



# PROPOSED SMALL-SCALE FUTURE LAND USE MAP (FLUM) AMENDMENT

## OVERVIEW

ORDINANCE: 2017-831

APPLICATION: 2017C-022-2-1

APPLICANT: MICHAEL BUEME

PROPERTY LOCATION: 9115 Hare Ave.

Acreeage: 0.14

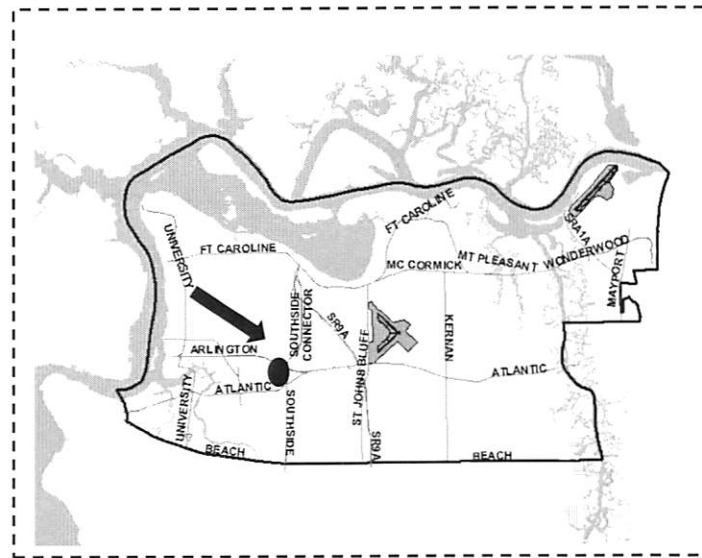
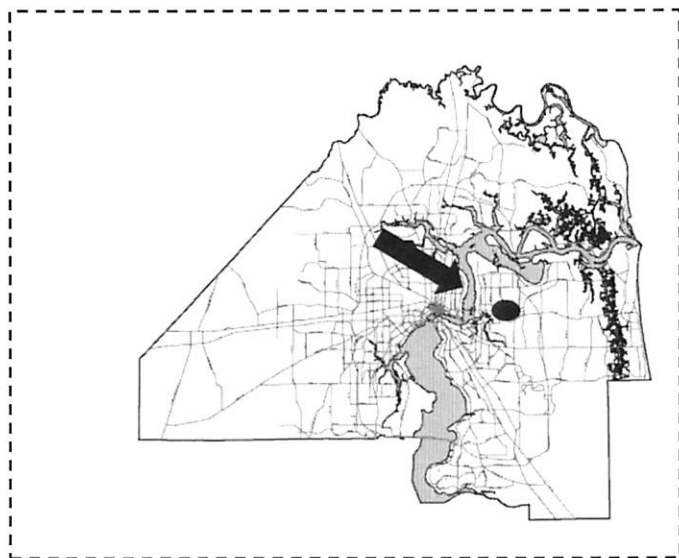
Requested Action:

	Current	Proposed
LAND USE	MDR	CGC
ZONING	RMD-A	CCG-2

Existing FLUM Category	Proposed FLUM Category	Existing Maximum Density (DU/Acre)	Proposed Maximum Density (DU/Acre)	Existing Maximum Intensity (FAR)	Proposed Maximum Intensity (FAR)	Net Increase or Decrease in Maximum Density	Non-Residential Net Increase or Decrease in Potential Floor Area
MDR	CGC	2 DU (15 DU/Acre)	N/A	N/A	2,134 sq. ft. (.35 FAR)	Decrease 2 DU	Increase 2,134 sq. ft.

