

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

**APPLICATION FOR REZONING ORDINANCE 2018-0054**

**February 22, 2018**

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 **2018-0054**.

***Location*** 8426 Devoe Street

***Current Zoning District:*** Residential Low Density-60 (RLD-60)

***Proposed Zoning District:*** Community Commercial General-1 (CCG-1)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Northwest (5)

***Agent:*** Paul Harden, Esq.  
501 Riverside Avenue, Suite 901  
Jacksonville, FL 32202

***Owner:*** Gate Petroleum Company  
P.O. Box 23627  
Jacksonville, FL 32257

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2017-754** seeks to rezone approximately 2.2 acres of land from RLD-60 to CCG-1, in order to bring the parcel into compatibility with the northern adjacent parcel. Both the subject parcel and the northern adjacent parcel are owned by Gate Petroleum Company. Currently, part of a retention pond exists on the western end of the subject parcel; that retention pond extends onto, and mostly fills up, the adjacent northern parcel. Other than the space taken up by the retention pond, the subject lot is vacant.

**STANDARDS, CRITERIA AND FINDINGS**

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent

with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the comprehensive plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

**1. *Is the proposed rezoning district consistent with the functional land use category identified in the 2030 Comprehensive Plan?***

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds that the subject property currently has a Low Density Residential (LDR) land use designation. According to the Future Land Use Element (FLUE), LDR in the Urban Area is intended to provide for low density residential development.

According to the FLUE, CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns while promoting the advancement of existing commercial land uses and the use of existing infrastructure. 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 arterial or higher on the Functional Highway Classification Map.

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

Yes. The proposed rezoning is consistent with the following Goals, Objectives, and Policies of the 2030 Comprehensive Plan, Future Land Use Element:

**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.

**Policy 1.2.9**

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

**Goal 3**

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

**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

**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.

The proposed rezoning is also consistent with the following Goals, Objectives, and Policies of the 2030 Comprehensive Plan, Transportation Element:

**Policy 2.3.6**

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

**Policy 2.3.7**

Access for corner lots or parcels shall be located the greatest distance from the corner commensurate with property dimensions. For roadways having a functional classification of collector or higher, access shall not be less than 150 feet from the geometric centerline of intersecting roadways, 100 feet from the outside through-lane, or commensurate with property dimensions, where the lot frontage is insufficient to meet these requirements, subject to the approval of the Traffic Engineering Division and the JPDD.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. The subject property meets the requirements of the CCG-1 zoning district as set forth in the Zoning Code.

**SURROUNDING LAND USE AND ZONING**

The subject property is located at the intersection of Mallory Road and Devoe Street, where Devoe Street becomes Hammond Boulevard before crossing Interstate-10. The site is located in the Urban Area Development Boundary.

The surrounding land uses and zoning are a mixture of industrial, commercial, and residential. The subject property is being rezoned to match the CCG-1 zoning of the parcel immediately to the North, and there is further commercial property southeast across the Devoe-Mallory intersection. Immediately to the south of the subject site is a residential property that shares two property lines with a personal storage facility under IL zoning. To the west of the subject site is a large industrial area, while to the east across Devoe Street are several existing residential homes. The surrounding land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-1	Retention Pond
East	LDR	RLD-60	Single family homes
South	LDR/LI	RLD-60/IL	Single-family home/Self-storage facility
West	LI	IL	Warehouse

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on February 7, 2018, the required Notice of Public Hearing signs were posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2018-0054** be **APPROVED**.



