

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2014-0129

MARCH 13, 2014

The Planning and Development Department hereby forwards to the Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2014-129**.

<i>Location:</i>	West side of Yellow Bluff Road Between New Berlin Road and Fritz Road
<i>Real Estate Number:</i>	106920 0000
<i>Current Zoning District:</i>	Planned Unit Development (PUD 2009-121-E)
<i>Proposed Zoning District:</i>	Residential Medium Density -A (RMD-A)
<i>Current Land Use Category:</i>	Community Commercial General (CGC)
<i>Proposed Land Use Category:</i>	Medium Density Residential (MDR)
<i>Planning District:</i>	North, District 6
<i>City Council Representative:</i>	The Honorable Ray Holt, District 11
<i>Agent/Owner:</i>	Gregory E. Matovina Matovina and Company 2955 Hartley Road, Suite 108 Jacksonville, Florida 32257
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning **Ordinance 2014-129** seeks to rezone approximately 9.95+/- acres of land from PUD to RMD-A. The subject property is within the CGC functional land use category as defined by the Future Land Use Map (FLUM) series contained in the Future Land Use Element (FLUE) as adopted as part of the 2030 Comprehensive Plan and within the Suburban Development Area. There is a companion Small Scale Land Use Amendment Application 2013C-034 (Ordinance 2014-128) that proposes to amend the portion of the Land Use within the CGC functional Land Use Category to the MDR

functional land use category. The existing zoning, PUD 2009-121-E, permits the development of commercial uses similar to those permitted within the CCG-1 conventional zoning district, including a specified development area for professional and medical office uses, and another development area for more intense commercial uses. Previous PUD, 2005-1224-E, permitted a maximum of 78 multi-family units on site. The proposed rezoning to the conventional RMD-A zoning district would allow single-family units on 50 feet wide lots.

The application site lies within the North Jacksonville Vision Plan Area. The plan does not identify specific recommendations for the subject site; however, the Plan does identify a summary of recommendations for future planning efforts in the vision plan area. One such recommendation was to create the intersection of Yellow Bluff Road and New Berlin Road as a commercial “Regional Center”. Therefore, establishing medium density housing near such areas of commerce along “Collector” roads is preferable for diminishing intensities of development thereby meeting consistency with the North Jacksonville Vision Plan.

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 consistent with 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 is located in the CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

There is a companion application for Small Scale Land Use Amendment 2013C-034 (Ordinance 2014-128) which proposes to change the Land Use from CGC to MDR. The MDR functional land use category within the Suburban Character Development area permits a gross density of up to 20 units per acre when full

urban services are available to the site, and allow both multi-family and single-family development.

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

Yes. This rezoning does not further the Goals, Objectives and Policies of the 2030 Comprehensive Plan, including the following:

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Objective 3.4 Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use diversity and improved interrelationships among living, working, shopping, education and recreational activities.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

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

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property contains 9.95 acres and will be permitted uses that are allowed by right within the RMD-A Zoning District, such as multi-family townhome development and single-family residential development.

SURROUNDING LAND USE AND ZONING

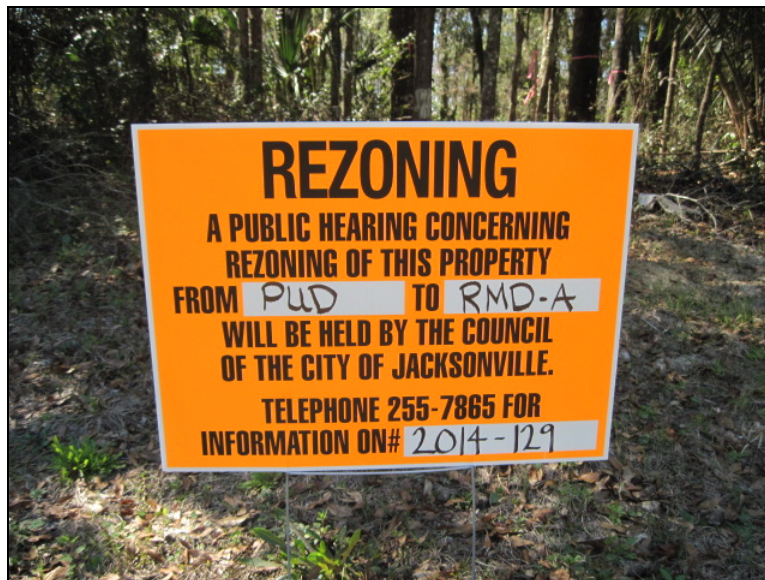
South, west and north of the subject site are a mix of mobile homes and single-family dwellings in a LDR land use category and a RR-Acre zoning district. The one exception to this is there is a thin sliver of PUD zoning district between the application site and Caney Creek. This area consists of riverine wetlands functioning as a buffering system for the creek.

The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-ACRE	Single-family
East	CGC	PUD (2005-834-E)	Approved commercial retail
	LDR	PUD (2006-523-E)	Approved single-family
South	LDR	RR-ACRE	Single-family
West	LDR	RR-ACRE	Single-family

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 28, 2014 the required Notice of Public Hearing sign **was** posted:



*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-129 be **APPROVED**.



Property is wooded and undeveloped.

*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*



View from the subject property looking south toward New Berlin/Yellow Bluff intersection.

*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*



Adjacent single-family residential.