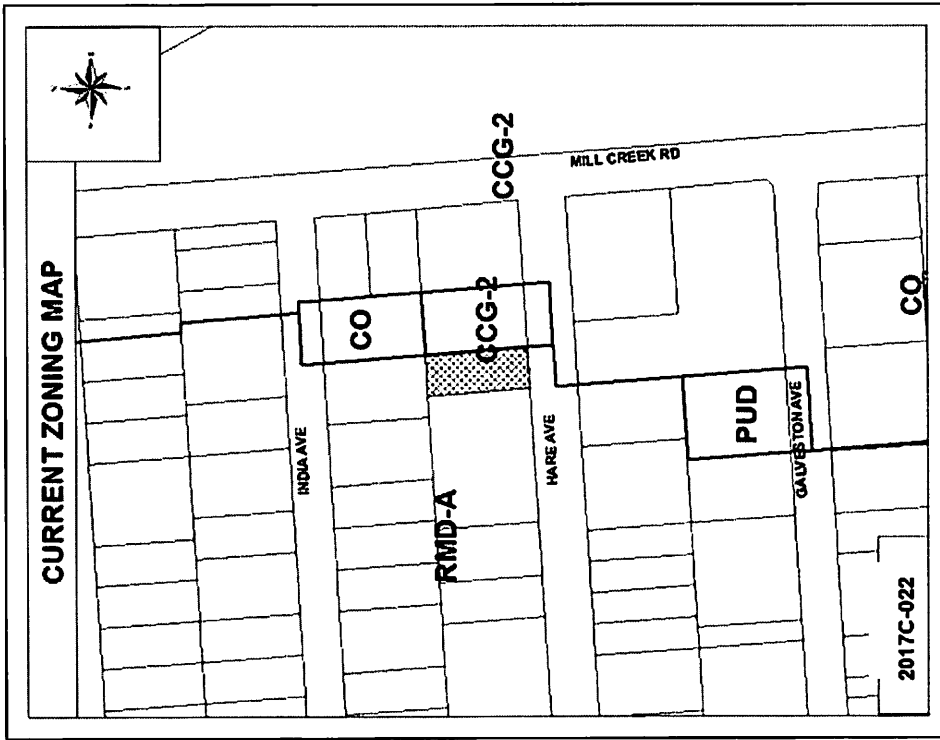
PLANNING AND DEVELOPMENT DEPARTMENT'S RECOMMENDATION: **DENIAL**

### LOCATION MAPS:

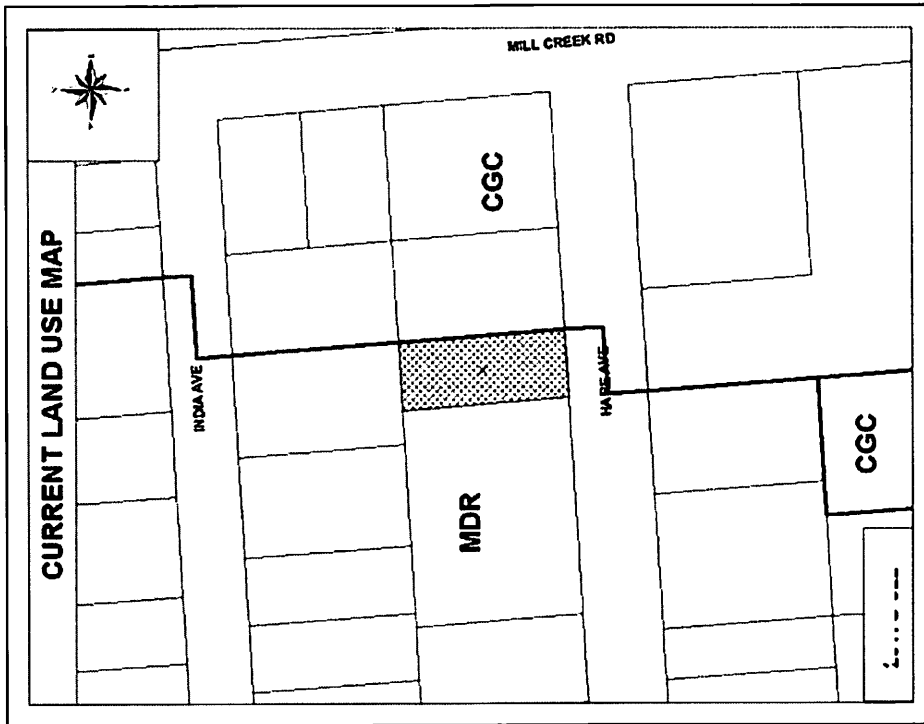


# DUAL MAPS

## SMALL SCALE LAND USE APPLICATION 2017C-022



Current Zoning District(s): Residential Medium Density - A (RMD-A)  
Requested Zoning District(s): Commercial Community General -2 (CCG-2)



Existing FLUM Land Use Categories: Medium Density Residential (MDR)  
Requested FLUM Land Use Category: Community General Commercial (CGC)

## **ANALYSIS**

### **Background:**

The 0.14 acre subject property is located on the north side of Hare Avenue between Mill Creek Road and Lamson Street. The property is located in Council District 1, Planning District 2 and within the Greater Arlington/Beaches Vision Plan. A single family home is located on the subject property.

