform to the Landscape Ordinance Section 656.124(d) of the City Ordinance Code. Class II and III driveways which do not contain a landscape isle shall have a minimal width of 24 feet and a maximum width of 36 feet" and "in no event shall more than 50 percent of any street frontage be paved". In the present condition of the site, the frontage along San Jose is over 50 percent paved and the driveways do not meet the standards set forth.

Upon redesign of the parking area to meet the standards established by the City Ordinance Code, a sidewalk connecting to the existing sidewalks network shall be added, along with a landscaping buffer.

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2017-0557 **Staff Sign-Off/Date** BEL / 07/24/2017
Filing Date 08/02/2017 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 09/12/2017 **Planning Commission** 09/07/2017
Land Use & Zoning 09/19/2017 **2nd City Council** N/A

Neighborhood Association SAN MARCO PRESERVATION SOCIETY, RIDGEWOOD NEIGHBORHOOD ASSOC.

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 1514 **Application Status** PENDING
Date Started 07/18/2017 **Date Submitted** 07/18/2017

General Information On Applicant

Last Name	First Name	Middle Name
HARDEN	PAUL	M.
Company Name		
LAW OFFICE OF PAUL M. HARDEN		
Mailing Address		
501 RIVERSIDE AVENUE, SUITE 901		
City	State	Zip Code
JACKSONVILLE	FL	32202
Phone	Fax	Email
9043965731	9043995461	PAUL_HARDEN@BELLSOUTH.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
DEMETREE, JR.	J.C.	
Company/Trust Name		
SHOPS OF GRANADA, LLC		
Mailing Address		
P.O. BOX 47050		
City	State	Zip Code
JACKSONVILLE	FL	32247
Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2015-0774-E

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	100208 0000	5	3	PUD	PUD

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 0.37

Development Number

Proposed PUD Name SHOPS OF GRANADA, LLC PUD

Justification For Rezoning Application

SEE EXHIBIT "D" - WRITTEN DESCRIPTION

Location Of Property

General Location

WEST SIDE OF SAN JOSE BLVD. BETWEEN NORWICH RD. AND WORTH DR. E.

House # **Street Name, Type and Direction** **Zip Code**

4578 SAN JOSE BLVD 32207

Between Streets

NORWICH RD. and WORTH DR. E.

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 Newman 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**
0.37 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
35 Notifications @ \$7.00 /each: \$245.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,524.00**

