

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2013-788 TO**  
**PLANNED UNIT DEVELOPMENT**  
**JANUARY 30, 2014**

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 2013-788 to Planned Unit Development.

<b><i>Location:</i></b>	4292 Pablo Professional Court between WM Davis Parkway and San Pablo Parkway
<b><i>Real Estate Number(s):</i></b>	167772-9540 and 167772-9555
<b><i>Current Zoning District:</i></b>	Commercial Office (CO)
<b><i>Proposed Zoning District:</i></b>	Planned Unit Development (PUD)
<b><i>Current Land Use Category:</i></b>	Residential Professional Institutional (RPI)
<b><i>Planning District:</i></b>	Southeast, District 3
<b><i>City Council District:</i></b>	The Honorable Richard Clark, District 3
<b><i>Applicant/Agent:</i></b>	Paul M. Harden, Esq. 501 Riverside Avenue, Suite 901 Jacksonville, Florida 32202
<b><i>Owners:</i></b>	Damon B. Olinto Synovus Bank of Jacksonville 14146 Marsh Woods Court Jacksonville, Florida 32224  John C. Kunkel Pablo Pines Development, LLC 4200 Marsh Landing Boulevard, Suite 100 Jacksonville Beach, Florida 32250
<b><i>Staff Recommendation:</i></b>	<b>APPROVE WITH CONDITIONS</b>

## **GENERAL INFORMATION**

Application for Planned Unit Development 2013-788 seeks to rezone approximately 2.01 acres of land from CO to PUD. The rezoning to PUD is being sought so that the property can be developed with a day care for up to 300 children in addition to the permitted and permissible uses by exception in the CO Zoning District. The site is currently undeveloped.

## **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 Residential Professional Institutional (RPI) 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 Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

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

*Principal Uses:* Multi-family dwellings; Office; Business and Professional Office; Institutional; Large scale institutional uses, which require supporting residential and office components; Commercial retail sales and service establishments limited to 50 percent of the site area; Live/Work Units; Financial institutions; Restaurants (without drive-in or drive-thru facilities); Off street parking lots and garages when combined with another principal use; Single-use developments shall be limited to residential or office. Single use residential developments shall be pursuant to the requirements of the Medium Density Residential (MDR) category. Mixed use developments may not include more than 90 percent of any individual use.

*(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): Residential Professional Institutional (RPI). 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:

F.L.U.E. Policy 1.1.8 Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

F.L.U.E. Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

F.L.U.E. GOAL 3 To achieve a well-balanced and organized combination of residential, nonresidential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

F.L.U.E. 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.

*(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 treatment of pedestrian ways: The site plan shows sidewalks connecting the public roads to the parking areas and to the pedestrian entrance.

The use and variety of building setback lines, separations, and buffering: The proposed development uses the same setbacks as the existing buildings maintaining compatibility with the existing and future buildings.

The use and variety of building sizes and architectural styles: The existing buildings are designed with a variety of architectural styles in one and two story buildings.

The use and variety of materials: The site plan indicates the building will use brick and stucco and shingle roof. The existing buildings are constructed with the similar materials.

The separation and buffering of vehicular use areas and sections of vehicular use areas:

Compatible relationship between land uses in a mixed use project: A day care is a permitted use if incidental to an office use and permissible by exception for a stand-alone use 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 in an area where residential, office, commercial and institutional uses function as a mixed-use development. A day care center at this location complements the existing hospital, various office, commercial uses and residential dwellings by providing a service for those employed and living in the immediate area.

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	RPI	CO	Undeveloped
South	PBF	PUD	Mayo Clinic
East	RPI	CO	Assisted Living Facility
West	RPI	PBF-1	COJ Fire Station

*(6) Intensity of Development*

The proposed development is consistent with the RPI functional land use category as a commercial development. The PUD is appropriate at this location because it will support the existing offices, service establishments, residential dwellings and hospital in the area.

The availability and location of utility services and public facilities and services: The site is served with water, sewer and electric from JEA.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site is within 2000 feet of the intersection of San Pablo Road and JTB Boulevard.

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

The project will be developed with the required amount of open space. A recreation area is required by the Department of Children and Families (DCF) which will review and approve the recreation area.

*(8) Impact on wetlands*

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

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

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

The site will be developed in accordance with Part 6 of the Zoning Code.

*(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 December 23, 2013, the required Notice of Public Hearing sign was posted.