*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*



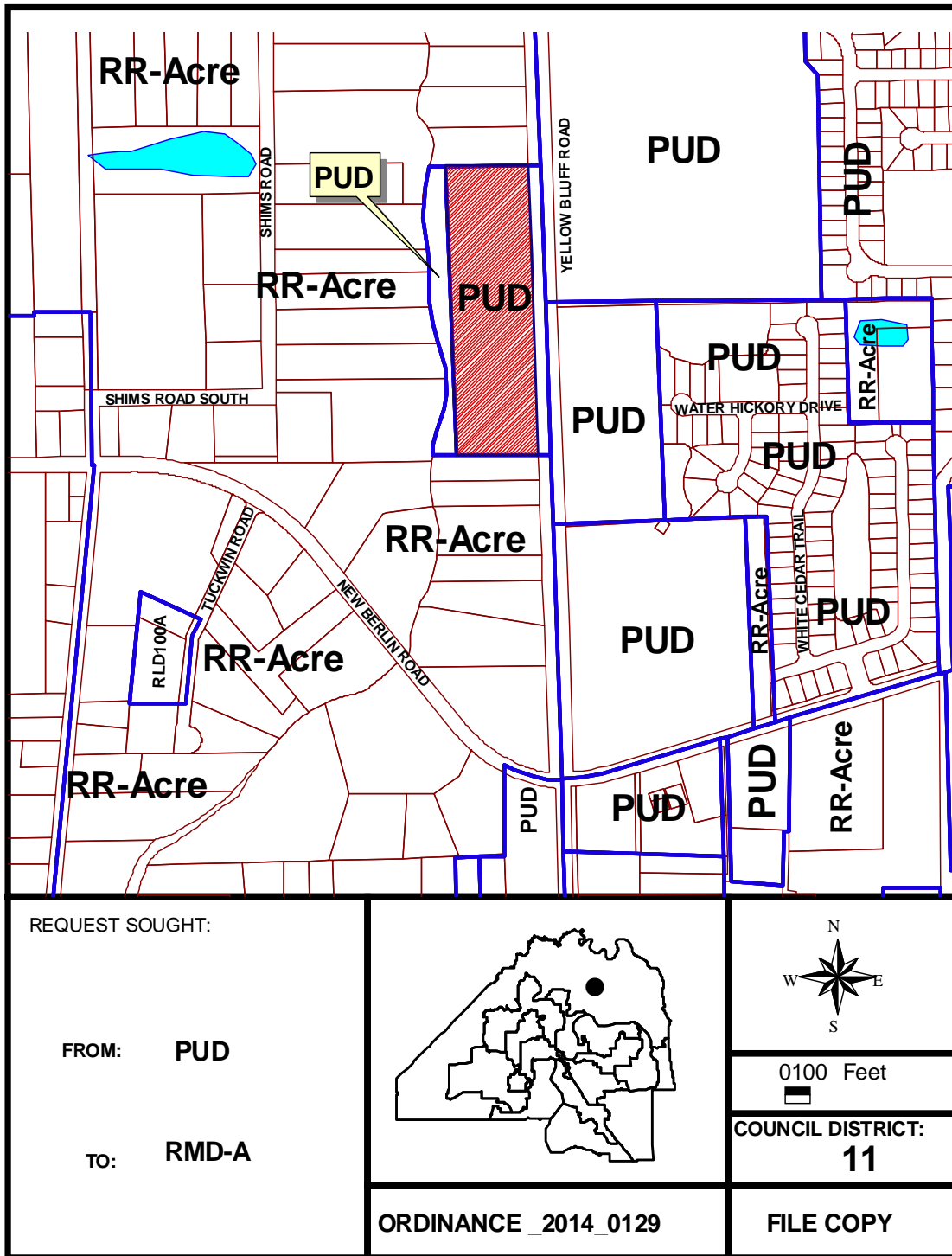
Approved PUDs across from the project site include permitted retail and townhome sites.

*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*



Commercial node at the intersection of Yellow Bluff and New Berlin.

*Source: City of Jacksonville Planning and Development Department
Date: February 28, 2014*



Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2014-129 **Staff Sign-Off/Date** AAG / 11/08/2013

Filing Date 02/11/2014 **Number of Signs to Post** 4

Hearing Dates:

1st City Council 03/11/2014 **Planning Commission** 03/13/2014

Land Use & Zoning 03/18/2014 **2nd City Council** 03/25/2014

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 499

Application Status PENDING

Date Started 10/30/2013

Date Submitted 10/30/2013

General Information On Applicant

Last Name

MATOVINA

First Name

GREGORY

Middle Name

E.

Company Name

MATOVINA & COMPANY

Mailing Address

2955 HARTLEY ROAD, SUITE 108

City

JACKSONVILLE

State

FL

Zip Code

32257

Phone

9042920778

Fax

9042929468

Email

GMATOVINA@MATOVINA.COM

General Information On Owner(s)

☐ Check to fill first Owner with Applicant Info

Last Name

GREGORY

First Name

MATOVINA

Middle Name

E.