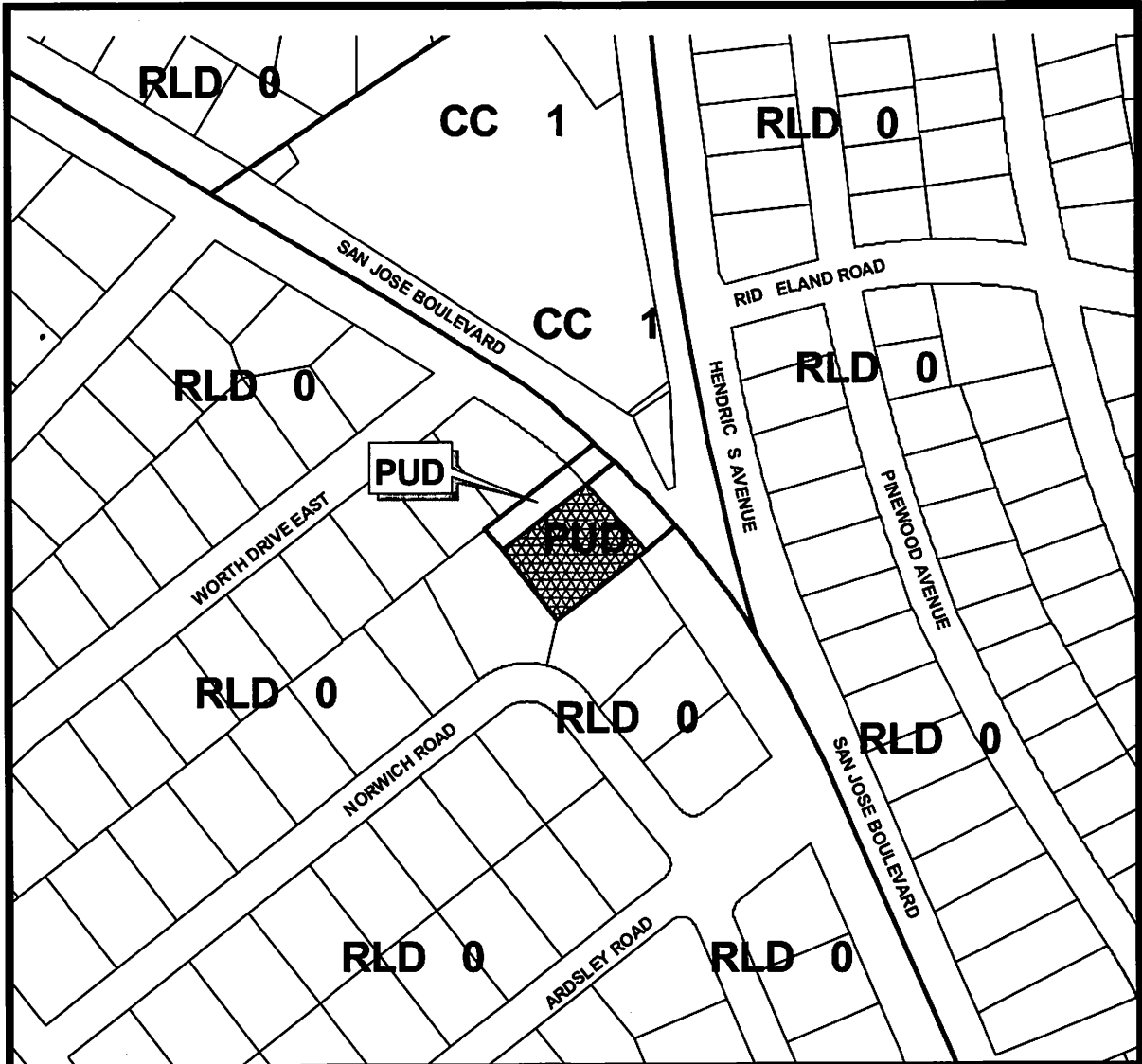
NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

Legal Description

June 29, 2017

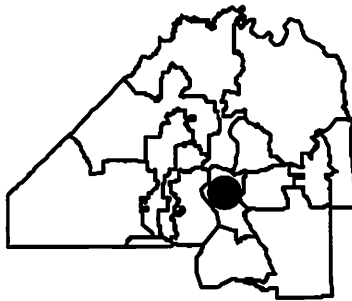
The Southerly 115 feet of that part of Lot 16, HOLLYWOOD, as recorded in Deed Book AO, Page 83, of the former public records of Duval County, Florida, more particularly described as Beginning at the intersection of the North line of said Lot 16 and the Westerly line of San Jose Boulevard as now established; run thence Westerly along the North line of Lot 16, 138.4 feet to a point; thence Southerly on a line perpendicular to the North line of Lot 16, 150 feet to a point; thence Easterly parallel with the North line of Lot 16, 140.31 feet to the Westerly line of San Jose Boulevard; thence Northerly along the Westerly line of San Jose Boulevard 150 feet to the Point of Beginning.



REQUEST SOUGHT:

FROM: PUD

TO: PUD



0 100 Feet

COUNCIL DISTRICT:

0

TRAC IN NUMBER:

T 2017 1 1

Page 1 of 1

EXHIBIT A - Property Ownership Affidavit

Date: _____

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#100208-0000

To Whom it May Concern:

I J.C. Demetree, Jr. hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for PUD Rezoning submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Shops of Granada, LLC

By _____

By J.C. Demetree, Jr.

Print Name: _____

Print Name: J.C. Demetree, Jr.

Its: Managing Partner

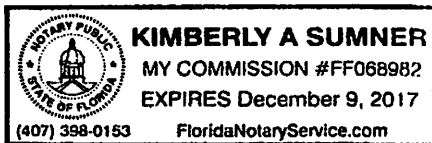
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 09th day of June 2017, by J.C. Demetree, Jr., who is personally known to me or who has produced personally known as identification and who took an oath.