### **RECOMMENDATION**

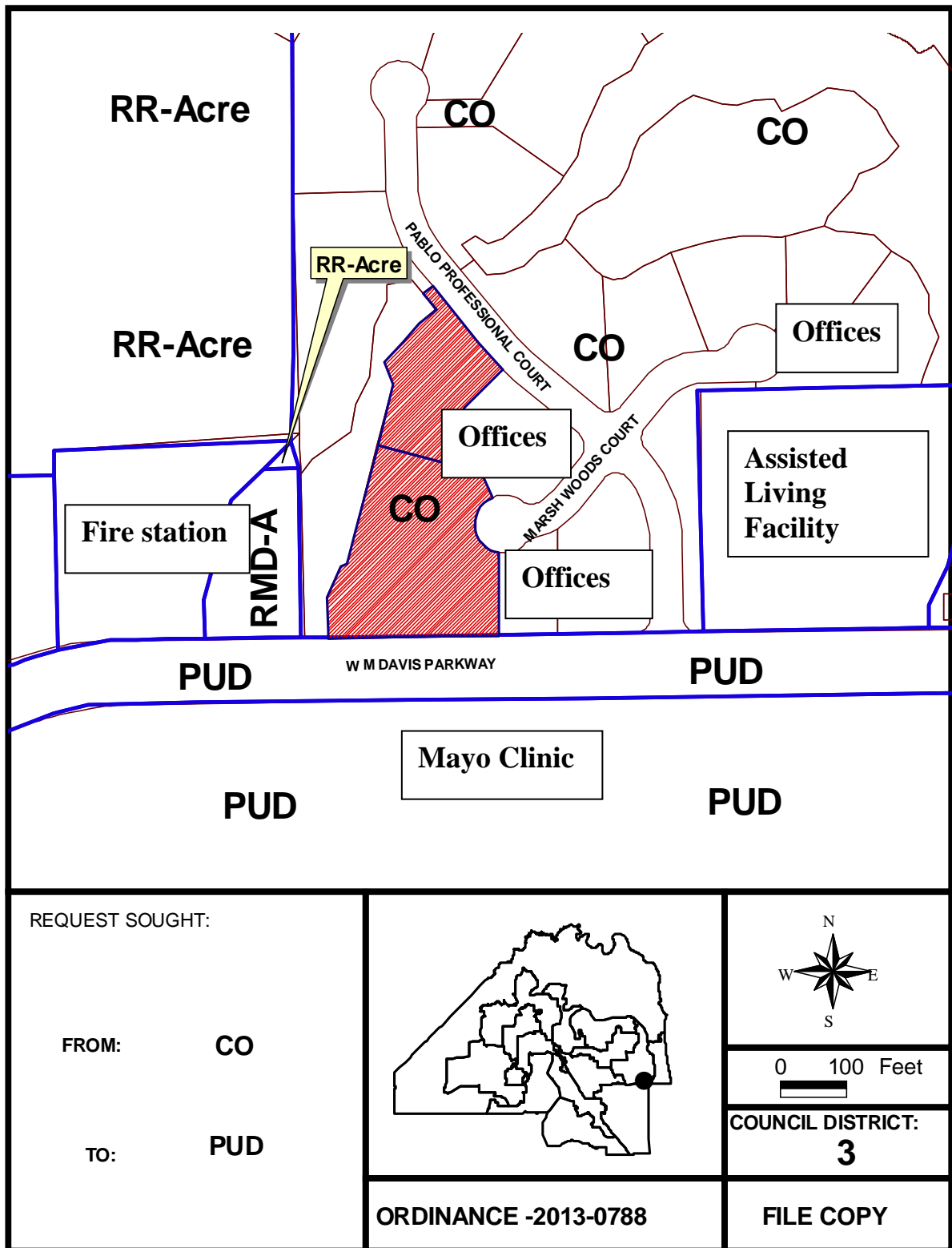
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-788 be **APPROVED with the following conditions:**

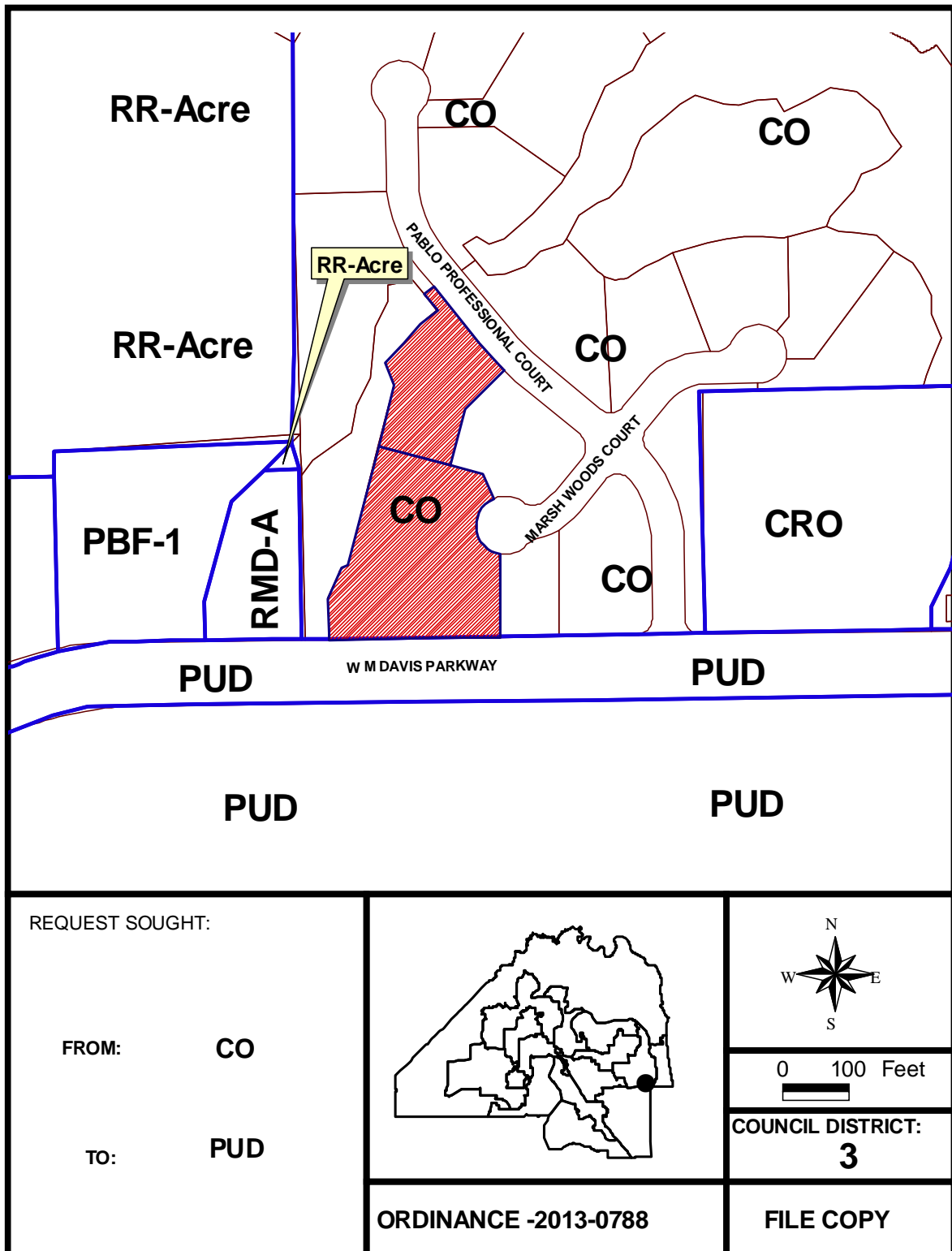
1. The subject property is legally described in the original legal description dated November 5, 2013.
2. The subject property shall be developed in accordance with the original written description dated November 6, 2013.
3. The subject property shall be developed in accordance with the original site plan dated September 30, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated December 16, 2013 or as otherwise approved by the Planning and Development Department.