**Adjacent residential property west of subject site**



**Personal storage facility south of the subject site**



**Subject parcel, facing North from Mallory Road**



**Adjacent residential property south of the subject site.**

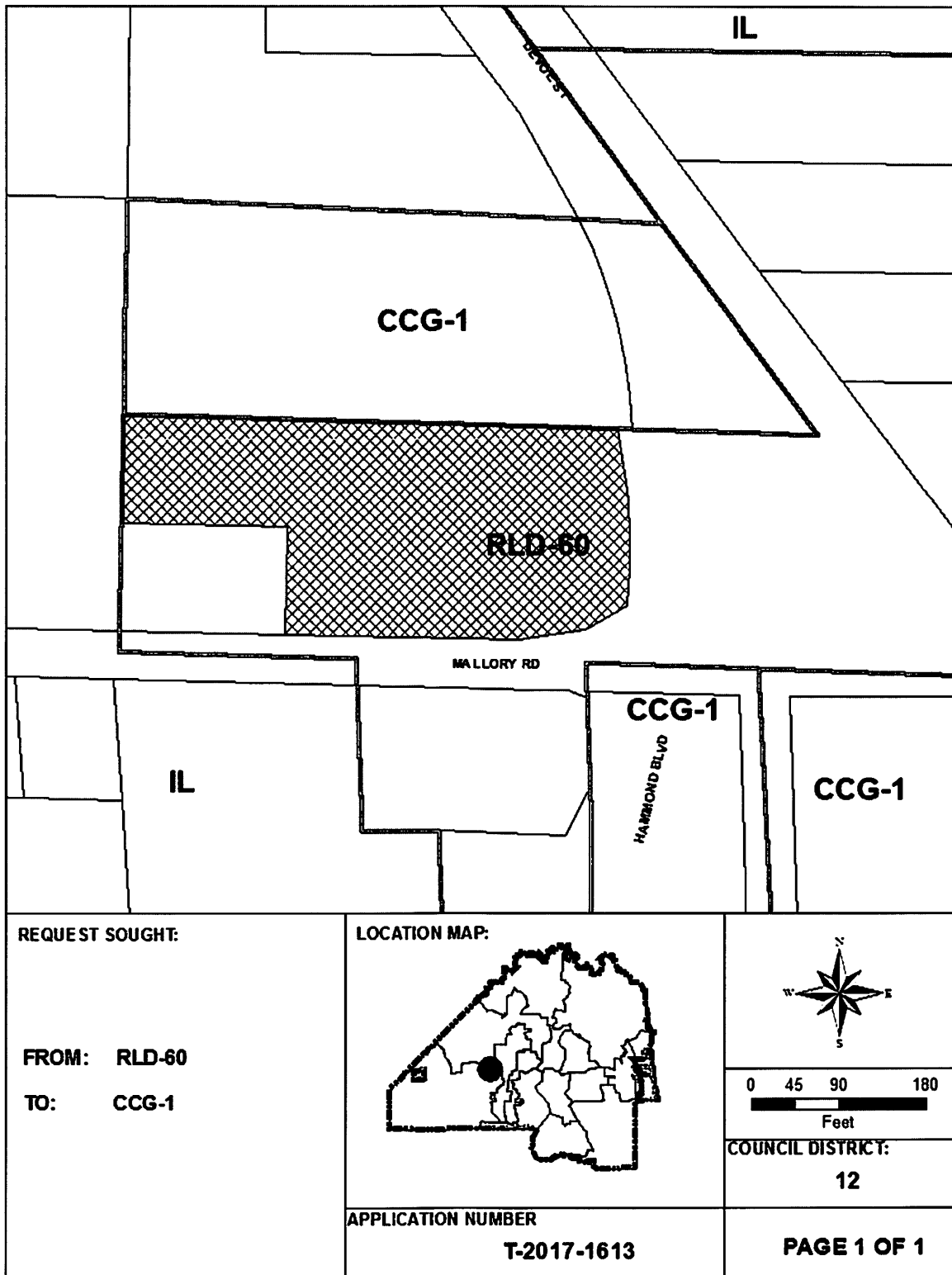


**View across Devoe Street from the subject parcel, facing east.**



**Retention pond on northern adjacent parcel**





## Application For Rezoning To Conventional Zoning District

### Planning and Development Department Info

Ordinance # 2018-0054 Staff Sign-Off/Date / N/A  
 Filing Date 01/23/2018 Number of Signs to Post 2  
 Hearing Dates:  
 1st City Council 02/27/2018 Planning Commission 02/22/2018  
 Land Use & Zoning 03/06/2018 2nd City Council 03/13/2018  
 Neighborhood Association THOMAS JEFFERSON CIVIC CLUB, WEST JAX CIVIC ASSOCIATION  
 Neighborhood Action Plan/Corridor Study

### Application Info

Tracking # 1613 Application Status PAID  
 Date Started 11/15/2017 Date Submitted 11/15/2017

### 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  
 HAMILTON REBECCA A  
 Company/Trust Name  
 GATE PETROLEUM COMPANY  
 Mailing Address  
 P.O. BOX 23627  
 City State Zip Code  
 JACKSONVILLE FL 32257  
 Phone Fax Email

### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning From Zoning District	From Zoning District(s)	To Zoning District
Map 007037 0020	12	5	RLD-60	CCG-1

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 #**  
5271

**Total Land Area (Nearest 1/100th of an Acre)** 2.17

**Justification For Rezoning Application**

TO DEVELOP CONSISTENT WITH THE ADJOINING CCG-1 PROPERTY.

**Location Of Property**

**General Location**  
NWC OF DEVOE ST. AND HAMMOND BLVD.

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
8426	DEVOE ST	32220

**Between Streets**  
BEAVER ST. and I-10

**Required Attachments For Formal, Complete application**

The following items must be attached to each 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 for inclusion of information required.

- Exhibit 1** ✓ A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** ✓ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ✓ Agent Authorization - Notarized letter(s) designating the agent.

**Supplemental Information**

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

- ✓ One copy of the Deeds to indicate proof of property ownership.