Company/Trust Name

YELLOW BLUFF LLP

Mailing Address

2599 HARTLEY RD, SUITE 108

City

JACKSONVILLE

State

FL

Zip Code

32257

Phone

9042920778

Fax

9042929468

Email

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	106920 0000	11	6	PUD	RMD-A
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Ensure that RE# is a 10 digit number with a space (##### #)

Land Use Category Proposed? ☒

If Yes, State Land Use Application #

2005-1244-E

Land Use Category

Medium Density Residential

Total Land Area (Nearest 1/100th of an Acre) 9.95

Justification For Rezoning Application

TO MAKE PROPERTY CONSISTENT WITH SURROUNDING PROPERTIES

Location Of Property

General Location

NORTH OF NEW BERLINE RD AND WEST OF YELLOW BLUFF RD

House #	Street Name, Type and Direction	Zip Code
12780	YELLOW BLUFF RD	32226

Between Streets

YELLOW BLUFF RD and SHIMS RD

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
9.95 Acres @ \$10.00 /acre: \$100.00
- 3) Plus Notification Costs Per Addressee
18 Notifications @ \$7.00 /each: \$126.00
- 4) Total Rezoning Application Cost: \$2,226.00

NOTE: Advertising Costs To Be Billed to Owner/Agent



Attach.tif Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2009-121-E

AN ORDINANCE REZONING APPROXIMATELY 9.51 ACRES OF
LAND LOCATED IN COUNCIL DISTRICT 11 AT 12780
YELLOW BLUFF ROAD BETWEEN NEW BERLIN ROAD AND
STARRATT ROAD AND OWNED BY JOHN DUDLEY AND
ATLANTIC COAST DEVELOPERS, AS MORE PARTICULARLY
DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT
(PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
ZONING CODE, TO PERMIT COMMERCIAL AND OFFICE
USES, AS DESCRIBED IN THE APPLICATION FOR THE
YELLOW BLUFF COMMERCIAL/OFFICE PUD, PURSUANT TO
ADOPTED FUTURE LAND USE MAP SERIES (FLUMS) SEMI-
ANNUAL LAND USE AMENDMENT APPLICATION NUMBER
2008C-018; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a semi-annual land use
amendment to the *2010 Comprehensive Plan* for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to
Ordinance 2009-120; and

WHEREAS, in order to ensure consistency of zoning district(s)
with the *2010 Comprehensive Plan* and the companion adopted semi-annual
land use amendment 2008C-018, an application to rezone and reclassify
from Planned Unit Development (PUD) District to Planned Unit
Development (PUD) District was filed by L. Charles Mann on behalf of
John Dudley and Atlantic Coast Developers, the owners of certain real

property in Council District 11, as more particularly described in Section 1 and referenced therein as the "Subject Property"; and

WHEREAS, the Planning and Development Department, in order to ensure consistency of this rezoning with the *2010 Comprehensive Plan* and the companion semi-annual land use amendment application number 2008C-018, has considered the rezoning and has rendered an advisory opinion; and

WHEREAS, the Planning Commission has considered the application and has rendered an advisory opinion; and

WHEREAS, the Land Use and Zoning (LUZ) Committee after due notice held a public hearing and made its recommendation to the Council; and

WHEREAS, the City Council after due notice, held a public hearing; and

WHEREAS, taking into consideration all oral and written comments received during public hearings and the above recommendations, the Council finds that such rezoning is consistent with the *2010 Comprehensive Plan* adopted under the comprehensive planning ordinance for future development of the City of Jacksonville; and

WHEREAS, the Council finds that the proposed PUD does not affect adversely the orderly development of the City as embodied in the *Zoning Code*; will not affect adversely the health and safety of residents in the area; will not be detrimental to the natural environment or to the use or development of the adjacent properties in the general neighborhood; and the proposed PUD will accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the Zoning Code of the City of Jacksonville; now, therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Subject Property Location and Description. The approximately 9.51 acres of land (R. E. No. 106920-0000) are located in Council District 11 at 12780 Yellow Bluff Road between New Berlin Road

1 and Starratt Road, as more particularly described in **Exhibit 1** and
2 graphically depicted in **Exhibit 2, attached hereto** and incorporated
3 herein by this reference, Subject Property).

4 **Section 2. Owner and Applicant Description.** The Subject
5 Property is owned by John Dudley and Atlantic Coast Developers. The
6 applicant listed in the application is L. Charles Mann with an address
7 of 165 Arlington Road, Jacksonville, Florida 32211 and a telephone
8 number of (904) 721-1546.

9 **Section 3. Property Rezoned.** The Subject Property, pursuant
10 to adopted companion semi-annual land use amendment 2008C-018, is
11 hereby rezoned and reclassified from Planned Unit Development (PUD)
12 District to Planned Unit Development (PUD) District, as shown and
13 described, subject to the written description dated January 28, 2009
14 and the site plan dated January 29, 2009 for the Yellow Bluff
15 Commercial/Office, both as **Revised Exhibit 3, attached hereto**. The PUD
16 District for the Subject Property shall generally permit commercial and
17 office uses, all as more specifically shown and described in the
18 written description and site plan.

19 **Section 4. Rezoning Approved Subject to Conditions.** This
20 rezoning is approved subject to the following conditions:

21 (a) Development shall proceed in accordance with the Development
22 Services Division Memorandum dated February 2, 2009, or as otherwise
23 approved by FDOT and the Planning and Development Department.

24 (b) The front façade of all buildings shall be located no
25 greater than eight (80) feet from the right-of-way line.

26 (c) The driveway to parcel "B" at the north end of the property
27 shall be located 200 feet south of the north property line, or as
28 otherwise approved by the Planning and Development Department and the
29 City Traffic Engineer.

30 **Section 5. Consistency With Companion Land Use Amendment**

Adoption. The Council hereby finds the Yellow Bluff Commercial/Office PUD to be consistent with the requirements of the State Comprehensive Plan, the Northeast Florida Regional Planning Council Strategic Regional Policy Plan, and Rule Chapter 9J-5, Florida Administrative Code. Further, the Council finds this rezoning to be consistent with the Jacksonville 2010 Comprehensive Plan, as amended by Ordinance 2009-120, and that this PUD is consistent with the land use category criteria.

Section 6. Contingency. This ordinance shall not become effective unless and until the Department of Community Affairs issues a Notice of Intent finding the correlating amendment to the *2010 Comprehensive Plan* in compliance with Chapter 163, Part II, Florida Statutes.