Kimberly A. Sumner
(Signature of NOTARY PUBLIC)

Kimberly A. Sumner
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 6/9/17

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: _____

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#100208-0000

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 Paul M. Harden 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.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Shops of Granada, LLC

By _____

By J.C. Demetree, Jr.

Print Name: _____

Print Name: J.C. Demetree, Jr.

Its: Managing Partner

*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

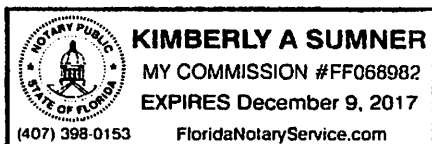
Sworn to and subscribed and acknowledged before me this 29th day of June 2017, by J.C. Demetree, Jr., who is personally known to me or who has produced personally known as identification and who took an oath.

Kimberly A. Sumner

(Signature of NOTARY PUBLIC)

Kimberly A. Sumner

(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 6/9/17

EXHIBIT C

Binding Letter

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

RE: Revised Shops of Granada, LLC 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,

Shops of Granada, LLC

By: 

J.C. Demetree, Jr.

Its: Managing Partner

EXHIBIT "D"
Shops of Granada, LLC
Amended Written Description
August 1, 2017

I. PROJECT DESCRIPTION

A. Subject property is comprised of 0.37 +/- acres. It is located along the west side of San Jose Boulevard between Norwich Road and Worth Drive East. The Subject Property's address is 4578 San Jose Boulevard. It is occupied by a 5,000 +/- enclosed square foot commercial building that was built in 1957, first used as a convenience store, then for other uses such as a martial arts studio and hair salon, but that is currently vacant. The site shares a pair of 40 +/- caliper live oak trees at its eastern boundary with the immediate neighboring single family residence, but otherwise features no significant variations of elevations, water courses, unique features, etc.

B. Project Planner/Applicant:

Shops of Granada, LLC

C. Project Engineer:

Not applicable

D. Project Developer:

Shops of Granada, LLC

E. Current Land Use Category:

Low Density Residential ("LDR")

F. Current Zoning District:

Planned Unit Development ("PUD" under Ordinance 2015-774)

G. Requested Land Use Category:

None

H. Requested Zoning District:

Planned Unit Development ("PUD")

I. Real Estate Number:

Re # 100208-0000

II. QUANTITATIVE DATA

Total Gross Acreage:	0.37 +/- acres	100%
Amount of each different land use by acreage:		
Single Family:	.000 acres	0%
Total Units:	None	
Multiple Family:	.000 acres	0%
Total Units:	None	
Commercial:	0.37 +/- acres	100%
Industrial:	.000 acres	0%
Total amount of non-residential floor area:		5,000 +/- sf
Active recreation and/or open space:	.000 acres	0%
Passive open space, wetlands, ponds:	.000 acres	0%
Public and private right of way:	.000 acres	0%
Maximum coverage of buildings & structures:	5,000 +/- sf	31%

III. STATEMENTS

- A. This PUD proposes neighborhood commercial uses in addition to those allowed under the current PUD. The current PUD zoning classification allows for very limited commercial uses that are inadequate to accommodate current neighborhood non-residential market demands.
- B. The property owner's intent is to maintain the overall existing physical condition of the property as in the past, and to occupy the currently vacant commercial structure with services benefit to its neighborhood, as proposed in this PUD to PUD rezoning application.
- C. The proposed PUD to PUD rezoning is justified because the proposed PUD's allowed uses are authorized uses in the immediate vicinity.