The applicant proposes a future land use amendment from Medium Density Residential (MDR) to Community General Commercial (CGC) and a rezoning from Residential Medium Density-A (RMD-A) to Commercial Community General-2 (CCG-2) to allow the owner to expand his business which is located directly east of the property. The companion rezoning is pending concurrently with this land use amendment application pursuant to Ordinance 2017-832.

The area surrounding the subject property is fully developed with a mix of commercial retail sale and service establishments, and residential uses. The properties that abut this site to the north and west are single family residential. The properties to the east are commercial as are properties directly across Hare Avenue to the south.

The subject property is located within the Woodland Acres Neighborhood. It is an older neighborhood with a mix of mobile homes and site built single family homes. The City has been investing in this neighborhood. The Public Works Department completed drainage improvements several years ago and JEA has completed sewer work to eliminate septic tanks.

Mill Creek Road, a local road, runs north and south between Arlington Expressway and Atlantic Boulevard and is the eastern boundary of the Woodland Acres Neighborhood. Most properties along Mill Creek Road are commercial businesses and also include a church, mini storage, and a school. The majority of businesses along Mill Creek Road are auto oriented (for more detail, see Attachment A, Land Utilization Map). The CGC land use runs north and south along Mill Creek Road which also includes a few lots west into each of the neighborhood streets that intersect with Mill Creek Road.

In this neighborhood area with like circumstances, three previous land use amendment applications, 2014C-007 (Ord. 2014-415-E), on Galveston Avenue one block south of the subject parcel, 2015C-019 (Ord. 2015-656-E) on Berry Avenue six blocks south of the subject parcel, and 2016C-004 (Ord. 2016-246-D) on Cocoa Avenue, five blocks south of the subject parcel, proposed the same land use amendment request as the subject application from MDR to CGC land use categories. The review of the Planning and Development Department for all three applications included a recommendation report for denial. However, two of the applications were approved by ordinance through the legislative process and one was denied. Due to the likeness of the subject application and the previous applications, this recommendation report's analysis is similar and consistent with the previous reports for Applications 2014C-007, 2015C-019, and 2016C-004.

According to the Development Areas Map in the Future Land Use Element, the site is located in the Urban Priority Development Area. The proposed development plan for commercial uses does not include residential uses so school enrollment will not be impacted by this proposed amendment.

The Dual Map on page 2 and Attachment A provide a detailed picture of the existing development pattern for the immediate area.

The adjacent uses and zoning are as follows:

Adjacent Property	Land Use	Zoning District	Current Use(s)
North	MDR	RMD-A	Single Family Home
South	CGC	CCG-2	Warehouse
East	CGC	CCG-2	Owners Business
West	MDR	RMD-A	Single Family Home

**Impact Assessment:**

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site’s existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this Section.

**Utility Capacity**

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA’s Water, Sewer and Reuse for New Development Projects document (latest edition). A JEA availability letter, dated December 1, 2017, states that electric service sewer and potable water connections are available at the site. The site owner is planning on connecting to centralized water and sewer services.

**Infrastructure Element**

**Sanitary Sewer Sub-Element**

Policy 1.1.1 JEA shall provide for regional wastewater facilities associated with development within the Urban Area as defined in the Future Land Use and Capital Improvements Element, excluding improvements within the service area of an investor-owned public utility company of regional status.

Policy 1.2.6 Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:

1. Single family/commercial (estimated flows of 600 gpd or less):
  - a) Requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) are accommodated.
  - b) The collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Commercial (above 600 gpd):
  - a) Requirements of Chapter 64E-6, F.A.C. are accommodated.
  - b) The collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (commercial or single family):
  - a) Requirements of Chapter 64E-6, F.A.C. are accommodated.
  - b) The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - c) Each lot is a minimum of 1 acre unsubmerged property.
  - d) Alternative (mounded) systems are not required.

### **Transportation**

The Planning and Development Department completed a transportation analysis (see Attachment B) and determined that the proposed amendment results in an increase of 30 new net daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Potential traffic impacts will be addressed through the Concurrency and Mobility Management System Office.