**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 by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

**Filing Fee Information**

**1) Rezoning Application's General Base Fee:        \$2,000.00**

**2) Plus Cost Per Acre or Portion Thereof**

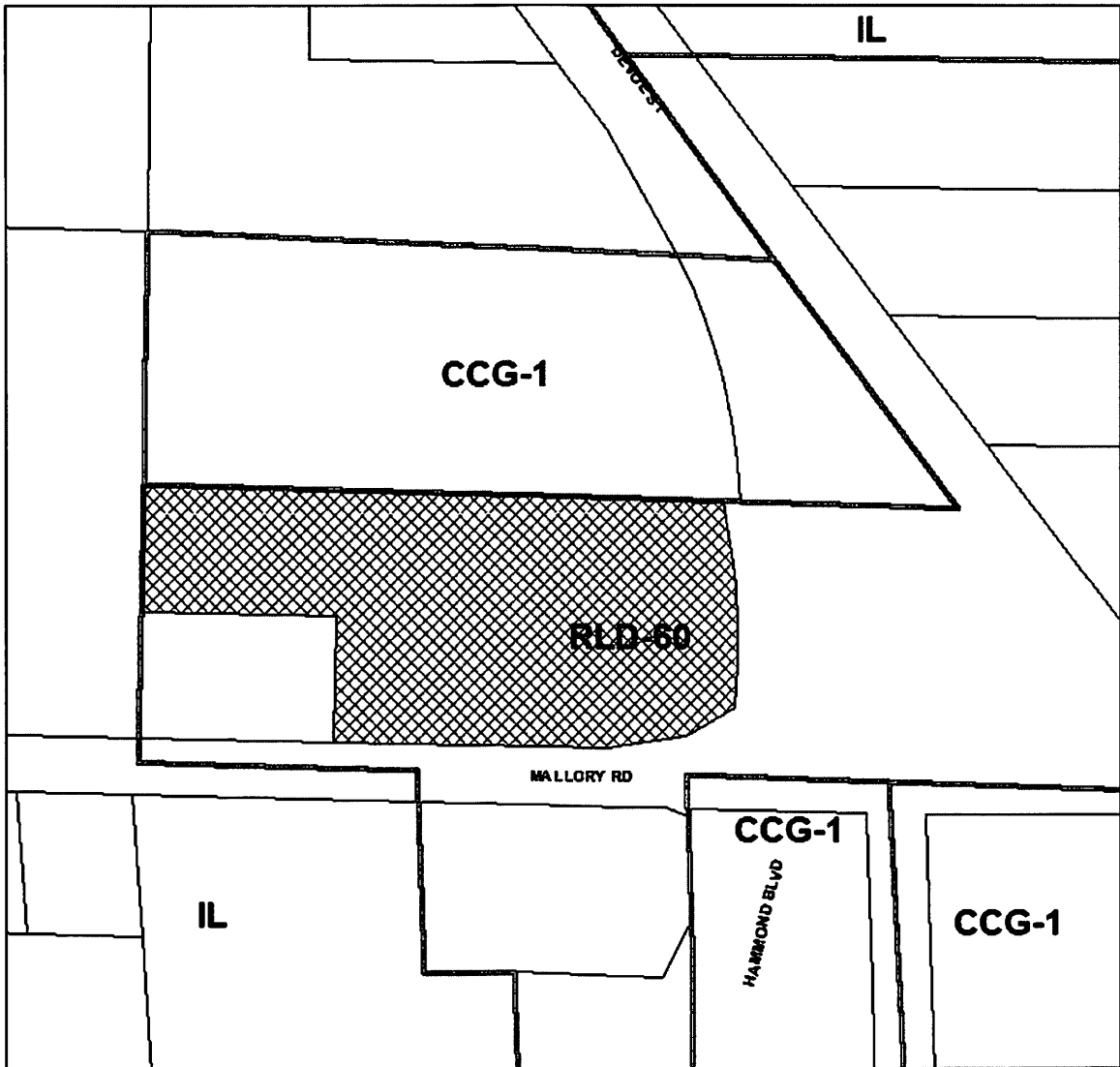
**2.17 Acres @ \$10.00 /acre: \$30.00**

**3) Plus Notification Costs Per Addressee**

**19 Notifications @ \$7.00 /each: \$133.00**

**4) Total Rezoning Application Cost: \$2,163.00**

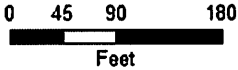
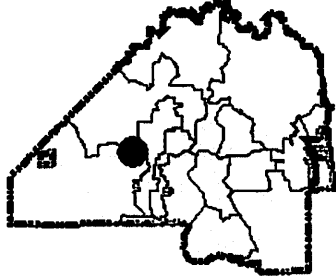
**NOTE: Advertising Costs To Be Billed to Owner/Agent**



**REQUEST SOUGHT:**

**FROM: RLD-60**  
**TO: CCG-1**

**LOCATION MAP:**



**COUNCIL DISTRICT:**  
**12**

**APPLICATION NUMBER**  
**T-2017-1613**

# ORDINANCE \_\_\_\_\_

October 9, 2017

## Legal Description

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A PORTION OF LOTS 14 AND 15, RAMONA, AS SHOWN IN PLAT BOOK 18, PAGE 71 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SOUTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 88°41'17" EAST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF MALLORY ROAD (A 50 FOOT RIGHT OF WAY, AS NOW ESTABLISHED), 170.05 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 7014, PAGE 1624 OF SAID CURRENT PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE NORTH 00°07'10" WEST, ALONG LAST SAID LINE, 110.20 FEET TO THE NORTHERLY LINE OF SAID LOT 15; THENCE NORTH 88°41'20" WEST, ALONG LAST SAID LINE, 170.05 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 12292, PAGE 542 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°07'10" WEST, ALONG LAST SAID LINE, 109.80 FEET TO THE SOUTHERLY LINE OF LOT 13 OF SAID RAMONA; THENCE SOUTH 88°32'20" EAST, ALONG LAST SAID LINE, 526.36 FEET TO THE WESTERLY LINE OF HAMMOND BOULEVARD (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED) AND THE ARC OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 581.13 FEET, AN ARC DISTANCE OF 181.95 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03°33'48" WEST, 181.21 FEET; COURSE NO. 2: SOUTH 59°41'12" WEST, 50.41 FEET; COURSE NO. 3: SOUTH 82°19'27" WEST, 70.79 FEET TO THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF MALLORY ROAD; THENCE NORTH 88°41'17" WEST, ALONG LAST SAID LINE, 230.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.17 ACRES, MORE OR LESS.

**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#007037-0020

To Whom it May Concern:

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

If Owner is Individual:

If Owner is Corporate Entity:\*

Print Corporate Name:

Gate Petroleum Company

By \_\_\_\_\_

By Rebecca A. Hamilton

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

Print Name: Rebecca A. Hamilton

Its: Vice President

\*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 26th day of October 2017, by Rebecca A. Hamilton, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

[Signature]  
(Signature of NOTARY PUBLIC)

Delia Donaldson  
(Printed name of NOTARY PUBLIC)

State of Florida at Large. 12/29/20  
My commission expires: \_\_\_\_\_

DELIA DONALDSON  
Notary Public, State of Florida  
My Comm. Expires 12/29/2020  
Commission No. 0000071



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Profit Corporation

GATE PETROLEUM COMPANY

### Filing Information

**Document Number** 238352  
**FEI/EIN Number** 59-0904473  
**Date Filed** 07/09/1960  
**State** FL  
**Status** ACTIVE  
**Last Event** CORPORATE MERGER  
**Event Date Filed** 06/27/2017  
**Event Effective Date** 06/30/2017

### Principal Address

9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Changed: 01/29/2007

### Mailing Address

P.O. BOX 23627  
JACKSONVILLE, FL 32241

Changed: 01/29/2007

### Registered Agent Name & Address

GWALTNEY, JOSEPH F, Jr.  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Name Changed: 09/21/2015

Address Changed: 03/28/2005

### Officer/Director Detail

#### **Name & Address**

Title Chairman, Director

PEYTON, HERBERT H  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257



Title DVP

PEYTON, H HILL  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Title COO, Director, VP

RHODES, T MITCHELL  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Title President, Director, CEO

PEYTON, JOHN S  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

DILL, DAVID G  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP, Asst. Secretary

FRICK, DREW D  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

GLAVIN, THOMAS M  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

GWIN, DEAN O  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

HAMILTON, REBECCA A  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

HOOVER, ROBERT B

9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

LOVE, WILLIAM M  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

MCMAHON, JOHN C  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title VP

WILSON, KENNETH P  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title Director, VP, Secretary, Treasurer

GWALTNEY, JOSEPH F, Jr.  
9540 SAN JOSE BLVD.  
JACKSONVILLE, FL 32257

Title Asst. Secretary

HILDEBRAND, LUCAS J  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Title VP