December 16, 2013

## MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor  
Planning and Development Department

FROM: Lisa King, Traffic Technician Senior

Subject: **Growing Room Child Care PUD  
PUD R-2013-788**

Upon review of the referenced application and based on the information provided to date, the Development Services Division has the following comment:

10set plans reviewed under CDN 3172.063. The Site Plan in application appears to be the same as submitted. Therefore, Traffic has no additional comments.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

## Application For Rezoning To PUD

### Planning and Development Department Info

**Ordinance #** 2013-0788 **Staff Sign-Off/Date** BEL / 11/14/2013

**Filing Date** 11/27/2013 **Number of Signs to Post** 2

#### Hearing Dates:

**1st City Council** 01/14/2014 **Planning Commission** 01/16/2014

**Land Use & Zoning** 01/22/2014 **2nd City Council** N/A

**Neighborhood Association** WEST BEACHES CIVIC ASSOC.

**Neighborhood Action Plan/Corridor Study** N/A

### Application Info

**Tracking #** 494

**Application Status** PENDING

**Date Started** 10/28/2013

**Date Submitted** 10/28/2013

### 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
OLINTO	DAMON	B.

#### Company/Trust Name

SYNOVUS BANK OF JACKSONVILLE, A DIVISION OF SYNOVUS BANK

#### Mailing Address

14146 MARSH WOODS COURT

City	State	Zip Code
JACKSONVILLE	FL	32224

Phone	Fax	Email

Last Name	First Name	Middle Name
KUNKEL	JOHN	C

#### Company/Trust Name

PABLO PINES DEVELOPMENT LLC

#### Mailing Address

4200 MARSH LANDING BLVD, SUITE 100

<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE BEACH	FL	32250
<b>Phone</b>	<b>Fax</b>	<b>Email</b>

### Property Information

Previous Zoning Application Filed For Site? ☐

If Yes, State Application No(s) \_\_\_\_\_

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	167772 9540	3	3	CO	PUD
Map	167772 9555	3	3	CO	PUD

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

Land Use Category Proposed? ☐

If Yes, State Land Use Application # \_\_\_\_\_ Land Use Category  
RPI

Total Land Area (Nearest 1/100th of an Acre) 2.01

Development Number \_\_\_\_\_

Proposed PUD Name GROWING ROOM CHILDCARE (PPP)

### Justification For Rezoning Application

SEE EXHIBIT D (WRITTEN DESCRIPTION)

### Location Of Property

#### General Location

NORTH SIDE OF W.M. DAVIS PKWAY, WEST OF SAN PABLO PKWAY

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
4292	PABLO PROFESSIONAL CT	32224

#### Between Streets

HODGES BOULEVARD and SAN PABLO PARKWAY

### Required Attachments For Formal, Complete application

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

- Exhibit 1** ☒ A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** ☒ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ☒ Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** ☒ Binding Letter.

- Exhibit D** ☒ Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** ☒ Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** ☒ Land Use Table
- Exhibit G** ☒ Copy of the deed to indicate proof of property ownership.

### Supplemental Information

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

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

### Public Hearings And Posting Of Signs

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

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

### Application Certification

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

☒ Agreed to and submitted

### Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
- 2.01 Acres @ \$10.00 /acre:** \$30.00
- 3) Plus Notification Costs Per Addressee**
- 14 Notifications @ \$7.00 /each:** \$98.00

**4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,128.00

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



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# LEGAL DESCRIPTION

## EXHIBIT A

### Property Description

All that certain piece, parcel or tract of land situate, lying and being in the County of Duval and State of Florida and being more particularly described as:

Tracts 4, 3 and the West 91.56 feet of Tract 2 PABLO PROFESSIONAL PARK, according to plat thereof as filed in Plat Book 61, pages 53, 54, 55 and 56 of the current public records of Duval County, Florida.

November 5, 2013

# LEGAL DESCRIPTION

## EXHIBIT 1

For Agent Authorization Executed by  
Pablo Pines Development, LLC

Tract 6 PABLO PROFESSIONAL PARK, according to the plat thereof as filed in Plat Book 61,  
Pages 53-56 of the current public records of Duval County, Florida.

**November 5, 2013**

**Exhibit 1  
Page 2 of 2**

# EXHIBIT A

## Property Ownership Affidavit

Date: October 15, 2013

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

Re: Ownership Certification

Gentleman:

I, Synovus Bank of Jacksonville, a Division of Synovus Bank, hereby certify that I am the Owner of the property described in the attached legal description, Exhibit 1 in connection with filing application(s) for PUD Zoning, submitted to the Jacksonville Planning and Development Department.

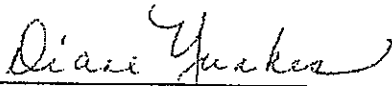
Synovus Bank of Jacksonville, a Division of Synovus Bank

By: 

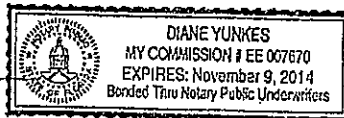
Damon B. Olinto  
Division President and CEO

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 15<sup>th</sup> day of OCTOBER (month), 2013 (year) by DAMON B. OLINTO who is personally known to me or has produced N/A as identification.



(Notary Signature)



# EXHIBIT A

## Property Ownership Affidavit

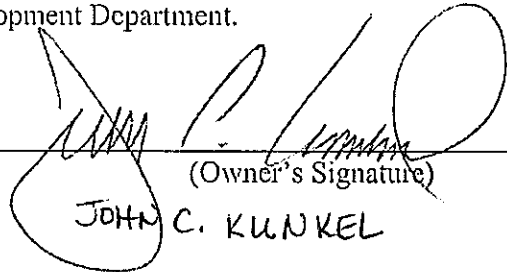
Date: OCTOBER 25, 2013

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

Re: Ownership Certification

Gentleman:

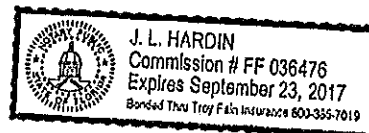
I, JOHN C. KUNKEL, hereby certify that I am the Owner of the property described in the attached legal description, Exhibit 1 in connection with filing application(s) for GROWING ROOM CHILDCARE (PPP), submitted to the Jacksonville Planning and Development Department.