#### **Transportation Element**

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

#### **Capital Improvements Element**

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

#### **Supplemental Transportation Information**

The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The Mobility Plan identifies specific transportation strategies and improvements to address traffic

congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 8 on Hare Avenue between Lamson Street and Mill Creek Road. Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the Maximum Service Volumes (MSV) from the current FDOT Quality/Level of Service Handbook (2012) for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 8 is 0.59.

Mill Creek Road between Arlington Expressway and Atlantic Boulevard, while not currently functionally classified, is a roadway that would be impacted by the proposed development. This segment of Mill Creek Road is a 2-lane undivided facility and has a maximum daily capacity of 11,232 vpd. The proposed 2,134 SF commercial development could generate approximately 30 net new daily trips unto the network. This segment is expected to operate at a V/C ratio of 0.19 with the inclusion of the additional traffic from this land use amendment.

### **Archaeological Sensitivity**

According to the Duval County Preliminary Site Sensitivity Map, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### **Historic Preservation Element**

Policy 1.2.6           The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

# IMPACT ASSESSMENT

<b>DEVELOPMENT ANALYSIS</b>		
	<b>CURRENT</b>	<b>PROPOSED</b>
Site Utilization	House	Business
Land Use/Zoning	MDR	CGC
Development Standards For Impact Assessment	15 DU per acre	.35 FAR
Development Potential	2 DU	2,134 sq. ft.
Population Potential	4 people	N/A
<b>SPECIAL DESIGNATIONS AREAS</b>		
	<b>YES</b>	<b>NO</b>
Aquatic Preserve		X
Airport Environ Zone		X
Industrial Preservation Area		X
Cultural Resources		X
Archaeological Sensitivity		X
Historic District		X
Coastal High Hazard Area		X
Ground Water Aquifer Recharge Area		X
Well Head Protection Zone		X
<b>PUBLIC FACILITIES</b>		
Potential Roadway Impact	30 new net daily trips	
Water Provider	JEA	
Potential Water Impact	Decrease of 425 Gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Decrease of 319 gallons per day	
Potential Solid Waste Impact	Decrease of 1.7 tons	
Drainage Basin / Sub-Basin	Strawberry Creek	
Recreation and Parks	Warrington Park	
Mass Transit	23	
<b>NATURAL FEATURES</b>		
Elevations	50 feet	
Soils	72 Urban Land Ortega-Kershaw complex	
Land Cover	1300 Residential High Density	
Flood Zone	N/A	
Wet Lands	N/A	
Wild Life	N/A	

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on December 13, 2017, the required notice of public hearing signs were posted. Forty-one (41) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on December 18, 2017 no speakers were present.

## **CONSISTENCY EVALUATION**

### **2030 Comprehensive Plan**

The proposed amendment is inconsistent with the following Policies of the 2030 Comprehensive Plan, Future Land Use Element (FLUE):

- Policy 2.2.4      Maintain existing stable neighborhoods through coordinated rehabilitation and conservation action by the Building Inspection Division and Planning and Development Department. Protect residential areas from encroachment by incompatible land uses through proper zoning, and from through or heavy traffic by use of buffers and other mitigating measures.
- Policy 3.1.3      Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.
- Policy 3.1.20     The City shall recognize and maintain neighborhoods through the development and implementation of district plans and/or neighborhood plans, which identify the needs of the City's neighborhoods and the opportunities to improve and maintain those neighborhoods in light of continued growth and development pressures within and surrounding them.
- 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.
- Policy 4.1.8B     The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

According to the Category Descriptions for the Urban Priority Development Areas of the FLUE, the MDR future land use category is intended to provide compact medium to high



density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. MDR is generally intended to provide transitional uses between commercial and single family residential uses.

The CGC Future Land Use Category is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map. Hare Avenue is classified as a local road.

The property subject to the proposed amendment is located on Hare Avenue, and is adjacent to two CGC designated properties to the east and south, one of which has frontage on Mill Creek Road. Both Hare Avenue and Mill Creek Road are classified as "Local Roads". Therefore, the proposed amendment is not consistent with the CGC Future Land Use Category preference for new designations to be in locations which abut roadways classified as arterial or higher. Additionally, the amendment does not present a situation where expansion of the CGC category constitutes infill development or redevelopment in a manner that promotes the revitalization of an existing commercial district as called for in the CGC Future Land Use Category.