D. No new construction is planned for the subject property.

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Medical and dental or chiropractor offices.
2. Professional or business offices.
3. Neighborhood retail sales and service establishments, however, no individual building footprint shall exceed 40,000 square feet.
4. Service establishments, such as barber or beauty shops and shoe repair shops.
5. Restaurants, without drive-in or drive-through facilities, pursuant to the following conditions:
 - (a) The total enclosed square footage of the restaurant is equal to or less than 5,000 square feet;
 - (b) The restaurant shall have 70 or less seats - combining both inside and outside;
 - (c) A restaurant shall not employ outside amplified music or other forms of outside amplified entertainment at any time on any given day or evening during the week;
 - (d) The location of outside sales and service in conjunction with the restaurant shall be allowed: (i) along the San Jose Boulevard (front) side of the existing building and/or (ii) in the westerly (back yard/rear) of the existing structure so long as the existing oak tree, vegetative buffer and ten (10) foot concrete wall remain or if removed will be replaced by buffers equal to or greater than the existing wall and plant material; and
 - (e) The restaurant's hours of operation shall be no later than 10:00 p.m. on any given day during the week and no later than 7:00 p.m. in an outside garden dining area.
6. Banks without drive-thru tellers and financial institutions, travel agencies and similar uses.
7. An establishment or facility which includes the retail sale and service of beer and/or wine for on-premises consumption.
8. Permanent or restricted outside sale and service in conjunction with a restaurant.

B. Permitted Accessory Uses and Structures

1. Subject to Part 4, Section 656.415 of Chapter 656, Zoning Code

V. Design Guidelines

A. Lot Requirements:

1. Minimum Lot Area: 6,000 square feet
2. Minimum Lot Width: 60 feet
3. Maximum Lot Coverage: 50%
4. Minimum Front Yard: 20 feet
5. Minimum Side Yard: 5 feet
6. Minimum Rear yard: 10 feet, except that outdoor seating in conjunction with a restaurant may be allowed in the required rear yard, set back no less than 5 feet.
7. Maximum Height of Structures: 35 feet.

B. Ingress, Egress and Circulation

1. Parking Requirements. The parking area for the existing development is consistent with the requirements of Part 6 of the Zoning Code.
2. Vehicular Access.
 - a. Vehicular Access to the subject property is by way of San Jose Boulevard, as shown on the Site Plan (Exhibit "E")
 - b. Within the subject property, internal access shall be provided by reciprocal easements for ingress and egress, if ownership or occupancy of the subject property is subdivided among more than one person entity.
3. Pedestrian Access.

Pedestrian access is provided by existing sidewalks.

C. Signs.

Signage for the subject property shall continue to conform to the requirements under the appropriate Section of the Zoning Code as specified for developments in CO Zoning Districts.

D. Landscaping.

The subject property is currently “grandfathered in” with respect to the Landscaping Requirements of the Zoning Code for the existing commercial buildings and its grounds. Still, in the event that the existing building is demolished or destroyed and subsequently reconstructed, the subject property will comply with the Landscaping Requirements of the Zoning Code, except as otherwise may be noted on the Site Planed (Exhibit “E”).

E. Recreation and Open Space

Not applicable

F. Utilities

Potable water is provided by JEA
Sanitary Sewer is provided by JEA
Electric service is provided by JEA

G. Wetlands

Not applicable as the subject property is 100% built out.

- VI. With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the Planning and Development Department identifying all existing and proposed uses within the subject property, and showing the layout of the overall property.