  
\_\_\_\_\_  
(Owner's Signature)  
JOHN C. KUNKEL

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 25<sup>th</sup> day of OCTOBER (month), 2013 (year) by JOHN C. KUNKEL who is personally known to me or has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Notary Signature)



## EXHIBIT B

### Agent Authorization

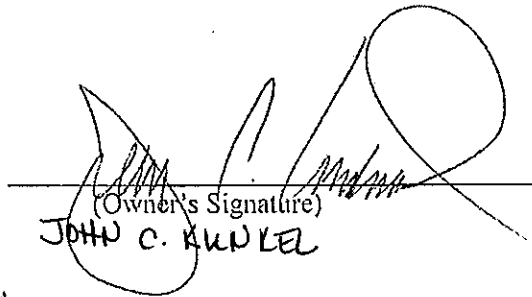
Date: OCTOBER 25, 2013

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

Re: Agent Authorization for the following site location:  
4292 Pablo Professional Court  
Jacksonville, FL 32224

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Paul M. Harden to act as agent to file application(s) for Pablo Pines Development, LLC 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.

  
(Owner's Signature)  
JOHN C. KUNKEL

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 25<sup>TH</sup> day of OCTOBER (month), 2013 (year) by JOHN C. KUNKEL, who is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Signature)



## EXHIBIT B

### Agent Authorization

Date: 10.16.13


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

Re: Agent Authorization for the following site location:

Gentleman:


You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers 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.

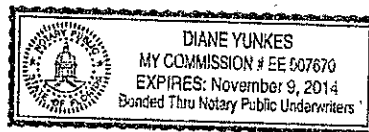
Synovus Bank of Jacksonville, a Division of Synovus Bank

  
(Owner's Signature)  
Damon B. Olinto  
Division President & CEO

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 16<sup>th</sup> day of OCTOBER (month), 2013 (year) by DAMON B. OLINTO, who is personally known to me or has produced N/A as identification.

  
(Notary Signature)



# EXHIBIT C

## Binding Letter

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

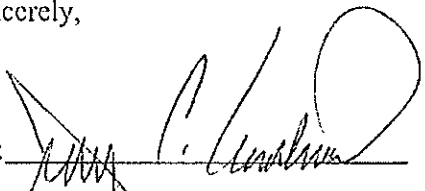
RE: 4292 Pablo Professional Park  
Jacksonville, FL 32224

RE#: 167772-9555

Ladies and Gentleman;

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

Sincerely,

By:  JOHN C. KUNKEL

Its:  VICE PRESIDENT - PABLO PENES DEVELOPMENT, LLC

# EXHIBIT C

## Binding Letter


City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

RE: Growing Room Childcare (PPP)

Ladies and Gentleman;

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

Sincerely,

By:   
DAMON B. OLINTO  
Its: DIV PRES & CEO



# Exhibit D

## PUD WRITTEN DESCRIPTION

### Growing Room Childcare (PPP) PUD

**Date: November 6, 2013**

**Current Zoning District: CO**

**Current Land Use Designation: RPI**

**Proposed Zoning District: PUD**

**RE # 16772-9555, RE #16772-9540**

## I. PROJECT DESCRIPTION

Applicant proposes to rezone approximately 2.01 acres of property from CO to PUD. The parcel is located on the north side of W.M. Davis Parkway, west of San Pablo Parkway.

The subject property is currently owned by Synovus Bank and Pablo Pines Development, LLC and is more particularly described in the legal description attached as Exhibit 1 to this application. The property has current land use and zoning designation of RPI/CO. The property is currently vacant. Surrounding uses include: RPI/CO to the north and west (vacant); RPI/CO to the east (developed commercial office) and PBF/PUD across W.M. Davis Parkway to the south (Mayo Clinic).

<b>Project Name:</b>	<b>Growing Room Childcare (PPP)</b>
<b>Project Architect/Planner:</b>	<b>Ken Sweeney, AIA</b>
<b>Project Engineer:</b>	<b>TOCI Engineering, LLC John Mahoney, PE</b>
<b>Project Developer:</b>	<b>Parrish Builders, Inc.</b>

## II. QUANTITATIVE DATA

<b>Total Acreage:</b>	<b>2.01</b>
<b>Total number of dwelling units:</b>	<b>N/A</b>
<b>Total amount of non-residential floor area:</b>	<b>14,632 s.f.</b>
<b>Total amount of recreation area:</b>	<b>8,218 s.f</b>
<b>Total amount of open space:</b>	<b>64,705 s.f.</b>
<b>Total amount of public/private rights of way:</b>	<b>N/A</b>

**Total amount of land coverage of all buildings and structures: 14,632 s.f.**

**Phase schedule of construction (include initiation dates and completion dates): No phasing**

### **III. USES AND RESTRICTIONS**

#### **A. Permitted Uses:**

- (1) Medical and dental or chiropractor offices (but not clinics or hospitals).
- (2) Professional or business offices.
- (3) Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products either in conjunction with a professional service being rendered or in a stand-alone structure not exceeding 4,000 square feet.
- (4) Day care centers up to 300 children.
- (5) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.

#### **B. Permissible Uses by Exception: N/A**

#### **C. Limitations on Permitted or Permissible Uses by Exception: N/A**

#### **D. Permitted Accessory Uses and Structures: See §656.403**

#### **E. Restrictions on Uses: N/A**

### **IV. STATEMENTS**

#### **A. How does the proposed PUD differ from the usual application of the Zoning Code?**

The PUD allows for extended operation of permitted uses to serve neighboring businesses.