SKIPPER, MISTY J  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Title VP

JUNK, MICHAEL L  
9540 SAN JOSE BLVD  
JACKSONVILLE, FL 32257

Annual Reports

Report Year	Filed Date
2015	02/18/2015
2016	04/19/2016
2017	03/22/2017

Document Images

<a href="#">08/27/2017 -- Merger</a>	<a href="#">View image in PDF format</a>
<a href="#">03/22/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/19/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">09/21/2015 -- AMENDED ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/18/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/08/2014 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/16/2013 -- AMENDED ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/02/2013 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">06/28/2012 -- Merger</a>	<a href="#">View image in PDF format</a>
<a href="#">08/25/2012 -- Merger</a>	<a href="#">View image in PDF format</a>
<a href="#">04/18/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/21/2011 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/06/2010 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/28/2009 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/29/2008 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/29/2007 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/20/2006 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/28/2005 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/01/2004 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/21/2003 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">05/01/2002 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/25/2001 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/15/2000 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/01/1999 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/11/1998 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/03/1997 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/28/1996 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/29/1995 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>

**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#007037-0020

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 FLUM & 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:

Gate Petroleum Company

By \_\_\_\_\_

By *Rebecca A. Hamilton*

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

Print Name: Rebecca A. Hamilton

Its: Vice President

\*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 21<sup>st</sup> day of October 2017, by Rebecca A. Hamilton, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

*[Signature]*

(Signature of NOTARY PUBLIC)

*Delia Donaldson*

(Printed name of NOTARY PUBLIC)

State of Florida at Large. 12/29/20  
My commission expires: \_\_\_\_\_

DELIA DONALDSON  
Notary Public, State of Florida  
My Comm. Expires 12/29/2020  
Commission No. GG58871

Date: July 21, 2016

This instrument prepared by  
or under the direction of:  
David M. Robertson  
Chief Counsel District Two  
Florida Department of Transportation  
1109 South Marion Avenue  
Lake City, Florida 32025-5874  
CH13-77/4573165

<b>Recorded Electronically</b>	
ID	<u>2016282454</u>
County	<u>Duval</u>
Date	<u>12/12/2016</u> Time <u>11:06 AM</u>
OR Book	<u>17806</u> page <u>1614</u>

COUNTY OF	DUVAL
SECTION NO.	72270
F.P. NO.	2133012
STATE ROAD NO.	8
PARCEL NO.	143 (Part)

**QUITCLAIM DEED**

THIS INDENTURE, MADE THIS 14<sup>th</sup> day of November, 2016, by and between the STATE OF FLORIDA, by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, as the First Party, and Gate Petroleum Company, a Florida Corporation, 9540 San Jose Blvd., Jacksonville, Florida 32257, as the Second Party.

**WITNESSETH**

WHEREAS, said land hereinafter described was heretofore acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes, and the First Party, by action of the District Secretary, District Two, Department of Transportation on 11/17/2013, pursuant to the provisions of Section 337.25, Florida Statutes, has agreed to quitclaim the land hereinafter described to the Second Party;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the First Party for and in consideration of the premises and the sum of One Dollar and other valuable considerations to it paid by the Second Party, the receipt of which is hereby acknowledged, does hereby remise, release and quitclaim unto the Second Party, and assigns, forever, all the right, title and interest of the State of Florida and/or the State of Florida Department of Transportation to the property described on Exhibit "A" attached hereto and made a part hereof.

RESERVING unto the First Party a perpetual easement for the purpose of providing access to construct, operate, and maintain an offsite drainage system along Devoe Street, in, over, under, upon and through the real property described in Exhibit "B" hereto, together with the right to perform any transportation purpose, including without limitation, the right to access, observe, inspect, construct, operate, maintain, improve and repair improvements located on or within said real property.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Second Party.

THIS CONVEYANCE IS made subject to any unpaid taxes, assessments, liens, or encumbrances.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District Secretary, District Two, and its seal to be hereunto affixed, attested by its Executive Secretary, District Two, on the date first above written.

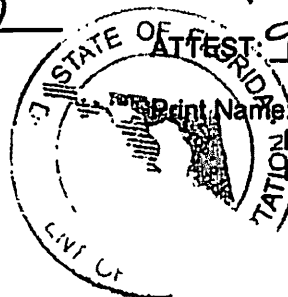
Signed, sealed and delivered in our presence as witnesses:

Tracy Hister-Pace  
Witness:  
Print Name: Tracy Hister-Pace

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: Greg Evans  
Greg Evans  
District Two Secretary

Amanda Sharp  
Witness:  
Print Name: Amanda Sharp



Rhonda Harrington  
Print Name: Rhonda Harrington  
Executive Secretary  
District Two

STATE OF FLORIDA  
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 14 day of November, 2016, by Greg Evans, District Two Secretary, and Rhonda Harrington Executive Secretary, District Two, for the State of Florida Department of Transportation, respectively, and who are personally known to me to be the persons described in and who executed the foregoing instrument.



(Notary Seal)

Lisa Lambert  
Print Name: Lisa Lambert  
Notary Public  
My Commission Expires: Dec. 11, 2019

**Exhibit "A"**

**SECTION NO. 72270  
F.P. NO. 2133012**

**STATE ROAD NO. 8**

**DUVAL COUNTY**

**PARCEL NUMBER 143 (Part)**

**A Part Of Lots 12 And 13 Of Ramona, As Recorded In Plat Book 18, Page 71, Of The Current Public Records Of Duval County, Florida, Section 22, Township 2 South, Range 25 East, Duval County, Florida, Being More Particularly Described As Follows:**