The proposed use has negative impacts on the existing neighborhood by not buffering the existing residential homes to the west and north and by the fact that the companion rezoning is to CCG-2, the most intensive commercial zoning district. There will be no transition of scale between the business and existing homes thus not meeting the intent of Policies 3.1.3 and 3.2.4.

Encroachment in this established residential neighborhood sets a precedent for further CGC encroachment where such pressure to do so has been well established based on recent land use amendment activity. The proposed amendment is not an appropriate infill location, and does not include mitigating or buffering techniques. Therefore it is inconsistent with Policy 2.2.4.

The City recognizes the development pressures within and surrounding this neighborhood. The Planning and Development Department initiated a neighborhood plan for this area identifying the needs of the neighborhood. Policies 3.1.20 and 4.1.8B state that proposed amendments to the Comprehensive Plan should comply with the area's vision plan and any existing neighborhood plans and studies. The Plans identify the opportunities to improve and maintain those neighborhoods and their residential character. In light of those studies the proposed amendment is inconsistent with these policies (See neighborhood plans and studies below).

## **Woodland Acres Neighborhood Plan Area Study (1978)**

### **Woodland Acres Land Use and Zoning Study (2007)**

The proposed amendment is inconsistent with the Woodland Acres Neighborhood Plan Study and the Land Use and Zoning Study. A proposed zoning plan for Woodland Acres was developed in 1978 to “better suit the community’s needs”. One of the stated reasons was to discourage encroachment of commercial use.

The Woodland Acres Land Use and Zoning Study (2007) echoes the sentiments of the earlier study. The 2007 study states:

Given the mix of uses in the census tract encompassing the study area, Woodland Acres is sufficiently served by commercial acreage without any changes to existing land use designations. The commercial development needs to be built so as to be a good neighbor to residential development because of the location of commercial land use categories adjacent to residential categories. (Page 20)

The Department is recommending that land use amendments not be supported in the Woodland Acres area, unless they can be determined to enhance neighborhood character and be consistent with the guidelines and findings of this Study. (Page 21)

The Planning and Development Department recognizes the development pressure within the Woodland Acres study area. Woodland Acres has the opportunity to be developed and redeveloped into a walk-able community that provides the residents different types of housing, schools, retail and recreational uses.

### **Vision Plan Consistency**

The subject property is located within the boundaries of the Arlington/Beaches Vision Plan. The Plan encourages compatibility with existing neighborhoods with an overall goal to enhance neighborhoods. The amendment is inconsistent with the following objectives of the plan:

Objective 1.1.2 – Building use, scale and character should be compatible with neighborhoods.

Objective 2.1.3 - Cultivate neighborhood stability by protecting residential area from incompatible uses. The paramount goal is the enhancement of the neighborhoods.

Objective 2.3.2- Non-residential sighting criteria shall be compatible with neighborhood scale, character and enhance quality of life.

The proposed amendment encourages further encroachment of non-residential development adjacent to an established single-family neighborhood. Additional encroachment of intense commercial uses into the Woodland Acres neighborhood threatens the stability of the existing residential uses. Therefore, the proposed amendment is inconsistent with the recommendations set forth in the Arlington/Beaches Vision Plan.

### **Strategic Regional Policy Plan**

The proposed amendment is inconsistent with the following Policy of the Strategic Regional Policy Plan, Economic Development:

Policy 4B Downtowns are important parts of the Regional community. Downtown Jacksonville is the Regional downtown, and the Region as a whole has an interest in its success. The Region supports revitalizing downtowns as important element of communities. The Region supports local government efforts to revitalize them and keep them vibrant.