#### **B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.**

This is a single use development and all areas are operated by the single use.

## **V. DESIGN GUIDELINES**

### **A. Lot Requirements:**

- (1) *Minimum lot area:* 6,000 s.f.
- (2) *Minimum lot width:* 60 feet
- (3) *Maximum lot coverage:* 50%
- (4) *Minimum front yard:* 20 feet
- (5) *Minimum side yard:* 10 feet
- (6) *Minimum rear yard:* 10 feet
- (7) *Maximum height of structures:* 35 feet

### **B. Ingress, Egress and Circulation:**

#### *(1) Parking Requirements.*

- a. The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.

#### *(2) Vehicular Access.*

- a. Vehicular access to the Property shall be by way of Marsh Woods Court and Pablo Professional Court, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.
- b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.

#### *(3) Pedestrian Access.*

- a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

### **C. Signs:**

- (1) One (1) externally illuminated double faced signs at each entrance not to exceed twenty-four (24) square feet in area and twelve (12) feet in height.

(2) Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.

(3) Directional signs shall not exceed four (4) square feet.

**D. Landscaping:**

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

**E. Recreation and Open Space:**

As shown on the site plan, 8,218 square feet of playground area shall be provided.

**F. Utilities**

Water will be provided by JEA.

Sanitary sewer will be provided by JEA.

Electric will be provided by JEA.

**G. Wetlands**

Wetlands will be permitted according to local, state and federal requirements.

**VI. DEVELOPMENT PLAN APPROVAL**

With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

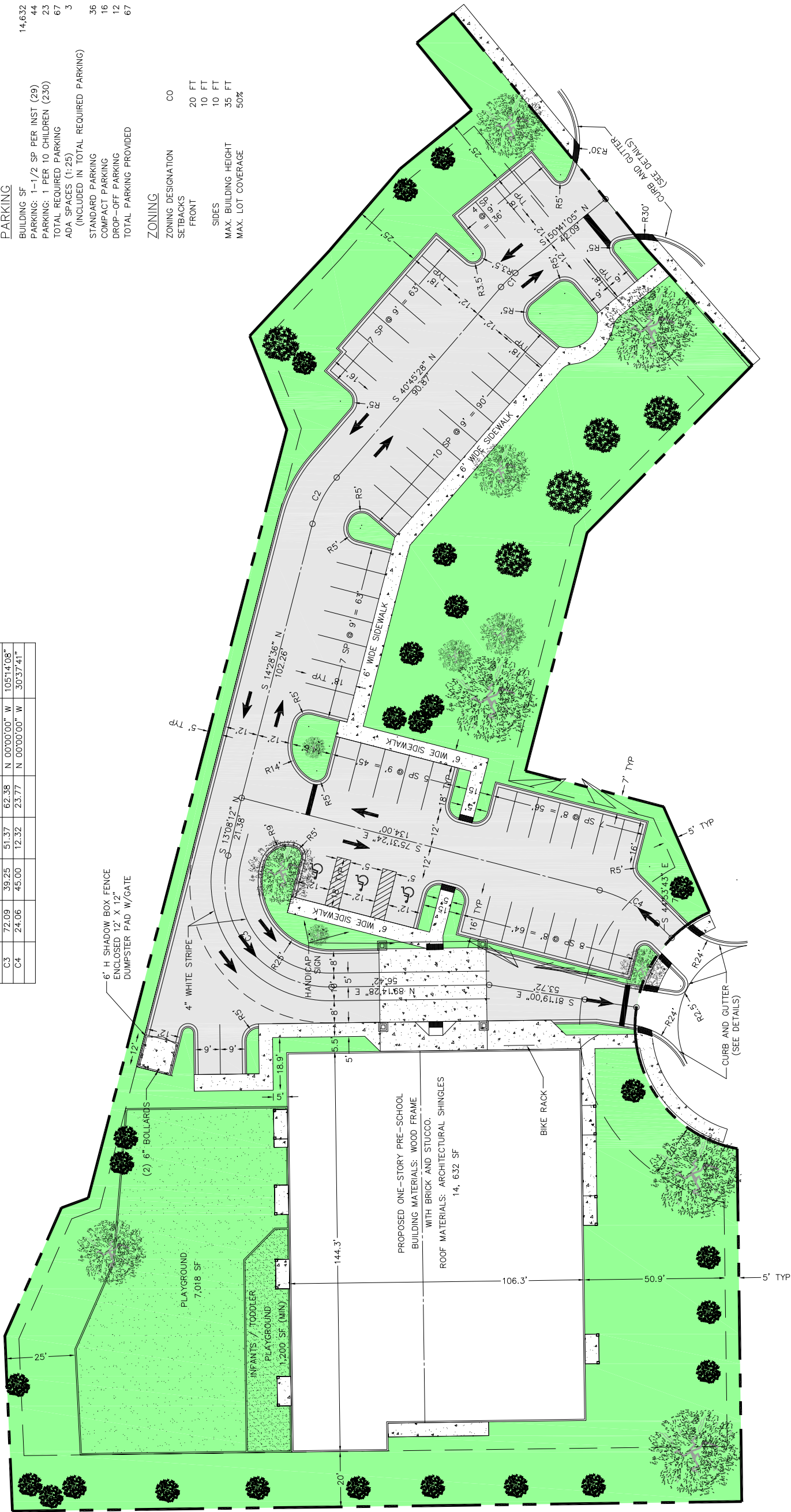
**VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

A. Is more efficient than would be possible through strict application of the Zoning Code;

B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area;

C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.