Section 7. Effective Date. The adoption of this ordinance shall be deemed to constitute a quasi-judicial action of the City Council and shall become effective upon signature by the Council President and Council Secretary.

Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared by: Robert K. Riley

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ORDINANCE 2009-121

Legal Description

PARCEL A

A PART OF SECTION 33 OF THE JOHN BROWARD GRANT, SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 33 AND THE WESTERLY LINE OF YELLOW BLUFF ROAD (100 FOOT RIGHT OF WAY); THENCE S 2°36'00" E, ALONG THE SAID WESTERLY LINE OF YELLOW BLUFF ROAD, 1330.97 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 2°36'00" E, ALONG AFORESAID WESTERLY LINE A DISTANCE OF 666.63 FEET; THENCE S 87°36'00" W, A DISTANCE OF 350.00 FEET; THENCE N 2°18'26" W, A DISTANCE OF 539.13 FEET; THENCE N 58°09'21" E, A DISTANCE OF 400.83 FEET TO THE POINT OF BEGINNING, CONTAINING 4.55 ACRES MORE OR LESS.

PARCEL B

A PART OF SECTION 33 OF THE JOHN BROWARD GRANT, SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 33 AND THE WESTERLY LINE OF YELLOW BLUFF ROAD (100 FOOT RIGHT OF WAY); THENCE S 2°36'00" E, ALONG THE SAID WESTERLY LINE OF YELLOW BLUFF ROAD, 740.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 2°36'00" E, ALONG AFORESAID WESTERLY LINE A DISTANCE OF 520.97 FEET; THENCE S 58°09'21" W, A DISTANCE OF 400.83 FEET; THENCE N 2°18'26" W, A DISTANCE OF 648.46 FEET; THENCE N 87°36'00" E, A DISTANCE OF 347.76 FEET TO THE POINT OF BEGINNING, CONTAINING 4.96 ACRES MORE OR LESS.

PUD Written Description

YELLOW BLUFF COMMERCIAL/OFFICE PUD

Revised Date: January 28, 2009

City Development Number:

I. PROJECT DESCRIPTION

The subject property, hereafter referred to as the "Property" as legally described on Exhibit 1. The Property is identified as land described under Real Estate Number 106920-0000 and is located on Panel 321 of the Tax Assessment Maps. The owners of the Property are John Dudley and Atlantic Coast Developers, LLC. The Property is located on the west side of Yellow Bluff Road, north of New Berlin Road and south of Starratt Road. Currently the Property is underdeveloped, however Planned Unit Development R2005-1244-E zones the Property for 78 multi-family units.

The applicant proposes to rezone the approximately 9.51 acres +/- for commercial retail equivalent to the uses directly across Yellow Bluff Road and offices which will be directly across Yellow Bluff Road from a proposed townhouse development. The two parcels will be designated Parcel A and Parcel B and separate legal descriptions will be attached as Exhibit 1.

The Property is located on the west side of Yellow Bluff Road, north of New Berlin Road. The area is rapidly developing with new residential subdivisions and commercial projects. The subject PUD will provide much needed commercial retail, service establishments, and office space to support the surrounding residential community.

The Property is bordered on the north by a single-family home/beauty shop, on the west by a wetlands, on the east by a combination townhouse and commercial retail, and on the south by single-family residential.

II. USES AND RESTRICTIONS

A. Permitted Uses Parcel A:

1. Retail outlets for the sale of food and drugs (including drive-thru), wearing apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal boarding kennels), musical instruments, florist shops, delicatessens, bakeries, home furnishings and appliances (including repair incidental to sales), office equipment or furniture, antiques, hardware, new automobile parts (including rebuilt parts but not installation, repair or rebuilding of parts), and accessories and similar uses.

2. Service establishments such as barber and beauty shops, shoe repair shops, restaurants (including drive-thru, drive-in, and the outside sale and service of food meeting the performance standards and development criteria as set forth in Part 4), interior decorators, women's day spa occupying less than 2,000 square feet of gross floor area, self-service laundries, dry cleaners, tailors or dressmakers, laundries or dry cleaning pickup stations, radio and television broadcasting offices and studios, communication towers and antennas, blueprinting, job printing (but not newspaper), radio and television repair shops, travel agencies, employment offices, home equipment rental, and similar uses.
3. Banks (including drive-thru tellers), loan companies, mortgage brokers, stockbrokers, and similar financial institutions.
4. All types of medical, professional, and business offices, newspaper offices (but not printing), employment offices, building trade contractors (not requiring outside storage or the use of a vehicle in excess of one-ton capacity or equipment, machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment), and similar uses.
5. Hotels and motels
6. Art galleries, museums, community centers, dance, art or music studios, vocational, trade, or business schools, or similar uses.
7. Homes for aged and orphans.
8. Nursing homes and assisted living facilities
9. Daycare centers or care centers meeting the performance standards and development criteria of the CCG-1 Zoning District as set forth in Part 4.
10. Off-street commercial parking lots meeting the performance standards and development criteria of the CCG-1 Zoning District as set forth in Part 4,
11. An establishment or facility which includes the retail sale and service of beer and wine for off-premises consumption or on-premises in conjunction with a restaurant including permanent or restricted outside sale and service, meeting the performance and development criteria as set forth in Part 4.
12. Express or parcel delivery offices, telephone exchanges, (but not freight or truck terminals) and similar uses.
13. Personal property storage establishments meeting the performance standards and development criteria as set forth in Part 4.
14. Essential services, including water, sewer, gas, telephone, radio, television, and electric, meeting the performance standards and development criteria as set forth in Part 4.
15. Churches, including a rectory or similar use. The distance limitations of Section 656.805 of the Zoning Code shall not apply to churches located within this PUD.