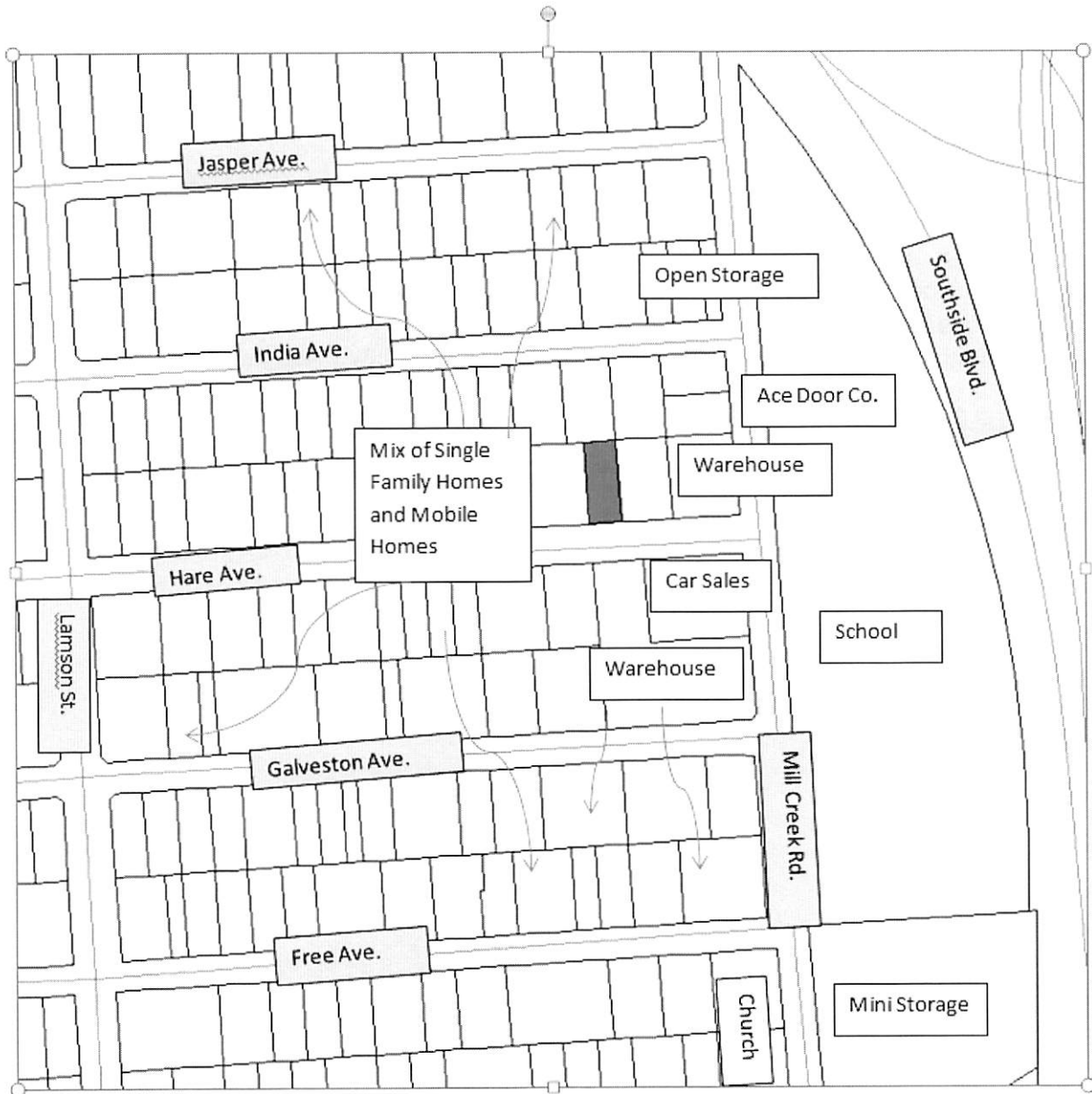
The subject property is located in the Urban Priority Development Area. Revitalizing communities close to downtown is important to a successful downtown. The Strategic Regional Plan supports local government's efforts to revitalize downtowns as important elements of communities. An encroachment of intense commercial use into an area of residential character is not conducive to neighborhood revitalization. Therefore the land use amendment is inconsistent with the Regional Strategic Policy Plan.

### **RECOMMENDATION**

The Planning and Development Department recommends **DENIAL** of this application based on its **inconsistency** with the 2030 Comprehensive Plan, Vision Plan and the two Neighborhood Studies.

# ATTACHMENT A

## Existing Land Utilization:



# ATTACHMENT B

## Traffic Analysis:

**SUBJECT:** Transportation Review: Land Use Amendment 2017C-022

A trip generation analysis was conducted for Land Use Amendment 2017C-022, located at 9115 Hare Avenue between Lamson Street and Mill Creek Road in the Urban Priority Development Area of Jacksonville, Florida. The subject site is currently occupied with a 1,052 SF single family dwelling unit and has an existing Medium Density Residential (MDR) residential land use category. The proposed land use amendment is to allow for Community General Commercial (CGC) land use on approximately 0.14 +/- acre.