# EXHIBIT F

PUD Name

**Growing Room Childcare (PPP)**

Date

Nov 5, 2013

## Land Use Table

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Total gross acreage	<b>2.01</b>	Acres	100 %
Amount of each different land use by acreage			
Single family	<b>0</b>	Acres	<b>0</b> %
Total number of dwelling units	<b>0</b>	D.U.	
Multiple family	<b>0</b>	Acres	<b>0</b> %
Total number of dwelling units	<b>0</b>	D.U.	
Commercial	<b>0.34</b>	Acres	<b>17</b> %
Industrial	<b>0</b>	Acres	<b>0</b> %
Other land use	<b>0</b>	Acres	<b>0</b> %
Active recreation and/or open space	<b>0.19</b>	Acres	<b>9</b> %
Passive open space, wetlands, pond	<b>1.48</b>	Acres	<b>74</b> %
Public and private right-of-way	<b>0</b>	Acres	<b>0</b> %
Maximum coverage of non-residential buildings and structures	<b>14,632</b>	Sq. Ft.	<b>17</b> %

Prepared by and return to:  
James B. Porter, Esq.  
Fowler White Boggs P.A.  
50 N. Laura Street, Suite 2200  
Jacksonville, FL 32202

### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made the 5<sup>th</sup> day of March, 2010, by **Homesouth-Pablo Park Venture, LLC**, a Florida limited liability company (hereinafter called "Grantor"), with a mailing address of C/o James P. DelVecchio, 127 N. River Drive, St. Augustine, Florida 32095, to **Synovus Bank of Jacksonville**, a Florida banking corporation (hereinafter called "Grantee"), with a mailing address of 10407 Centurion Parkway North, Suite 200, Jacksonville, Florida 32256.

### WITNESSETH:

That the Grantor, for and in adequate and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto the Grantee and Grantee's heirs, successors and assigns, the land in Duval County, Florida described on attached **Exhibit A**.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto.

This Deed is an absolute conveyance, and is in consideration of the covenant of the Grantee not to sue the Grantor in respect of the indebtedness secured by (i) that certain Real Estate Mortgage and Security Agreement dated June 1, 2006, and recorded in Official Records Book 13312, Page 1497, as modified by two subsequent Modification Agreements recorded respectively in Official Records Book 14170, Page 289 and Official Records Book 14615, Page 1011, Public Records of Duval County, Florida; and (ii) that certain Second Real Estate Mortgage and Security Agreement dated August 14, 2008, and recorded in OR Book 14615, Page 1019, Public Records of Duval County, Florida (the "**Indebtedness**"), and it is the intention of the parties that the Indebtedness is not being discharged and there is no merger of the fee with the liens of the aforesaid mortgages so that said liens are preserved in favor of the mortgagee of record.

This conveyance is made subject to applicable zoning ordinances, taxes for the current and subsequent years and those matters of record listed on **Exhibit B** attached hereto, but shall not operate to reimpose same. The property described and conveyed herein is not the Homestead of the Grantor.

The Grantor does hereby covenant with the Grantee that, except as noted above, title to the premises is free from all encumbrances, and that Grantor will warrant and defend the same

against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

**TO HAVE AND TO HOLD** the same unto Grantee and Grantee's heirs, successors and assigns in fee simple forever.

**IN WITNESS WHEREOF**, the Grantor has executed this deed the day and year first above-written.

Signed, sealed and delivered  
in the presence of:

RTM

Signature – 1<sup>st</sup> Witness

Print Name: Bradley R. Marken

Nicole Dillingworth

Signature – 2<sup>nd</sup> Witness

Print Name: Nicole Dillingworth

**Homesouth-Pablo Park Venture, LLC,**  
a Florida limited liability company

By: James P. DelVecchio

James P. DelVecchio

Its: Managing Member

Grantor's Address:

Homesouth-Pablo Park Venture,  
LLC

C/o James P. DelVecchio

127 N. River Drive

St. Augustine, Florida 32095

STATE OF Florida)  
COUNTY OF Duval)

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of March, 2010, by James P. DelVecchio, as Managing Member of Homesouth-Pablo Park Venture, LLC, a Florida limited liability company, on behalf of the company. He is ☐ personally known to me or ☐ has produced a valid driver's license as identification.

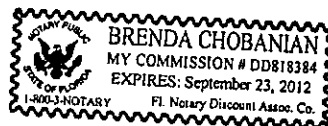
Brenda Chobanian

Notary Public, State of Florida

Print Name: Brenda Chobanian

[Notary Stamp]

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





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**EXHIBIT A**

**Property Description**

All that certain piece, parcel or tract of land situate, lying and being in the County of Duval and State of Florida and being more particularly described as:

Tracts 4, 3 and the West 91.56 feet of Tract 2 PABLO PROFESSIONAL PARK, according to plat thereof as filed in Plat Book 61, pages 53, 54, 55 and 56 of the current public records of Duval County, Florida.

## **EXHIBIT B**

### **Permitted Exceptions**

1. All assessments and taxes for the year 2010 and all subsequent years, which are not yet due and payable.
2. Reservations and Restrictions, Covenants imposed by Grantor in deed recorded April 5, 2005, in Official Records Book 12391, page 154, of the current public records of Duval County, Florida.
3. Drainage and Utility Easement in Official Records Book 8387, page 1445, of the current public records of Duval County, Florida.
4. Grant of Easement as recorded June 6, 2006, in Official Records Book 13307, page 1197, of the current public records of Duval County, Florida, and as re-recorded September 5, 2007, in Official Records Book 14170, page 285, of the public records of Duval County, Florida.
5. Reservation of Easements in deed recorded June 7, 2006, in Official Records Book 13312, page 1492, of the public records of Duval County, Florida.
6. Development Agreement as recorded in Official Records Book 8529, page 454, of the current public records of Duval County, Florida.
7. Grant of Easement recorded November 7, 1994 in Official Records Book 7972, page 519, of the current public records of Duval County, Florida, which contains conditions and covenants (including, but not limited to, assessments for road maintenance).
8. Access agreement recorded September 19, 1997 in Official Records Book 8728, page 500, as affected by Cost Share Agreement recorded September 19, 1997, in Official Records Book 8728, page 507, and Assignment and Assumption Agreement recorded April 5, 2005 in Official Records Book 12391, page 161, of the current public records of Duval County, Florida.
9. Declaration of Covenants, Conditions and Restrictions recorded on November 19, 2005, in Official Records Book 12898, page 579, as amended in Official Records Book 12981, page 2032, in Official Records Book 13169, page 1378, all of the current public records of Duval County, Florida (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin). Said instrument (i) establishes easement(s) on the land; (ii) provides for a lien for liquidated damages; (iii) provides for a private charge or assessment; (iv) provides for an option to purchase, a right of first refusal, or the prior approval of a future purchaser or occupant; and (v) provides for a right of reentry, possibility of reverter, or right of forfeiture because of violations on the land of any enforceable covenants, conditions or restrictions.