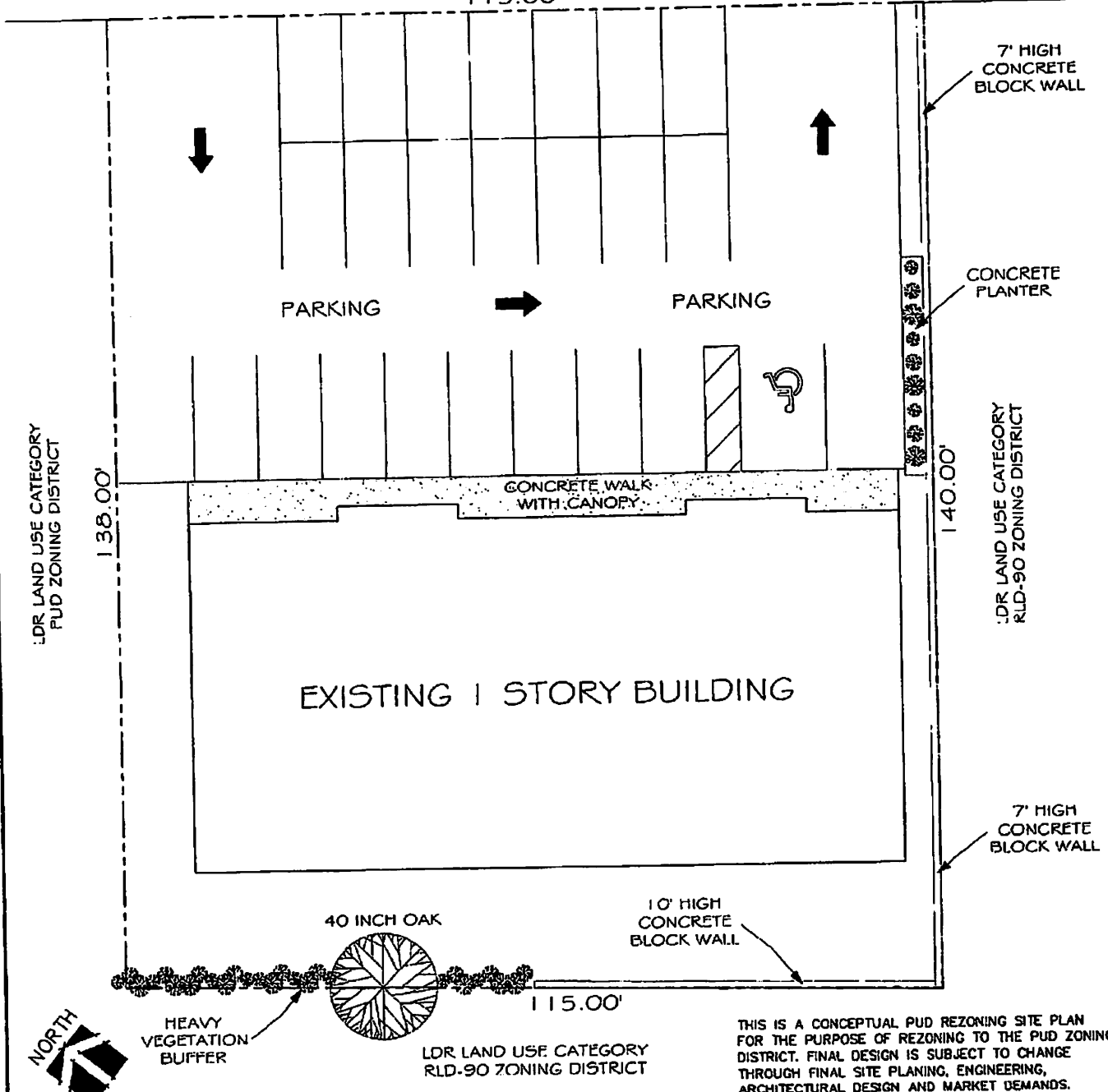
EXHIBIT E SITE PLAN

CCG-1 ZONING DISTRICT

SAN JOSE BOULEVARD

(100' RW)

115.00'



7' HIGH CONCRETE BLOCK WALL

CONCRETE PLANTER

LD-90 ZONING DISTRICT

7' HIGH CONCRETE BLOCK WALL

10' HIGH CONCRETE BLOCK WALL

40 INCH OAK

HEAVY VEGETATION BUFFER

LDR LAND USE CATEGORY RLD-90 ZONING DISTRICT

THIS IS A CONCEPTUAL PUD REZONING SITE PLAN FOR THE PURPOSE OF REZONING TO THE PUD ZONING DISTRICT. FINAL DESIGN IS SUBJECT TO CHANGE THROUGH FINAL SITE PLANNING, ENGINEERING, ARCHITECTURAL DESIGN AND MARKET DEMANDS.



GREEN & KUPPERMAN, INC.
 LAND DEVELOPMENT & PLANNING CONSULTANTS
 200 FIRST STREET, SUITE B
 NEPTUNE BEACH, FLORIDA 32266
 (904)241-6611~FAX (904)241-2950

SHOPS OF GRANADA
 4578 SAN JOSE BLVD., JACKSONVILLE, FL 32207

CONCEPTUAL PUD REZONING SITE PLAN

SCALE: 1"=20'	DATE: 08-24-15	JOB NO: 15-1015	DRWN BY: MB	CHKD BY: GSK	REVISION:
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Prepared By/Record and Return To:
Robert O. Mickler, Esquire
Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville, Florida 32207

Doc# 2004353098
Book: 12132
Pages: 1 - 2
Filed & Recorded
11/05/2004 03:54:15 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 9.00
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 1,050.00
REC ADDITIONAL \$ 8.00

WARRANTY DEED

THIS DEED is made as of the 1st day of November, 2004, by and between JACK C. DEMETREE and BETTY A. DEMETREE, his wife (hereinafter referred to collectively as the "Grantor"), and SHOPS OF GRANADA, LLC, a Florida limited liability company, whose address is 3740 Beach Boulevard, Suite 300, Jacksonville, Florida 32207 (hereinafter referred to as the "Grantee").