16. Outside retail sales of holiday items, subject to the performance standards and development criteria as set forth in Part 4.
17. Wholesaling or distributorship businesses, provided such use is limited to thirty percent (30%) of the total gross square footage of the building of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.
18. Outside display shall be permitted within ten (10) feet of the front of each building, but not in any portion of the parking lot.

B. Permitted Uses Parcel B

1. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.
2. Medical and dental or chiropractor offices (but not clinics or hospitals).
3. Professional offices
4. Business offices
5. Facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products in conjunction with a professional service being rendered at the time provided the gross floor area shall not exceed four thousand square feet.
6. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
7. Banks, savings and loan institutions and similar uses (but not drive-thru tellers)
8. Cosmetology and similar uses
9. Employment offices (but not a day labor pool).

C. Accessory Structures

1. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.
2. Any use allowed by exception in the Commercial Community General-1 on Parcel A and any use allowed by exception in the Commercial Office on Parcel B will be allowed if an exception is granted for that use.

D. Restrictions on Uses:

1. Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located, or to be located, on the Property.
2. Any request to deviated from these restrictions on the aggregate building area or uses shall be evaluated through the PUD minor modification process with a revised Site Plan to evaluate the internal and external compatibility of such proposed uses.
3. Dumpsters are to be located 200-feet from the north and south property line.
4. There can be no windows above the first floor of any building facing north. This applies only to buildings within 150-feet of the north property line.

E. Prohibited Uses:

1. Dry cleaning plant, cinema, theater, skating rink, bowling alley, discotheque, dance hall, nightclub, pool hall, amusement gallery, pinball or electronic game room, fitness center, gymnasium, health club (except that a women's day spa occupying less than 2,000 square feet of gross floor area shall be permitted), tattoo parlor, massage parlor, adult bookstore, adult theater, adult amusement facility, funeral parlor, flea market, auction house, second hand store, bingo parlor, cafeteria (provided, however, that the foregoing does not preclude a restaurant that is not a cafeteria from serving food in a buffet or cafeteria style manner), stand-alone full service car wash, industrial or manufacturing purposes, junkyard, trailer park, off-track betting facility, assembly hall, carnival or outdoor amusement park, archery or rifle range, playgrounds, and veterinary hospital or clinic
2. The use of storage trailers, whether temporary, seasonal, or permanent, shall be prohibited.
3. No portion of a parking lot shall be used for the display, sale, and/or storage of merchandise and goods.
4. The use of banners, festoons, streamers, pennants, balloons, inflated promotional figures and articles, search lights, beacon lights, sidewalk or curb signs, and/or other similar advertising and marketing decorations shall be prohibited.

F. Permitted Uses by Exception:

1. Convenience stores and filling stations
2. An establishment or facility which includes the retail sale and service of all alcoholic beverages including beer, wine or liquor for off-premises consumption or on-premises consumption or both.

3. Service stations meeting the performance standards and development criteria as set forth in Part 4, service garages for minor repairs (including tire stores), and automated car washers (but not manual car washers) in conjunction with a service or filling station
4. Schools meeting the performance standards and development criteria as set forth in Part 4. The distance limitations of Section 656.805 or the Zoning Code shall not apply to schools located within this PUD.

III. DESIGN GUIDELINES

A. Lot requirements:

1. *Minimum lot area:* None, except as otherwise required for certain uses. Either Parcel A or Parcel B may be developed as one property or may be subdivided into smaller parcels as market conditions dictate.
2. *Minimum lot width:* None, except as otherwise required by certain uses. Either Parcel A or Parcel B may be developed as one property or may be subdivided into smaller parcels as market conditions dictate.
3. *Maximum lot coverage:* Forty (40%) percent
4. *Minimum front yard:* Ten (10) feet
5. *Minimum side yard:* North – Twenty
South – Ten (10) feet
6. *Minimum rear yard:* None (the west property line is contiguous to a wetlands)
7. *Maximum height of structure:* Thirty-five (35) feet, provided however that height may be unlimited where all required yards along the periphery of the project are increased by three feet for every one foot of building height in excess of 35-feet with a maximum of fifty (50) feet in height

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.
 - b. Shared parking may be utilized between parcels to achieve parking requirements provided that the required number of spaces shall be met on the overall site within the PUD.

2. *Vehicular Access:*

- a. Vehicular access to the Property will have two (2) accesses and shall be by way of Yellow Bluff Road, substantially as shown in the Site Plan. If adjacent properties are commercially developed, then cross-access is permitted to said properties. 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 2010 Comprehensive Plan.

C. Signs

1. Parcel A and Parcel B shall be permitted one externally or internally illuminated monument sign not to exceed 200 square feet in area and 20 feet in height or each out parcel shall be permitted one externally or internally illuminated monument sign not to exceed 50 square feet in area and 15 feet in height. (This is the same language as the PUD across Yellow Bluff)
2. Monument signs may be externally or internally illuminated and multiple tenants within one building or connected series of buildings may be identified on one sign.
3. Wall signs are also permitted and shall not exceed ten (10%) percent of the square footage of the occupancy frontage or respective side of the building abutting a public right-of-way or approved private street.
4. One under the canopy sign per occupancy not exceeding a maximum of eight (8) square feet in area is permitted; provided, however, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.
5. Because the signs discussed are architectural elements of this PUD, intended to be compatible with and complementary of the buildings in the PUD, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and/or numbers on the sign and shall not include the frame or surrounding mount.
6. Variation from the strict requirements of Part 13 of the Zoning Code shall be permitted to allow for identification and directional signs subject to the review and approval of the Planning and Development Department.