**EXHIBIT B (continued)**

**Permitted Exceptions**

10. Restrictions (deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin), covenants, etc in adoption and dedication and plat notes of plat, and 30 foot private drainage easement, upland buffer and JEA easements as shown on the Plat recorded in Plat Book 61 , Page(s) 53,54,55 and 56 , of the current public records of Duval County, Florida.
11. Assignment of Leases and/or Rents described as follows: Executed by: HOMESOUTH-PABLO PARK VENTURE, LLC , In favor of: SYNOVUS BANK OF JACKSONVILLE, recorded June 7, 2006, in Official Records Book 13312, Page 1511, of the current public records of Duval County, Florida.
12. UCC financing statement (from HOMESOUTH-PABLO PARK VENTURE, LLC to SYNOVUS BANK OF JACKSONVILLE) recorded on June 7, 2006, in Official Records Book 13312, Page 1516, of the of the current public records of Duval County, Florida.
13. UCC financing statement recorded on August 26, 2008, in Official Records Book 14615, Page 1034, of the of the current public records of Duval County, Florida.
14. Mortgage/lien (from HOMESOUTH-PABLO PARK VENTURE, LLC to SYNOVUS BANK OF JACKSONVILLE) recorded June 7, 2006, Official Records Book 13312, Page 1497, as modified by Agreement in Official Records Book 14170, page 289, and Second Modification in Official Records Book 14615, page 1011, of the current public records of Duval County, Florida.
15. Mortgage/lien (second mortgage) (from HOMESOUTH-PABLO PARK VENTURE, LLC to SYNOVUS BANK OF JACKSONVILLE) recorded August 26, 2008 in Official Records Book 14615, page 1019, of the current public records of Duval County, Florida.
16. Claim of Lien recorded September 10, 2009 in Official Records Book 15001, page 423, of the current public records of Duval County, Florida.

**PABLO PINES DEVELOPMENT LLC**  
 4200 MARSH LANDING BLVD  
**SUITE 100**  
 JACKSONVILLE BEACH, FL 32250

**Primary Site Address**  
 4292 PABLO PROFESSIONAL CT  
 Jacksonville FL 32224

**Official Record Book/Page**  
 00061-00053

**Title #**  
 8501

#### 4292 PABLO PROFESSIONAL CT

##### Property Detail

<b>RE #</b>	167772-9555
<b>Tax District</b>	GS
<b>Property Use</b>	1000 VACANT COMM
<b># of Buildings</b>	0
<b>Legal Desc.</b>	61-53 42-3S-28E PABLO PROFESSIONAL PARK
<b>Subdivision</b>	06492 PABLO PROFESSIONAL PARK
<b>Total Area</b>	27851

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). Property values, exemptions and other information listed as 'In Progress' are subject to change. These numbers are part of the 2014 working tax roll and will not be certified until October. [Learn how the Property Appraiser's Office values property.](#)

##### Value Summary

	2013 Certified	2014 In Progress
<b>Value Method</b>	CAMA	CAMA
<b>Total Building Value</b>	\$0.00	\$0.00
<b>Extra Feature Value</b>	\$0.00	\$0.00
<b>Land Value (Market)</b>	\$315,021.00	\$315,021.00
<b>Land Value (Agric.)</b>	\$0.00	\$0.00
<b>Just (Market) Value</b>	\$315,021.00	\$315,021.00
<b>Assessed Value</b>	\$315,021.00	\$315,021.00
<b>Cap Diff/Portability Amt</b>	\$0.00 / \$0.00	\$0.00 / \$0.00
<b>Exemptions</b>	\$0.00	See below
<b>Taxable Value</b>	\$315,021.00	See below

#### Taxable Values and Exemptions – In Progress

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

County/Municipal Taxable Value  
 No applicable exemptions

SJRWMD/FIND Taxable Value  
 No applicable exemptions

School Taxable Value  
 No applicable exemptions

#### Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
00061-00053	4/11/2006	\$100.00	PB - Plat Book	Unqualified	Vacant

#### Extra Features

No data found for this section

#### Land & Legal

##### Land

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value
1	1000	COMMERCIAL	CO	0.00	0.00	Common	27,878.00	Square Footage	\$315,021.00

##### Legal

LN	Legal Description
1	61-53 42-3S-28E
2	PABLO PROFESSIONAL PARK
3	LOT 6

#### Buildings

No data found for this section

#### 2013 Notice of Proposed Property Taxes (Truth in Millage Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
County	\$315,021.00	\$0.00	\$315,021.00	\$3,161.33	\$3,633.86	\$3,216.58
Public Schools: By State Law	\$315,021.00	\$0.00	\$315,021.00	\$1,685.99	\$1,619.21	\$1,707.95
By Local Board	\$315,021.00	\$0.00	\$315,021.00	\$708.17	\$708.17	\$717.40
FL Inland Navigation Dist.	\$315,021.00	\$0.00	\$315,021.00	\$10.87	\$10.87	\$10.46
Water Mgmt Dist. SJRWMD	\$315,021.00	\$0.00	\$315,021.00	\$104.37	\$103.42	\$103.42
Gen Gov Voted	\$315,021.00	\$0.00	\$315,021.00	\$0.00	\$0.00	\$0.00
School Board Voted	\$315,021.00	\$0.00	\$315,021.00	\$0.00	\$0.00	\$0.00
			Totals	\$5,670.73	\$6,075.53	\$5,755.81
	Just Value	Assessed Value	Exemptions	Taxable Value		
Last Year	\$315,021.00	\$315,021.00	\$0.00	\$315,021.00		
Current Year	\$315,021.00	\$315,021.00	\$0.00	\$315,021.00		

#### Property Record Card (PRC)

The Property Appraiser's Office (PAO) provides historical property record cards (PRCs) online for 1995-2005. The PAO no longer maintains a certified PRC file due to changes in appraisal software; therefore, there are no PRCs available online from 2006 forward. You may print this page which provides the current property record. (Sections not needed can be minimized.) To print the past-year cards below, set your browser's Page Set Up for printing to Landscape.