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does hereby grant, bargain, sell, and convey unto the Grantee and its successors and assigns forever that certain land (the "Land") situated in Duval County, Florida, and more particularly described on Exhibit A attached hereto and incorporated herein.

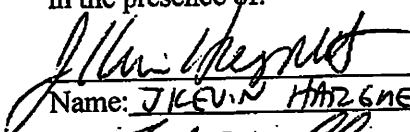
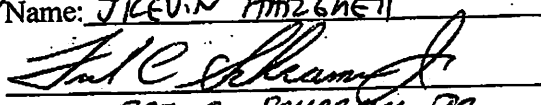
Real Estate Parcel Identification Number: 100208-0000



TOGETHER WITH all tenements, hereditaments and appurtenances of Grantor belonging or in anywise appertaining to the Land (collectively, the "Property"), subject to real estate taxes for the year 2004 and subsequent years and covenants and restrictions of record.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances thereto, in fee simple forever. And the Grantor does hereby fully warrant the title to the Land and will defend the same against the lawful claims of all persons whomsoever.

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

Signed, sealed and delivered
in the presence of:


Name: KEVIN HARTZOG

Name: FRED C. SCHAFFLY JR.


Name: JACK C. DEMETREE

Name: BETTY A. DEMETREE

As to both

Address: 3740 Beach Blvd., Suite 360
Jacksonville, Florida 32207

NOTE: This Deed is being re-recorded to attach the legal description.

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 15th day of November 2004, by Jack C. Demetree and Betty A. Demetree, his wife. They (*check one*) are personally known to me or have produced N/A as identification.

Cathy Jo Swift
Notary Public, State and County aforesaid
Name: Cathy Jo Swift

(Notarial Seal)



CATHY JO SWIFT
Notary Public, State of Florida
My comm. expires Jan. 28, 2007
Comm. No. DD 163405

EXHIBIT "A"

The Southerly 115 feet of that part of Lot 16, HOLLYWOOD, as recorded in Deed Book AO, Page 83, of the former public records of Duval County, Florida, more particularly described as Beginning at the intersection of the North line of said Lot 16 and the Westerly line of San Jose Boulevard as now established; run thence Westerly along the North line of Lot 16, 138.4 feet to a point; thence Southerly on a line perpendicular to the North line of Lot 16, 150 feet to a point; thence Easterly parallel with the North line of Lot 16, 140.31 feet to the Westerly line of San Jose Boulevard; thence Northerly along the Westerly line of San Jose Boulevard 150 feet to the Point of Beginning.

Less and except any portion lying in right of way of San Jose Boulevard.



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Shops of Granada, LLC
Shops of Granada, LLC
4578 San Jose Boulevard
Jacksonville Beach, Florida, 32207

July 10, 2017

Project Name: The Local(2015-0026)
Availability#: 2017-1271

Dear Mr/Mrs Shops of Granada, LLC,

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#: 2017-1271

Request Received On: 6/30/2017

Availability Response: 7/10/2017

Prepared by: Mollie Price

Project Information

Name: The Local(2015-0026)

Type: Restaurant

Requested Flow: 2,800 gpd

Location: Norwich Road and Worth Drive East

Parcel ID No.: 100208-0000

Description: 5,000 restaurant

Potable Water Connection

Water Treatment Grid: SOUTH GRID

Connection Point #1: Existing water service connection point can be utilized

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.

Sewer Connection

Sewer Treatment Plant: BUCKMAN

Connection Point #1: Existing 12-in sewer forcemain on the south side of San Jose Blvd in front of property

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.).

Reclaimed Water Connection

Sewer Region/Plant: South Grid

Connection Point #1: Not available 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.