**Commence At A 1/2" Iron Pipe And Cap, Labeled "LB #5613", Marking The Southwest Corner Of The Northwest 1/4 Of Section 22, Township 2 South, Range 25 East, Duval County, Florida; Thence North 89°30'28" East, Along The South Line Of Said Northwest 1/4, A Distance Of 1,622.43 Feet To A Point On The Centerline Of Survey Of Hammond Boulevard, (A Variable Width Right Of Way As Per Florida Department Of Transportation Right Of Way Map, Section 72270, F.P. No. 2133012); Thence North 11°51'45" East, Along Said Centerline Of Survey, A Distance Of 1,487.97 Feet To A Point Of Curvature Of A Curve Concave Westerly, Having A Radius Of 645.00 Feet, Thence Northerly, Along The Arc Of Said Curve, Through An Angle Of 17°37'19", An Arc Length Of 198.38 Feet To A Point On The Southerly Line Of Lot 13 Of Ramona, As Recorded In Plat Book 18, Page 71, Of The Current Public Records Of Duval County, Florida; Thence North 88°37'36" West, Departing Said Centerline Of Survey And Along Said Southerly Line Of Lot 13, A Distance Of 65.50 Feet To The Point Of Beginning; Thence Continue North 88°37'36" West, Along Said Southerly Line, A Distance Of 526.15 Feet To The Southwest Corner Of Said Lot 13; Thence North 00°03'12" West, Along The Westerly Line Of Said Lot 13 And The Westerly Line Of Lot 12 Of Said Plat Of Ramona, A Distance Of 218.68 Feet To The Northwest Corner Of Said Lot 12; Thence South 88°37'36" East, Along The Northerly Line Of Said Lot 12, A Distance Of 458.63 Feet To A Point Of Curvature Of A Curve Concave Westerly, Having A Radius Of 581.12 Feet; Thence Southeasterly, Along The Arc Of Said Curve, Through An Angle Of 22°52'29", An Arc Length Of 232.01 Feet, Said Arc Having A Chord Bearing And Distance Of South 17°04'58" East, 230.47 Feet To The Point Of Beginning.**

**.Containing, 2.512 Acres, More Or Less.**

**Exhibit "B"**

**Section No. 72270**  
**F.P. No. 2133012**

**State Road No. 8**

**Duval County**

**Parcel Number 804**

**Perpetual Easement**

**A Part Of Lot 12, 13 And 14 Of Ramona, As Recorded In Plat Book 18, Page 71, Of The Current Public Records Of Duval County, Florida, Section 22, Township 2 South, Range 25 East, Duval County, Florida, Being More Particularly Described As Follows:**

**Commence At A 1/2" Iron Pipe And Cap, Labeled "LB #5613", Marking The Southwest Corner Of The Northwest 1/4 Of Section 22, Township 2 South, Range 25 East, Duval County, Florida; Thence North 89°30'28" East, Along The South Line Of Said Northwest 1/4, A Distance Of 1,622.43 Feet To A Point On The Centerline Of Survey Of Hammond Boulevard, (A Variable Width Right Of Way As Per Florida Department Of Transportation Right Of Way Map, Section 72270, F.P. No. 2133012); Thence North 11°51'45" East, Along Said Centerline Of Survey, A Distance Of 1,487.97 Feet To A Point Of Curvature Of A Curve Concave Westerly, Having A Radius Of 645.00 Feet, Thence Northerly, Along The Arc Of Said Curve, Through An Angle Of 38°04'38", An Arc Length Of 428.65 Feet To A Point On The Easterly Prolongation Of The Southerly Line Of Lot 11, Of Ramona, As Recorded In Plat Book 18, Page 71, Of The Current Public Records Of Duval County, Florida; Thence North 88°37'36" West, Along Said Easterly Prolongation Of Said Southerly Line Of Lot 11, And Along Said Southerly Line Of Lot 11, A Distance Of 70.12 Feet To The Point Of Beginning; Said Point Being On A Curve Concave Westerly, Having A Radius Of 581.12 Feet, A Chord Bearing And Distance Of South 19°24'03" East, 184.20 Feet; Thence Southerly, Along The Arc Of Said Curve Through An Angle Of 18°14'17", An Arc Length Of 184.98 Feet; Thence North 88°28'22" West, A Distance Of 320.28 Feet; Thence South 01°31'38" West, A Distance Of 158.25 Feet To A Point On The Southerly Line Of Lot 14, Of Said Ramona; Thence North 88°37'22" West, Along Said Southerly Line, A Distance Of 195.05 Feet To The Southwesterly Corner Of Said Lot 14; Thence North 00°03'12" West, Along The Westerly Line Of Lots 14, 13 And 12, A Distance Of 329.70 Feet To The Northwesterly Corner Of Said Lot 12; Thence South 88°37'36" East, Along The Northerly Line Of Said Lot 12, A Distance Of 458.63 Feet To The Point Of Beginning.**

**Containing, 2.664 Acres, More or Less.**



Date: July 21, 2016

This instrument prepared by  
or under the direction of:  
David M. Robertson  
Chief Counsel District Two  
Florida Department of Transportation  
1109 South Marion Avenue  
Lake City, Florida 32025-5874  
2413-77/4573165

COUNTY OF DUVAL  
SECTION NO. 72270  
F.P. NO. 2133012  
STATE ROAD NO. 8  
PARCEL NO. 143 (Part)

**QUITCLAIM DEED**

THIS INDENTURE, MADE THIS 14<sup>th</sup> day of November, 2016, by and  
between the STATE OF FLORIDA, by and through the STATE OF FLORIDA DEPARTMENT OF  
TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, as the First Party,  
and Gate Petroleum Company, a Florida Corporation, 9540 San Jose Blvd., Jacksonville, Florida  
32257, as the Second Party.

**WITNESSETH**

WHEREAS, said land hereinafter described was heretofore acquired for state highway  
purposes; and

WHEREAS, said land is no longer required for such purposes, and the First Party, by action  
of the District Secretary, District Two, Department of Transportation on 11/18/2016,  
pursuant to the provisions of Section 337.25, Florida Statutes, has agreed to quitclaim the land  
hereinafter described to the Second Party;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the First Party for and in  
consideration of the premises and the sum of One Dollar and other valuable considerations to it paid  
by the Second Party, the receipt of which is hereby acknowledged, does hereby remise, release and  
quitclaim unto the Second Party, and assigns, forever, all the right, title and interest of the State of  
Florida and/or the State of Florida Department of Transportation to the property described on  
Exhibit "A" attached hereto and made a part hereof.

RESERVING unto the First Party a perpetual easement for the purpose of providing access  
to construct, operate, and maintain an offsite drainage system along Devco Street, in, over, under,  
upon and through the real property described in Exhibit "B" hereto, together with the right to  
perform any transportation purpose, including without limitation, the right to access, observe,  
inspect, construct, operate, maintain, improve and repair improvements located on or within said  
real property.