D. Landscaping

1. The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code; provided, however, that the required perimeter landscaping may be relocated elsewhere within the Property when ownership or occupancy of the Property is subdivided into separate parcels and reciprocal easements for access, ownership and maintenance are created among the separate parcels of the Property.
2. Notwithstanding the provisions of Part 12 of the Zoning Code, the location of the project landscaping may vary from the strict requirements of Part 12 and may be relocated to alternative placement to provide for improved site design and function, but the relocation of required landscaping shall not result in a net reduction of the minimum required landscaping.
3. Notwithstanding any other provision, there will be no required landscaping contiguous to a wetland.
4. Along the north property line, there will be an undisturbed 20-foot buffer. Along the south property line there will be a 20-foot undisturbed buffer. (This parcel contains the more intense commercial uses and requires a larger buffer) These buffers are at the request of the contiguous property owners and will be left in place of the requirement of Part 12. All fencing will be inside the undisturbed buffer. The west property line is along wetlands and there will be no required landscaping. Along the east property line, parallel to Yellow Bluff Road, the property line in Parcel A will meet the requirements of Part 12 of the Zoning Code. In Parcel B, there will be a 20-foot wide buffer and no tree 2-inch caliper or greater shall be removed. This 20-foot buffer strip may be under brushed and the existing trees pruned to create view corridors.
5. No wood fencing will be allowed. The minimum standard will be vinyl fencing, however the City of Jacksonville Planning and Development Department may approve other fencing for the Property.

E. Recreation and Open Space:

1. Useable open spaces, plazas, and recreation areas will be constructed as per the goals and objectives of the Comprehensive Plan or as otherwise approved by the Planning and Development Department.

F. Utilities

1. Water, electric and sanitary sewer will be provided by Jacksonville Electric Authority (JEA).

G. Wetlands

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

H. Lighting

1. All light fixtures, including security lighting, shall be cutoff fixtures and should be incorporated as an integral design element that complements the design of the building and project through its design style, materials and color.
2. All cutoff fixtures shall not have more than one percent (1%) of lamp lumens above horizontal.
3. All sag lenses, drop lenses and convex lenses shall be prohibited.
4. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c.") when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other non-residential properties. House-side shields and other cutoff reflectors shall be incorporated into the lighting design to meet this design standard.
5. To provide lighting that limits distortion of colors of the building, landscape and pedestrian activity areas, all lighting lamp sources within parking and pedestrian areas shall be metal halide or compact fluorescent.
6. To provide lighting within a parking area(s) that is more pedestrian in scale, prevents extended views from off-site residents and extends streetscape views, the maximum light pole height in all parking areas should not exceed thirty feet. Lighting foot-candle levels over a parking area have not been addressed as part of these design guidelines.
7. An exterior lighting design plan for each project, including a photometrics plan, pole and fixtures schedules shall be submitted for review and approval at the time of verification of substantial compliance.

I. Architectural Vision

1. The development shall be consistent with the spirit and intent of the North Jacksonville Shared Vision and Master Plan and Best Management Practices.

IV. 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 existing and proposed uses within the Property, and showing the general layout of the overall Property.

V. 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 2010 Comprehensive Plan and Land Use Regulations. The proposed project is compatible with similar development in the area. The design and layout of the PUD:

- A. Allows for a creative approach through the use of natural features of the site with existing vegetation and existing TOPO;
- B. Provides a more desirable environment than would be possible through the strict application of the minimum requirements of the Zoning Code by creating more buffers, landscaping, and/or recreation and open space than would be required through a straight zoning;
- C. Allows for an effective use of the lane, resulting in lower development costs;
- D. Provides an environment that is characteristic of the surrounding area;
- E. Supports the retention of property values by providing needed services and support for the surrounding residences and businesses in the area; and
- F. Enhances the appearance of the area through the preservation of natural features, vegetation, and by using existing TOPO and grade in order to develop the project.

VI. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* The CGC Land Use Category allows for supporting commercial and service establishments. Commercial and office uses within the CGC category will be consistent with the development in the area. If the Small Scale Land Use to CGC is approved, the commercial and office uses in the subject PUD will be consistent with the 1020 Comprehensive Plan.
- B. *Consistency with the Concurrency Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency Management System Office (CMSO), and it has been assigned City Development Number _____.
- C. *Allocation of Residential Land Use.* There will be no residential element to this PUD.
- D. *Internal Compatibility/Vehicular Access.* The proposed PUD contains limitations on the commercial uses permitted on the subject property as well as a common development scheme which contains provisions for signage, landscaping, sidewalks, and other issues relating to common areas and vehicular and pedestrian traffic. In the event of partitioning, cross-access easements will be provided between properties.