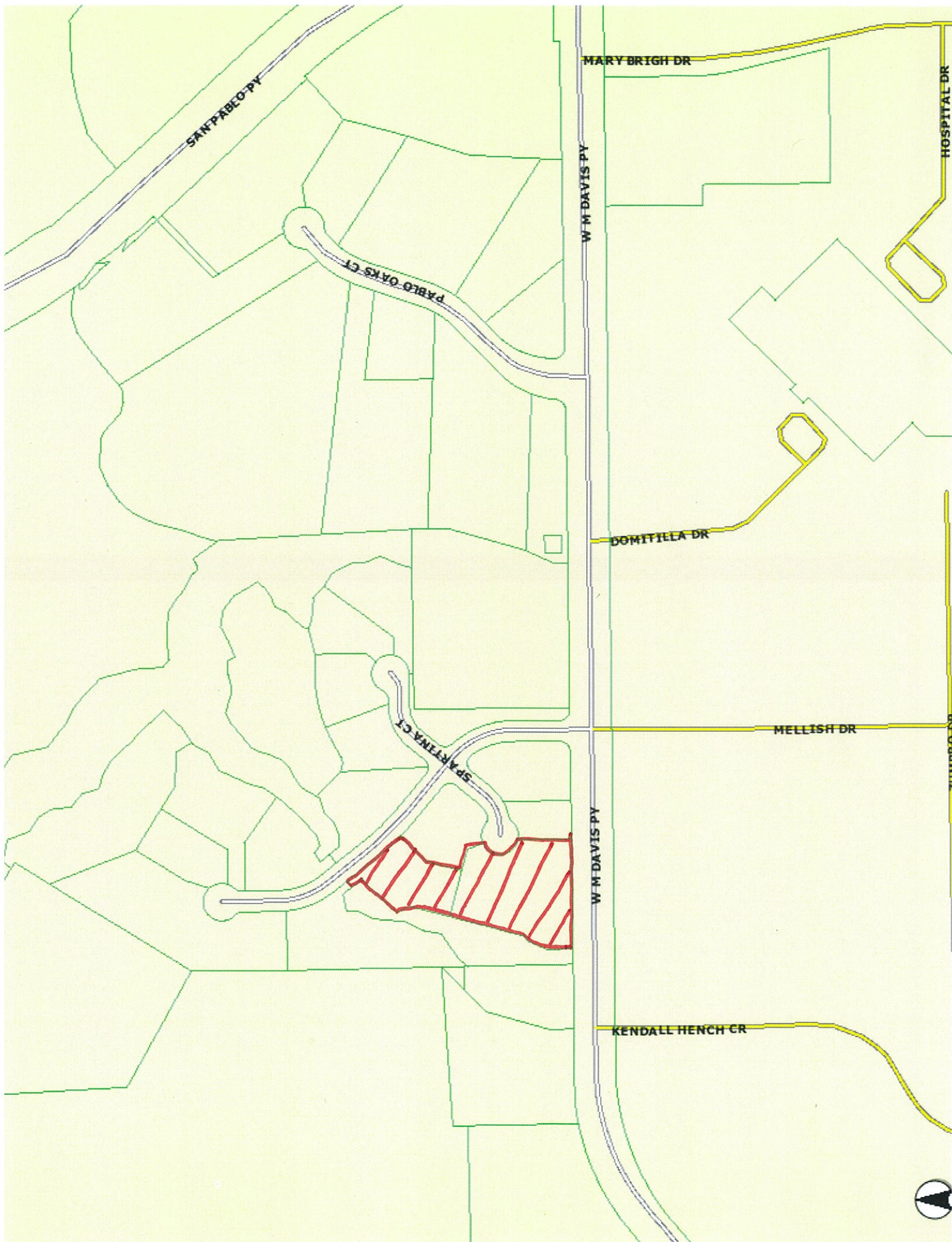
#### More Information

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











CURRENT PLANNING DIVISION



**Date:** 19 November 2013

**To:** Folks Huxford, Chief

**From:** Bruce Lewis, City Planner Supervisor

**RE:** Growing Room Childcare PUD

**Verification of consistency with Section 656.341(c)(2)(i) PUD Site Plan Requirements**

The Site Plan, dated October 8, 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description and Exhibit F. The few items of required information that have not been depicted on the Site Plan may be excused for good cause because the Written Description details the development standards, setbacks, lot coverage, building height, and buffer standards which will prevent adverse impacts to surrounding properties and future residents of the development.

(A) *The existing site characteristics including any significant variations of elevations, water course(s), unique natural features, and natural vegetation.*

A review of the aerial photograph reveals the 2.1 acre site is undeveloped and contains scattered trees. There are no significant variations in elevations, water courses or natural features.

(B) *The location of all land uses by acreage, density including the number of dwelling units, intensity, and/or non-residential floor area of such uses. A legend including the following applicable information shall be provided as part of the site plan(s) in accordance with the following format:*

The information above is not contained on the Site Plan, but is included in the Exhibit F

(C) *The existing and proposed vehicular circulation system, pedestrian circulation system and points of ingress and egress to the development, including rights-of-way and paving widths. In addition, all existing and proposed rights-of-way, driveways and median openings (if any) within 660 feet of the proposed development.*

The Site Plan does show points of ingress and egress. The location of medians and adjacent driveways do not impact the proposed development and are not required to be shown on the site plan.

**PLANNING AND DEVELOPMENT DEPARTMENT**

(D) *Site plan(s), map(s), drawing(s), traffic studies and/or other studies and reports, as may be by the Department.*

Not applicable.