Property Appraiser's I.D. No.: 007038-0020

**PREPARED BY, RECORD AND RETURN TO:**

Anthony A. Anderson, Esquire  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

**Note To Clerk:** Purchase Price for the Property conveyed hereby is \$55,000.00

**SPECIAL WARRANTY DEED**

*THIS INDENTURE*, made this 4<sup>th</sup> day of December, 2009, between **WARREN G. JOHNS**, individually conveying property not his homestead ("Grantor"), and **GATE PETROLEUM COMPANY**, a Florida corporation ("Grantee"), whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257.

**WITNESSETH:**

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the Grantee, its successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of Duval County, State of Florida, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO**

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property").

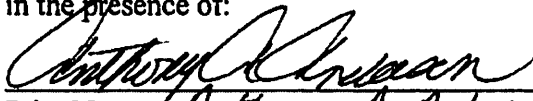
To have and to hold the Property in fee simple forever.

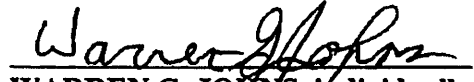
The said Grantor does hereby fully warrant the title to said Property, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.


*[Remainder of page intentionally left blank]*

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer all as of the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

  
Print Name: Anthony A. Anderson

  
WARREN G. JOHNS, individually

  
Print Name: Amanda Farmand

Address:  
12000 Cisco Gardens Road, N.  
Jacksonville, Florida 32219

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of December, 2009, by Warren G. Johns, individually. He (check one)  is personally known to me or  has produced Fla. Driver's Licence as identification.

  
Notary Public, State of Florida



Name: Amanda Farmand

My Commission Expires \_\_\_\_\_

My Commission Number is: \_\_\_\_\_

EXHIBIT "A"

Legal Description

THE EAST 200 FEET OF THE WEST 370 FEET OF LOT 15, RAMONA, AS SHOWN IN PLAT BOOK 18, PAGE 71 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SOUTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 88°17'39" EAST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF MALLORY ROAD (A 50 FOOT RIGHT OF WAY, AS NOW ESTABLISHED), 170.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°17'39" EAST, ALONG LAST SAID LINE, 200.08 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 5626, PAGE 1405 OF SAID CURRENT PUBLIC RECORDS, ALSO BEING THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 14416, PAGE 124 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°16'28" EAST, ALONG LAST SAID LINE, 110.20 FEET TO THE NORTHERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 5626, PAGE 1405, ALSO BEING THE NORTHERLY LINE OF SAID LOT 15; THENCE NORTH 88°17'42" WEST, ALONG LAST SAID LINE, 200.06 FEET TO THE WESTERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 5626, PAGE 1405, ALSO BEING THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 7014, PAGE 1824 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 00°16'28" WEST, ALONG LAST SAID LINE, 110.20 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF MALLORY ROAD AND THE POINT OF BEGINNING,

CONTAINING 22,040 SQUARE FEET, MORE OR LESS, (22,039.69 SQUARE FEET)

THIS DOCUMENT PREPARED BY:  
FRANK E. MILLER, ESQUIRE  
PAPPAS METCALF JENKS & MILLER, P.A.  
245 RIVERSIDE AVENUE, SUITE 400  
JACKSONVILLE, FL 32202

RETURN TO:  
ANTHONY A. ANDERSON, ESQUIRE  
ROWERS TOWERS, P.A.  
1301 RIVERPLACE BOULEVARD SUITE 1500  
JACKSONVILLE, FL 32207

Consideration: \$838,699.33

**DEED**

**THIS DEED** made as of the 2nd day of November, 2009, by GARY JOE ELLIS, individually, and as Trustee of the Trust Created Under Will of Shirley E. Ellis for the Benefit of Cheryl Ruth Neal, hereinafter called "Grantor" conveying non-homestead property to GATE PETROLEUM COMPANY, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257, and whose taxpayer identification number is \_\_\_\_\_, hereinafter called "Grantee".

**WITNESSETH:**

That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its legal representatives and assigns, all that certain real property situate in Duval County, Florida, described on Exhibit "A" attached hereto.

**Parcel Identification Numbers: 007037-0000 & 007038-0000**

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

Said property is not the homestead property of Grantor and Grantor has not resided thereon.

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

And Grantor hereby covenants with Grantee that, except as set forth below, at the time of the delivery of this deed, the property was free from all encumbrances made by Grantor; and that Grantor will warrant and defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

This conveyance is subject to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered  
in the presence of:

*Edward M. Carstaphen*  
Name Printed: Edward M. Carstaphen

*Gary Joe Ellis* (SEAL)  
GARY JOE ELLIS

*Sa-San Wall*  
Name Printed: Sa-San Wall

*Edward M. Carstaphen*  
Name Printed: Edward M. Carstaphen

*Gary Joe Ellis* (SEAL)  
GARY JOE ELLIS, as Trustee of the Trust Created  
Under Will of Shirley E. Ellis for the Benefit of  
Cheryl Ruth Neal

*Sa-San Wall*  
Name Printed: Sa-San Wall

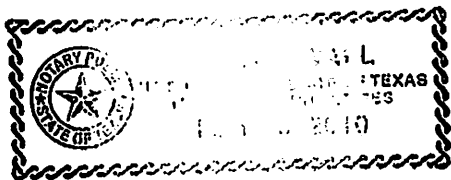
Address: 1105 Krist Drive  
Houston, TX 77055

STATE OF TEXAS }

}SS

COUNTY OF HARRIS }

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2009, by GARY JOE ELLIS, Individually and as Trustee of the Trust Created Under Will of Shirley E. Ellis for the Benefit of Cheryl Ruth Neal.



*Sa-San Wall*  
(Print Name SA-SAN WALL)  
NOTARY PUBLIC  
State of TEXAS at Large  
Commission # 00479004-5  
My Commission Expires: 5/23/10  
Personally known ✓  
or Produced I.D. \_\_\_\_\_  
[check one of the above]  
Type of Identification Produced \_\_\_\_\_

**EXHIBIT "A"**

**(Legal Description)**

**Parcel A:**

Lot 14, RAMONA, according to plat thereof as recorded in Plat Book 18, Page 71, of the Public Records of Duval County, Florida.

**Parcel B:**

A parcel of land being a portion of 15 according to plat of RAMONA as recorded in Plat Book 18, Page 71, of the Public Records of Duval County, Florida, being more particularly described as follows:

Point of Beginning is the Southeast corner of said Lot 15; thence proceed North 88° 13' West along the South right of way of Mallory Road (a 50 foot right of way per plat), a distance of 448.20 feet; thence North 0° 34' East along the East line of lands described in Official Records Book 5626, Page 1045, a distance of 110.00 feet; thence South 88° 13' East along the North line of said Lot 15, a distance of 364.84 feet to a point on the Southwesterly right of way line of Devoe Street (formerly Ramona Boulevard)(a 100 foot right of way per plat); thence South 36° 08' 36" East along the said Southwesterly right of way, a distance of 139.42 feet to the Point of Beginning.



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Rebecca Hamilton  
GATE Petroleum Company  
PO Box 23627  
Jacksonville, Florida, 32241

November 17, 2017

Project Name: GATE - Devoe Street Property  
Availability#: 2017-2387

Dear Mr/Mrs Rebecca Hamilton,

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

**Point of Connection:**

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

**Offsite Improvements:**

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

**Reservation of Capacity:**

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

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

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

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





21 West Church Street  
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2017-2387  
 Request Received On: 11/15/2017  
 Availability Response: 11/17/2017  
 Prepared by: Mollie Price

**Project Information**

Name: GATE - Devoe Street Property  
 Type: Commercial  
 Requested Flow: 1,050 gpd  
 Location: 8426 Devoe Street, Jacksonville, FL 32220  
 Parcel ID No.: 007037-0020  
 Description: Undetermined at this time. A JEA Service Availability Letter is required to rezone property.

**Potable Water Connection**

Water Treatment Grid: NORTH GRID  
 Connection Point #1: Existign 8-in water line on the south side of Mallory Rd (see Special Conditions)  
 Connection Point #2: NA  
 Special Conditions: Fire protection needs to be addressed. 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 4-in forcemain crossing Devoe St east-west, approx. 220-ft north of Mallory Rd (see Special Conditions)  
 Connection Point #2: NA  
 Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. 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 JEA-owned sewer system for your project will require connection to a vacuum pod. If there is not an existing pod designated for the property, connection will require the design and installation of a JEA approved vacuum pod, to be installed by a JEA approved contractor in conjunction with JEA standards, and a JEA dedicated vacuum lateral.

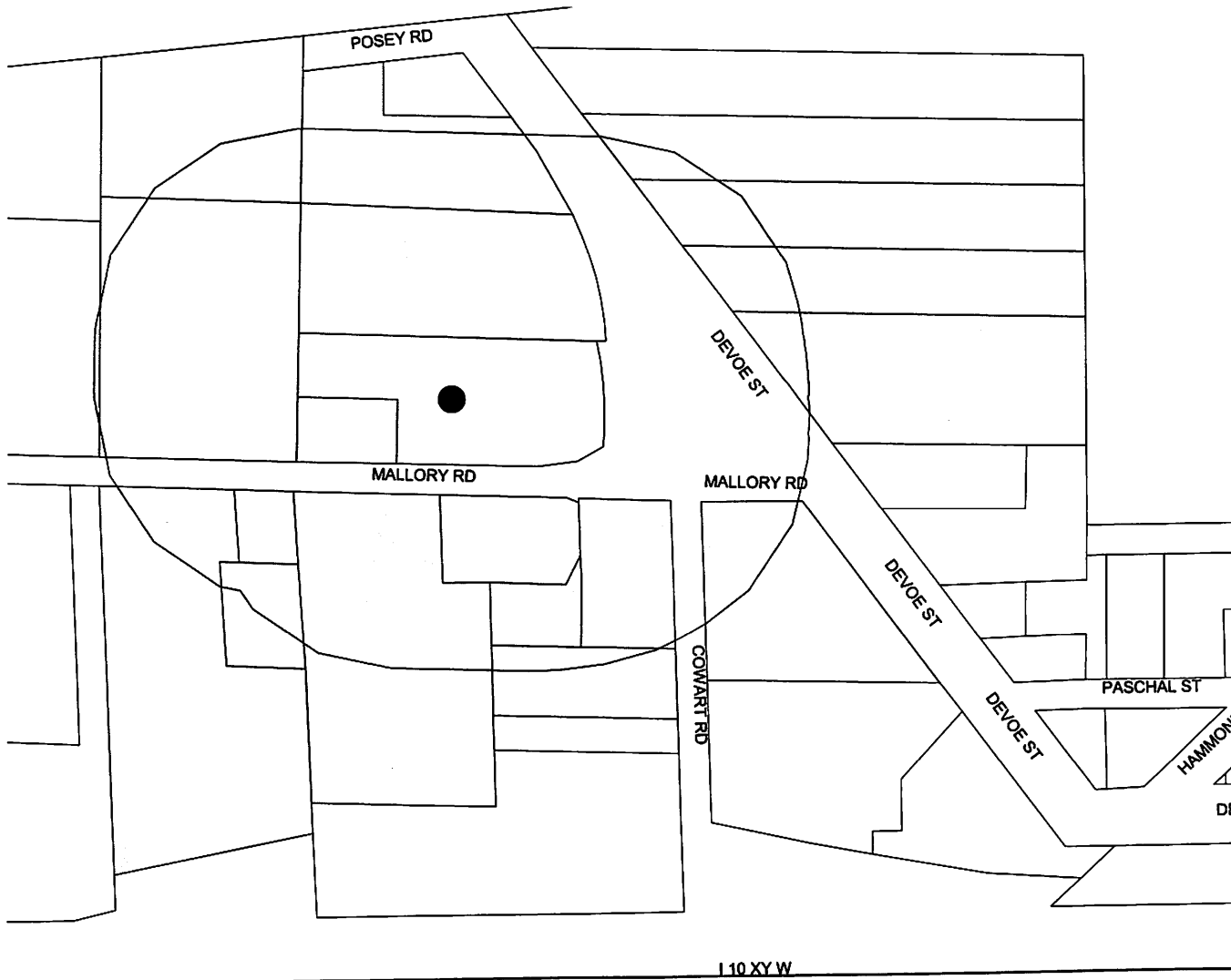
**Reclaimed Water Connection**

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.

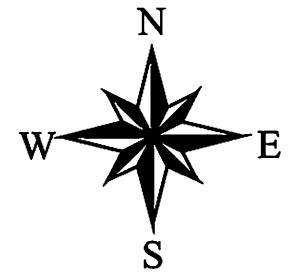
**General Comments:**

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.

# 8426 Devoe Street



- Major Highways (with Functional Class)
- Text Highway Text**
- Text Street Text**
- River
- Parcels
- Municipal Boundaries 20150428



# Checklist / Baseline Review

Print Form

Address/Area

Agent / Owner

Planner

Pre-application meeting

New information received

Application submitted

Application reviewed

Date sufficient / insufficient

Planning District

Existing Land Use

Council District

Development Area

Council District

Existing Zoning

Neighborhood Association(s)

NAP / Town Center / Corridor Study

Downtown Overlay

Aquatic Preserve

Civilian Notice Zone

DRI

Septic Tank Failure Area

Civilian School Zone

Springfield Historic District

Boat Facility Siting Zone

Civilian Height Zone

Riverside Historic District

Coastal High Hazard Zone

Military Notice Zone

Riverside Overlay

Wellhead Protection Zone

Military School Zone

Lake Marco Overlay

State Road

Military Height Zone

San Marco Overlay

Outside Suburban Boundry

Noise Contour Zone

Mandarin Height Overlay

Industrial Sanctuary

NAS Jax APZ

Mandarin Road Overlay

Industrial Compatibility

Whitehouse OLF APZ

Mayport

Listed Species Report > 50 acres

Whitehouse OLF Light Restriction Zone

Planner's Comments

Wetlands - n/a





*Planning and Development  
Department*

Ed Ball Building  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202

**MEMORANDUM**

**TO:** Sam Walker  
**FROM:** Krista Fogarty, City Planner I  
Community Planning Division  
**RE:** 2018-054  
**DATE:** February 8, 2018

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*The following review is based on the information provided by the Current Planning Division staff*

**Description of Proposed Rezoning Application**

Current Land Use: LDR LU Companion Application: L-5271-17C  
Current Zoning: RLD-60 Proposed Zoning: CCG-1 Acres: 2.17

**Comprehensive Land Use Policy Analysis**

**Is the proposed rezoning district consistent with the functional land use category identified in the 2030 Comprehensive Plan?**

YES  NO

**ZONING REQUEST:**

The request is for a rezoning from RLD-60 to CCG-1 to allow for development consistent with the adjoining CCG-1 property to the north.

**LAND USE CATEGORY CONSISTENCY REVIEW:**

Currently the site has a Low Density Residential (LDR) land use designation. According to the Future Land Use Element (FLUE), LDR in the Urban Area is intended to provide for low density residential development.

According to the FLUE, CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns while promoting the advancement of existing commercial land uses and the use of existing infrastructure. 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 arterial or higher on the Functional Highway Classification Map.

**The proposed zoning application should be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:**

**Future Land Use Element:**

- 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.
- Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.
- Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
- 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
- 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.

**Transportation Element:**

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

environmental degradation, or would hinder adequate traffic circulation, or 2) there already exists more than one full access point on the roadway, and at least one of the full access points is eliminated.

Policy 2.3.7 Access for corner lots or parcels shall be located the greatest distance from the corner commensurate with property dimensions. For roadways having a functional classification of collector or higher, access shall not be less than 150 feet from the geometric centerline of intersecting roadways, 100 feet from the outside through-lane, or commensurate with property dimensions, where the lot frontage is insufficient to meet these requirements, subject to the approval of the Traffic Engineering Division and the JPDD.

**Recreation and Open Space Element:**

Policy 2.2.1 The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

**The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:**

**Airport Environment Zone**

The site is located within the 350 foot Height and Hazard Zone for the Whitehouse Outlying Field-OLF. Zoning will limit development to a maximum height of less than 350', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

This site is also located within the 60-64.99 Day-Night Sound Level (DNL) noise contour range and the Lighting Regulation Zone for Whitehouse Outlying Field- OLF. As such this area is located within the Military Notice Zone. Within the Lighting Regulation Zone at Outlying Field Whitehouse, all artificial lighting equipment, including but not limited to flood lights and searchlights, whether temporary or permanent installations, shall have positive optical control so that no light is emitted above the horizontal plane. No building permit shall be granted in this zone unless this requirement is met. Development within the Lighting Regulation Zone at Outlying Field Whitehouse is subject to Airport Notice Zone Acknowledgements as required in Section 656.1010.

Further information regarding regulations applicable to military airport environs can be found in Section 656.1005.2(B)

Requirements for areas within Height and Hazard Zones and Military Influence Zones are specified in the following FLUE policies:

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Policy 2.5.4E Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses may be allowed when scheduled with the U.S. Navy. As listed in the Instruction Manual, all other uses are allowed subject to disclosure requirements.

- Policy 2.5.5C            Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.
- Policy 2.5.6            To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22
- Policy 2.5.7            In cooperation with the US Military and to preserve the utility of the field for simulated night carrier landings or related missions, the City has designated, through the land development regulations, a lighting regulation zone around Outlying Field (OLF) Whitehouse, requiring that all artificial lighting equipment have positive optical control so that no light is emitted above the horizontal plane. The United States Military has requested this special designation for OLF Whitehouse because of its special fleet carrier landing practice mission.

**Neighborhood Action Plan**

This site is located within the boundaries of the Marietta Neighborhood Action Plan (NAP). The plan recommends that the area be developed residentially. The proposed development is for a commercial use along Devoe Street and is therefore inconsistent with the recommendations of the NAP. However, since the time of the plan's adoption in 1980, the overall character of the neighborhood has changed. Along with the recent completion of the I-10/Hammond Boulevard interchange, the area surrounding the subject site has been developed industrially, rather than residentially. The area to the east of the subject site, across Devoe Street, has retained its residential character throughout the years, while the western side of Devoe Street has seen more industrial growth.