- E. *External Compatibility/Intensity of Development.* The Property is located in an emerging commercial and residential area at the intersection of New Berlin Road and Starratt Road. The development will serve nearby existing and future residential communities. The site will be buffered so as to reduce the impact of development on nearby residential areas. The site will be developed in compliance with the Northside Vision Plan. This project allows for the development of commercial neighborhood type use, which will support the developing residential in the area
- F. *Recreation/Open Space.* Useable open spaces, plazas, and recreation areas will be constructed as per the goals and objectives of the Comprehensive Plan or as otherwise approved by the Planning and Development Department.
- G. *Impact on Wetlands.* Development that would impact wetlands will be permitted through the local, state, and federal agencies with jurisdiction.
- H. *Listed Species Regulations.* The property contains less than 50 acres and therefore a listed species survey is not required.
- I. *Off-Street Parking and Loading Requirements.* The site will comply with Part 6 of the Zoning Code or as otherwise approved by the Planning and Development Department. Shared parking may be utilized between parcels to achieve parking requirements provided that the required number of spaces shall be met on the overall site within the PUD.
- J. *Sidewalks, Trails, and Bikeways.* Sidewalks will be constructed as per the goals and objectives of the Comprehensive Plan
- K. *Stormwater Retention.* Retention shall meet the requirements of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River Water Management District.
- L. *Utilities.* The Jacksonville Electric Authority (JEA) will provide all utilities

VII. GOALS AND POLICIES

Specifically, the PUD complies with the following goals, objectives, and policies of the Comprehensive Plan, Future Land Use Element;

Policy 1.1.8: Require that all new non-residential, projects be developed in either nodal areas, in appropriate infill locations, or as part of mixed or multi-use developments such as Planned Unit Development (PUD) as described in this element.

Policy 1.1.10: Promote the use of Planned Unit Developments (PUD), cluster developments, and other innovative site planning and smart growth techniques.

Objective 3.1: Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable locational criteria of the 2010 Comprehensive Plan and subsequent Land Development Regulations.

Policy 3.1.1: The City develop through the Planning and Development Department an incentive program to promote infilling of residential development on vacant land designated for residential use on the Future Land Use Map series.

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 3.2.0: The City shall promote the infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The Property is located in an emerging commercial and residential area along New Berlin Road at Starratt Road, with both roads being major connecting roadways. The Property is an ideal site for infill commercial, office, or mixed-use development using a PUD to ensure development that is compatible with neighboring properties. The PUD will promote and sustain the viability of this established commercial area and provide employment and leisure opportunities to area residents. The PUD also provides the opportunity for residential infill on land already designated for residential use. The PUD will allow for diversity in housing types and choices for existing and future residents of the are.

[illegible]

REVISED EXHIBIT 3 - LUZ
WRITTEN DESC – JANUARY 28, 2009
SITE PLAN – JANUARY 29, 2009
Page 12 of 12

EXHIBIT A

Property Ownership Affidavit

Date: 10/17/13

City of Jacksonville

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

Re: Ownership Certification

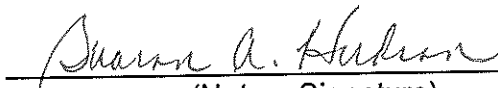
Gentleman:

I, Gregory E. Matovina 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 106920-0000,
submitted to the Jacksonville Planning and Development Department.


(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 17th day of
October (month), 2013 (year) by GREGORY E. MATOVINA
who is personally known to me or has produced _____
as identification.


(Notary Signature)

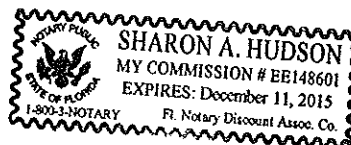


EXHIBIT A

Property Ownership Affidavit

Date: _____

City of Jacksonville

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

Re: Ownership Certification

Gentleman:

I, Gregory E. Matovina 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 106920-0000, submitted to the Jacksonville Planning and Development Department.

Gregory E. Matovina

(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 17th day of October (month), 2013 (year) by GREGORY E. MATOVINA who is personally known to me or has produced _____ as identification.

Sharon A. Hudson

(Notary Signature)

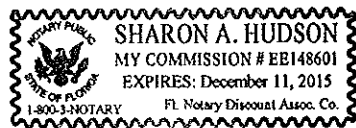


EXHIBIT B

Agent Authorization

Date: 10/17/13

City of Jacksonville

City Council / Planning and Development Department

117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

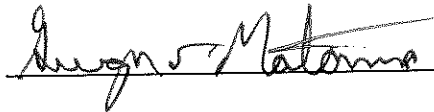
Re: Agent Authorization for the following site location:

106920-0000

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 Gregory E. Matovina to act as agent to file application(s) for 106920-0000 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.

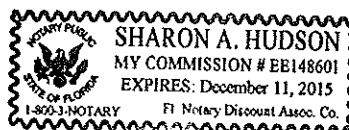
(Owner's Signature)



STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 17th day of October (month), 2013 (year) by GREGORY E MATOVINA, who is personally known to me or has produced _____ as identification.


(Notary Signature)



Prepared by, record and return to:
Amanda F. Smith, Esq.
Rogers Towers, P.A.
818 A1A North, Suite 208
Ponte Vedra Beach, Florida 32082

Consideration: \$175,000.00

COM13-09/4457233

SPECIAL WARRANTY DEED

THIS INDENTURE is made effective as of the 29th day of July, 2013, by VYSTAR CREDIT UNION, a state-chartered credit union, whose address is 4949 Blanding Boulevard, Jacksonville, Florida 32210 (herein, the "Grantor"), and YELLOW BLUFF, LLP, a Florida limited liability partnership, whose address is 2955 Hartley Road, Jacksonville, Florida 32257 (herein, the "Grantee").

Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, all of that certain land (the "Land") in Duval County, Florida, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to those matters set forth on Exhibit "B" attached hereto and made a part hereof, without intending to reimpose same (the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property in fee simple forever.

Grantor and Grantee acknowledge and agree that, except for the Grantor's express covenants, representations and warranties set forth in this Special Warranty Deed, the sale of the Property is without any warranty, and that Grantor has made no, and expressly and specifically disclaims any and all, representations, guaranties or warranties, express or implied, or arising by operation of law or relating to the Property.

Furthermore, except for any claim the Grantee may have as a result of the breach by the Grantor of any express representation or warranty of Grantor set forth herein, Grantee does hereby release and forever discharge Grantor, its directors, shareholders, officers, employees, legal representatives, agents and assigns, from any and all actions, causes of action, claims and demands for, upon or by reason of any damage, loss or injury which heretofore have been or which hereafter may be sustained by Grantee resulting from or arising out of the presence of any hazardous materials or other environmental contamination on or in the vicinity of the Property, including the soil and/or groundwater (hereinafter referred to as the "Claims"). Grantee expressly waives, without limitation, any claims for contribution under the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, unless resulting from the acts or omissions of Grantor, during its period of ownership of the Property (and not caused by Grantee following this conveyance). This release applies to all such

Claims whether the actions causing the presence of hazardous materials on or in the vicinity of the Property occurred before or after this conveyance. This release extends and applies to, and also covers and includes, all statutory or common law Claims the Grantee may have against the Grantor. The provisions of any State, Federal, or Local law or statute providing in substance that releases shall not extend to claims, demands, injuries or damages which are unknown or unsuspected to exist at the time, to the person executing such release, are hereby expressly waived.

Except as otherwise set forth in this Special Warranty Deed or in the Permitted Encumbrances, 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.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its name as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

VYSTAR CREDIT UNION, a state-chartered
credit union

Shirley J. Burt
Print Name: SHERIL BURT
James L. Gussie
Print Name: JAMES L. GUSSIE

By: Kathy Bonaventura
Name: Kathy Bonaventura
Title: Senior Vice President/Chief Lending
Officer

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 25 day of July, 2013, by Kathy Bonaventura, the Senior Vice President/Chief Lending Officer of VYSTAR CREDIT UNION, a state-chartered credit union, on behalf of the credit union. She (check one) ☒ is personally known to me or ☐ has proved to me on basis of satisfactory evidence to be the person who executed this instrument.

Sherri L. James
Notary Public, State and County Aforesaid
Name: Sherri L. James
My Commission Expires: 3-2-15
My Commission Number is: EE 054095

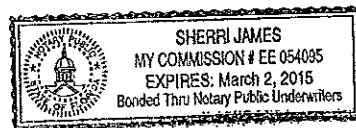


EXHIBIT "A"

Legal Description

Part of Section 33 of The John Broward Grant, Section 37, Township 1 North, Range 27 East, Duval County Florida, being more particularly described as follows:

Commence at the Intersection of the North line of said Section 33 and the Westerly line of Yellow Bluff Road (100 foot right of way), thence South $02^{\circ}36'00''$ East along said Yellow Bluff Road, 740.00 feet to the Southeast corner of those lands described in Official Records Book 3689, page 935, of the current public records of Duval County, Florida, and being the point of beginning; thence continue South $02^{\circ}36'00''$ East, along said Westerly right of way of Yellow Bluff Road, 1187.60 feet to a point lying in the North line and being the Northeast corner of those lands described in Official Records Book 5664, page 516, of the current public records of Duval County, Florida; thence South $87^{\circ}41'15''$ West along said North line, 453 feet, more or less, to the run of Caney Branch; thence Northerly along the run of said Caney Branch, 1187 feet, more or less, to a point that is South $87^{\circ}37'30''$ West, 495 feet, more or less, from the point of beginning; thence North $87^{\circ}37'30''$ East and ultimately along the South line of those lands described in Official Records Book 3689, page 935 of said Duval County public records, 495 feet, more or less to the point of beginning.

EXHIBIT "B"

Permitted Encumbrances

1. Taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable, and taxes and assessments levied and/or assessed subsequent to the date hereof.
2. Easements, claims of easements, boundary line disputes, overlaps, encroachments or other matters not shown by the public records which would be disclosed by an accurate survey of the Land.
3. Any claim that any portion of the Insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
4. Title to any submerged land included within the land described herein is not insured under any owner's policy obtained in connection herewith.
5. The Inalienable rights of the public to use any navigable waters covering the lands described herein.
6. Any owner's policy obtained in connection herewith will not insure title to any lands lying below the mean or ordinary high water line of any navigable or tidally influenced waters.
7. The nature, extent or existence of riparian rights is not insured in any owner's policy obtained in connection herewith.
8. Notice Of Fair share Assessment Contract recorded in Official Records Book 14361, Page 454, of the public records of Duval County, Florida.

ORDINANCE _____

Legal Description

PART OF SECTION 33 OF THE JOHN BROWARD GRANT, SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 33 AND THE WESTERLY LINE OF YELLOW BLUFF ROAD, (100 FOOT RIGHT OF WAY) THENCE SOUTH 02°36' 00" EAST. ALONG SAID YELLOW BLUFF ROAD, 740.00 FEET, TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3689, PAGE 935, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 02°36'00" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF YELLOW BLUFF ROAD, 1187.60 FEET TO A POINT LYING IN THE NORTH LINE AND BEING THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5664, PAGE 516 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 87°41'15" WEST ALONG SAID NORTH LINE, 365.00 FEET; THENCE NORTH 02°36'00" WEST, A DISTANCE OF 1187.20 FEET; THENCE NORTH 87°37'30" EAST AND ULTIMATELY ALONG THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3689, PAGES 935 OF SAID DUVAL COUNTY PUBLIC RECORDS, 365.00 FEET TO THE POINT OF BEGINNING.

THUS LANDS DESCRIBED CONTAIN 9.95 ACRES MORE OR LESS.