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (9<sup>th</sup> Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, MDR nonresidential land use category development impact assessment standards allows for in a development potential of 2 multifamily dwelling units (ITE Land Use Code 220) which could generate 19 net daily trips. The proposed the CGC land use category allows for 0.35 FAR per acre, resulting in a development potential of 2,134 SF of general commercial (ITE Land Use Code 820), generating 49 new daily vehicular trips. This will result in 30 net new daily vehicular trips if the land use is amended from MDR to CGC, as shown in Table A.

**Table A**  
**Trip Generation Estimation**

Current Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips	Less Pass-By Trips	Net New Daily Trip Ends
MDR	220	2 DUs	T = 9.52 (X)	19	0.00%	19
<b>Total Section 1</b>						<b>19</b>
Proposed Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips PM/Daily	Less Pass-By Trips	Net New Daily Trip Ends
CGC	820	2,134 SF	T = 44.32(X)/1000	95	48.62%	49
<b>Total Section 2</b>						<b>49</b>
<b>Net New Daily Trips</b>						<b>30</b>

Source: Trip Generation Manual, 9th Edition, Institute of Engineers

## **ATTACHMENT B(cont)**

### **Traffic Analysis:**

#### **Additional Information**


The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The Mobility Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 8 on Hare Avenue between Lamson Street and Mill Creek Road. Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the Maximum Service Volumes (MSV) from the current FDOT Quality/Level of Service Handbook (2012) for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

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# ATTACHMENT C

## Land Use Amendment Application:

		<b>APPLICATION FOR SMALL-SCALE LAND USE AMENDMENT TO THE FUTURE LAND USE MAP SERIES - 2030 COMPREHENSIVE PLAN</b>	
<b>Date Submitted:</b>	8/17/17	<b>Date Staff Report is Available to Public:</b>	1-12-18
<b>Land Use Adoption Ordinance #:</b>	2017-831	<b>Planning Commission's LPA Public Hearing:</b>	1-18-18
<b>Rezoning Ordinance #:</b>	2017-832	<b>1st City Council Public Hearing:</b>	1-23-18
<b>JPDD Application #:</b>	2017C-022	<b>LUZ Committee's Public Hearing:</b>	2-6-18
<b>Assigned Planner:</b>	Jody McDaniel	<b>2nd City Council Public Hearing:</b>	2-13-18
<b><u>GENERAL INFORMATION ON APPLICANT &amp; OWNER</u></b>			
<b>Applicant Information:</b> MICHAEL BUEME BUEME ENGINEERING, INC. 975 ARTHUR MOORE DRIVE GREEN COVE SPRINGS, FL 32043 Ph: (904) 710-3121		<b>Owner Information:</b> GARY HALE ACE DOOR & WINDOW SERVICE, INC. 9115 HARE AVENUE JACKSONVILLE, FL 32211 Ph: (904) 962-2562	
<b><u>DESCRIPTION OF PROPERTY</u></b>			
<b>Acreage:</b>	0.14	<b>General Location:</b>	EAST JACKSONVILLE (WEST OF REGENCY SQUARE MALL)
<b>Real Estate #(s):</b>	143749 0000	<b>Address:</b>	9115 HARE AVE
<b>Planning District:</b>	2	<b>Development Area:</b>	URBAN PRIORITY AREA
<b>Council District:</b>	1	<b>Between Streets/Major Features:</b>	MILL CREEK ROAD and LAMSON STREET
<b><u>LAND USE AMENDMENT REQUEST INFORMATION</u></b>			
<b>Current Utilization of Property:</b> STORAGE			
<b>Current Land Use Category/Categories and Acreage:</b> MDR 0.14			
<b>Requested Land Use Category:</b>	CGC	<b>Surrounding Land Use Categories:</b>	CGC, MDR
<b>Justification for Land Use Amendment:</b> OWNER WANTS TO EXPAND BUSINESS OPERATION			
<b><u>UTILITIES</u></b>			
<b>Potable Water:</b>	JEA	<b>Sanitary Sewer</b>	JEA
<b><u>COMPANION REZONING REQUEST INFORMATION</u></b>			
<b>Current Zoning District(s) and Acreage:</b> RMD-A 0.14			
<b>Requested Zoning District:</b> CCG-2			
Additional information is available at 904-255-7888 or on the web at <a href="http://maps.cci.net/fluzap/">http://maps.cci.net/fluzap/</a>			

# ATTACHMENT D

Aerial:

