

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

3 September 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-470**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

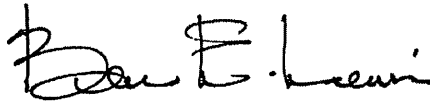
Planning Commission Commentary: There was one speaker who had concerns about access and potential uses. There was little discussion among the Commissioners.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Aye
David Hacker, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Aye
Jason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-0470

SEPTEMBER 3, 2020

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 **2020-0470**.

Location: 0 Cummings Lane; West Side of Roosevelt Boulevard, North of Fennell Road, and South of Yorktown Avenue

Real Estate Number: 098410-0000, 098410-0010, 098412-0020, 098413-0010, 098413-0020, 098413-0030, 098413-0050, 098413-0052, 098413-0054, 098413-0056, 098413-0080, 098413-0100

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

Proposed Zoning District: Industrial Business Park (IBP)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Business Park (BP)

Planning District: District 4—Southwest

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Southbelt Parkway, LTD
13747 Hope Sound Court
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0470** seeks to rezone 21.61± acres of a property from Residential Low Density-60 (RLD-60) to Industrial Business Park (IBP). The request is being sought to allow for general business/office uses. There is a companion Large-Scale Land Use

Amendment L-5409-19A (**Ordinance 2020-0469**) that seeks to amend the land use on the property from Low Density Residential (LDR) to Business Park (BP).

Due to the subject site's proximity to NAS JAX, the application was routed to the U.S. Navy for review and comment. The Navy supports non-residential development of the site, particularly in the northern portion, because of its proximity to the Accident Potential Zone 2 (APZ 2) and the more intense noise contours. In general, the Navy finds that the proposed BP/IBP is highly compatible with the area and would have less of an impact on the Navy's operations at NAS JAX than the current LDR/RLD-60 designations.

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 with the approval of companion Large-Scale Land Use Amendment L-5404-19A (**Ordinance 2020-0469**), the subject property will be located in the Business Park (BP) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Currently the site has a LDR land use designation; however, if approved, pending **Ordinance 2020-0469** would amend the land use category to BP. The proposed IBP zoning district is consistent with the BP land use category. According to the Future Land Use Element (FLUE), Business Park (BP) in the Suburban Area is intended to provide compact low to medium intensity office development.

The subject site is not located within any Coastal High Hazard Area (CHHA) or flood zone. A small portion of the site appears to contain wetlands, and the site is located within an Airport Environment Zone. For more information, please see the attached Community Planning Memo.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element

Policy 1.2.9

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

In reference to the attached JEA Availability Letter, 2019-3428, the proposed development shall connect to City water and sewer with an estimated flow of 18,000 gpd.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

The proposed rezoning to IBP would allow for infill development on several underutilized parcels.

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

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from RLD-60 to IBP in order to permit the development of professional business office uses—all while adhering to local, state, and federal regulations governing wetlands.

SURROUNDING LAND USE AND ZONING

The subject property is located at the west side of Roosevelt Boulevard between Fennell Road and Subchaser Court, and is currently undeveloped. The proposed rezoning to IBP would allow

the applicant to allow for general business/office uses. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	BP/LDR	IBP/RLD-60	Businesses/Offices
East	PBF	PBF-1	NAS Jacksonville
South	LDR/MDR	RLD-60	Single-Family Dwellings
West	LDR/BP	RLD-60/IBP	Undeveloped/Office

It is the opinion of the Planning and Development Department that the requested rezoning to IBP will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 24, 2020 by the Planning and Development Department, the required Notice of Public Hearing sign **were** posted.



RECOMMENDATION

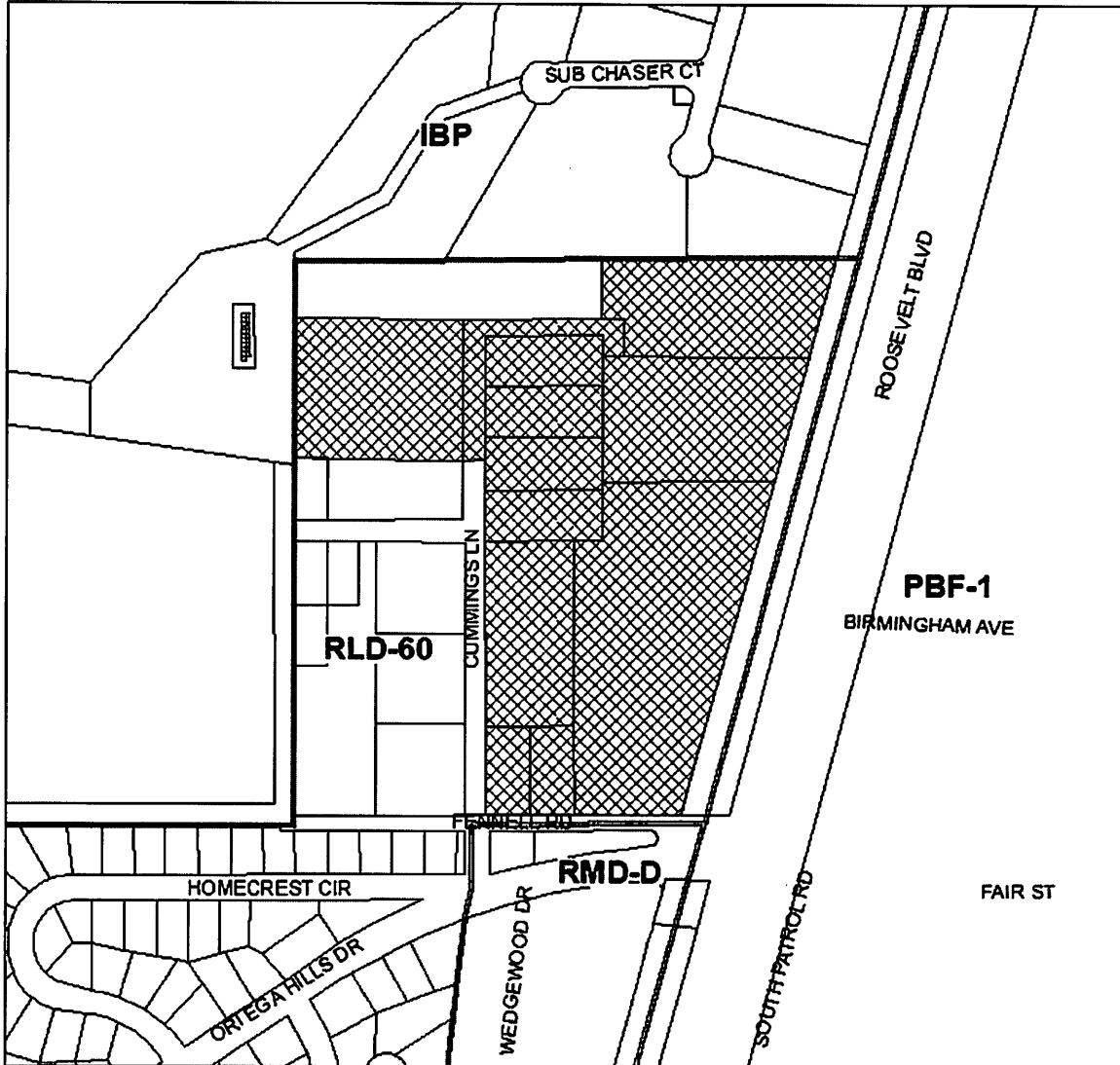
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0470 be **APPROVED**.

Figure C:



Source: Planning & Development Dept, 8/27/20

View of Cummings Lane and the neighboring residential properties, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: IBP</p>	<p>LOCATION MAP:</p>	<p>0 130 260 520 Feet</p>
<p>ORDINANCE NUMBER ORD-2020-0470</p>	<p>TRACKING NUMBER T-2020-2982</p>	<p>COUNCIL DISTRICT: 14</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0470 **Staff Sign-Off/Date** ATW / 07/22/2020

Filing Date 08/05/2020 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 09/08/2020 **Planning Commission** 09/03/2020

Land Use & Zoning 09/15/2020 **2nd City Council** 09/22/2020

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study WOODLAND ACRES NAP

Application Info

Tracking # 2982

Application Status FILED COMPLETE

Date Started 07/01/2020

Date Submitted 07/01/2020

General Information On Applicant

Last Name	First Name	Middle Name
TRIMMER	CYNDY	

Company Name
DRIVER, MCAFFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address
1 INDEPENDENT DRIVE, SUITE 1200

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9048070185	904	CKT@DRIVERMCAFFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
N/A	N/A	

Company/Trust Name
SOUTHBELT PARK LTD

Mailing Address
13747 HOPE SOUND CT

City	State	Zip Code
JACKSONVILLE	FL	32225

Phone	Fax	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	098410 0000	14	4	RLD-60	IBP
Map	098410 0010	14	4	RLD-60	IBP

Map	098412 0020	14	4	RLD-60	IBP
Map	098413 0010	14	4	RLD-60	IBP
Map	098413 0020	14	4	RLD-60	IBP
Map	098413 0030	14	4	RLD-60	IBP
Map	098413 0050	14	4	RLD-60	IBP
Map	098413 0052	14	4	RLD-60	IBP
Map	098413 0054	14	4	RLD-60	IBP
Map	098413 0056	14	4	RLD-60	IBP
Map	098413 0080	14	4	RLD-60	IBP
Map	098413 0100	14	4	RLD-60	IBP

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application

5404

Total Land Area (Nearest 1/100th of an Acre) 21.61

Justification For Rezoning Application

TO PERMIT REDEVELOPMENT OF THE PROPERTY CONSISTENT WITH BUSINESS PARK USES SUCH AS THOSE IMMEDIATELY NORTH OF THE PROPERTY.

Location Of Property

General Location

BET. ORTEGA RIVER AND ROOSEVELT BLVD NORTH OF FENNELL ROAD

House #	Street Name, Type and Direction	Zip Code
0	CUMMINGS LN	32244

Between Streets

FENNELL RD and SUBCHASER CT

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
21.61 Acres @ \$10.00 /acre: \$220.00
- 3) Plus Notification Costs Per Addressee
Notifications @ \$7.00 /each:
- 4) Total Rezoning Application Cost:
NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

July 1, 2020

PARCEL A: (RE #098413-0080)

A part of Lots 11 and 12, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of Lot 10, of said Block 4, thence North 0°03'39" West along the westerly line of said Lots 10 and 9 of said Block 4, a distance of 1,152.00 feet; thence South 89°55'30" East parallel to the Southerly line of said Lot 10, a distance of 721.26 feet to the point of beginning; thence continue South 89°55'30" East, parallel to said southerly line of Lot 10, a distance of 50 feet; thence South 0°03'39" East parallel to said westerly line of Lots 9 and 10, a distance of 80.0 feet; thence South 89°55'30" East parallel to said Southerly line of Lot 10, a distance of 426.32 feet to the northwesterly right of way line of the Atlantic Coastline Railroad; thence North 15°21'42" East along said railroad right of way a distance of 273.26 feet to the northerly line of said Lot 12; thence South 89°46'21" West along the northerly line of said Lots 12 and 11, a distance of 548.98 feet; thence South 0°03'39" East parallel to said westerly line of Lot 9, a distance of 180.69 feet to the point of beginning.

PARCEL B: (RE #098413-0010)

A part of Lot 10, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of said Lot 10; thence South 89°55'30" East along the southerly line of said Lot 10, a distance of 444.26 feet to the point of beginning and the easterly line of a proposed street; thence continue South 89°55'30" East along said southerly line a distance of 207.00 feet; thence North 0°03'39" West parallel to the westerly line of said Lot 10, a distance of 630.00 feet; thence North 89°55'30" West parallel to said southerly line, a distance of 207.00 feet to the easterly line of a proposed street; thence South 0°03'39" East parallel to said westerly line and the easterly line of a proposed street, a distance of 630.00 feet to the point of beginning.

LESS AND EXCEPT the lands conveyed in Warranty Deeds recorded in O.R. Book 4020, Page 77 and O.R. Book 4636, Page 1050, Public Records of Duval County, Florida.

PARCEL C: (RE #098413-0050)

A part of those lands described in Official Records Volume 2883, Page 707, of the Current Public Records of Duval County, Florida. The same being part of Lots 9 and 11, Section 21, Township 3 South, Range 26 East, Jacksonville Heights as recorded in Plat Book 5, Page 93 of said Public Records, more particularly described as follows:

Commencing at the Southwesterly corner of Lot 10 of said Section 21; thence South 89°55'30" East along the Southerly line of said Lot 10, a distance of 444.26 feet to the Easterly line of a proposed street; thence North 0°03'39" West, parallel to the Westerly line of said Lots 10 and 9, along the said Easterly line of said proposed street, a distance of 984 feet to the point of beginning; thence continue North 0°03'39" West parallel to said Westerly line, a distance of 118.00 feet to the Southerly line of a proposed street; thence South 89°55'30" East parallel to said Southerly line of Lot 10, a distance of 277.00 feet; thence South 0°03'39" East parallel to said Westerly line of 10 and 9, a distance of 118.00 feet; thence North 89°55'30" West parallel to said Southerly line of Lot 10, a distance of 277.00 feet to the point of beginning.

PARCEL D: (RE #098413-0054)

A part of those lands described in Official Records Volume 2883, Page 707, of the Current Public Records of Duval County, Florida. The same being part of Lots 9 and 11, Section 21 Township 3 South, Range 26 East, Jacksonville Heights as recorded in Plat Book 5, Page 93 of said Public Records, more particularly described as follows:

Commencing at the Southwesterly corner of Lot 10 of said Section 21; thence South 89°55'30" East along the Southerly line of said Lot 10, a distance of 444.26 feet to the Easterly line of a proposed street; thence North 0°03'9" West, parallel to the Westerly line of said Lots 10 and 9, along the said Easterly line of said proposed street, a distance of 866 feet to the point of beginning; thence continue North 0°03'39" West parallel to said Westerly line, a distance of 118.00 feet; thence South 89°55'30" East parallel to said Southerly line of Lot 10, a distance of 277.00 feet; thence South 0°03'39" East parallel to said Westerly line of Lots 10 and 9, a distance of 118.00 feet; thence North 89°55'30" West, parallel to said Southerly line of Lot 10, a distance of 277.00 feet to the point of beginning.

PARCEL E: (RE #098413-0052)

A part of those lands described in Official Records Volume 2883, Page 707, of the Current Public Records of Duval County, Florida. The same being part of Lots 9, 10, and 11, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of said Public Records, more particularly described as follows:

Commencing at the Southwesterly corner of said Lot 10; thence South 89°55'30" East along the Southerly line of said Lot 10, a distance of 444.26 feet to the Easterly line of a proposed street; thence North 0°03'39" West, parallel to the Westerly line of said Lots 10 and 9, along the said Easterly line of said proposed street, a distance of 630 feet to the point of beginning; thence continue North 0°03'39" West parallel to said Westerly line, a distance of 118.00 feet; thence South 89°55'30" East parallel to said Southerly line of Lot 10, a distance of 277.00 feet; thence South 0°03'39" East parallel to said Westerly line of Lots 10 and 9 a distance of 118.00 feet; thence North 89°55'30" West parallel to said Southerly line of Lot 10, a distance of 277.00 feet to the point of beginning.

PARCEL F: (RE #098412-0020)

A part of Lot 10, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat 5, Page 93, of the public records of Duval County, Fla., more particularly described as follows:

Commencing at the southwesterly corner of said Lot 10; thence South 89°55'30" East along the southerly line of said Lot 10, a distance of 444.26 feet to the easterly line of a proposed street as the POB; thence continue South 89°55'30" East along said southerly line a distance of 103.5 feet; thence North 0°03'39" West, parallel to the westerly line of said Lot 10 a distance of 210 feet; thence North 89°55'30" West, parallel to said southerly line, a distance of 103.5 feet to the easterly line of the proposed street; thence South 0°03'39" East parallel to the said westerly line of Lot 10 along the easterly line of the proposed street a distance of 210 feet, more or less to the POB; being the west 1/2 of the south 1/3 of parcel 3 conveyed to grantor herein by deed dated April 27, 1968 and recorded in Vol. 2883, pages 699-702, of the public records of Duval County, Florida.

PARCEL G: (RE #098413-0020)

A part of Lots 11 and 12, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93, of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of Lot 10, said Block 4; thence South 89°55'30" East along the southerly line of said Lot 10, a distance of 444.26 feet to the easterly line of a proposed street; thence North 0°03'39" West parallel to the westerly line of said Lot 10 and said street, a distance of 1,102.00 feet to the southerly line of a proposed street; thence South 89°55'30" East parallel to said southerly line of Lot 10, a distance of 277.00 feet; thence South 0°03'39" East, parallel to the westerly line of said Lot 10, a distance of 30 feet to the point of beginning; thence continue South 0°03'39" East, a distance of 302.00 feet; thence South 89°55'30" East, parallel to the southerly line of said Lots 10, 11 and 12, a distance of 393.05 feet to the northwesterly right of way line of the Atlantic Coastline Railroad; thence North 15°21'42" East, along said railroad right of way, a distance of 313.03 feet; thence North 89°55'30" West parallel to the southerly line of said Lots 10, 11, and 12, a distance of 476.32 feet to the point of beginning.

PARCEL I: (RE #098413-0030)

A part of Lot 9, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93, of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of Lot 10 of said Block 4; thence north 0°03'39" West along the westerly line of said Lots 10 and 9 a distance of 825.00 feet to the northwesterly corner of lands described in Deed Book 945, Page 337 of said public records and the point of beginning; thence continuing North 0°03'39" West along said westerly line a distance of 327.00 feet; thence south 89°55'30" East parallel to the southerly line of said Lot 10 a distance of 394.26 feet to the westerly line of a proposed street; thence south 0°03'39" East parallel to said westerly line of Lot 9 and said proposed street, a distance of 331.00 feet; thence North 89°55'30" West parallel to said southerly line of Lot 10, a distance of 319.26 feet to the easterly line of lands described in Deed Book 945, Page 357; thence North 0°03'39" West along said easterly line of the lands described in said Deed Book, a distance of 4.00 feet; thence North 89°55'30" West parallel to the southerly line of said Lot 10 and the northerly line of the lands described in said Deed Book, a distance 75.00 feet to the point of beginning.

PARCEL J: (RE #098413-0100)

A part of Lot 10, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows: Commencing at the southwesterly corner of said Lot 10; thence South 89°55'30" East along the southerly line of Lot 10, a distance of 444.26 feet to the easterly line of a proposed street; thence continue South 89°55'30" East along said southerly line a distance of 207.00 feet; thence North 0°03'39" West, parallel to the westerly line of said Lot 10, a distance of 210.00 feet to the point of beginning; thence continue 0°03'39" West parallel to the said Westerly line of Lot 10, a distance of 420.00 feet; thence North 89°55'30" West parallel to said southerly line, a distance of 207 feet to the easterly line of a proposed street; thence South 0°03'39 East parallel to said westerly line and the

easterly line of a proposed street, a distance of 420.00 feet; thence South 89°55'30" East parallel to the southerly line, a distance of 207 feet to the point of beginning.

PARCEL K: (RE #098410-0010)

A part of Lots 10, 11 and 12, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of Lot 10 of said Block 4; thence South 89°55'30" East along the southerly line of said Lot 10, a distance of 651.26 feet to the point of beginning; thence continuing South 89°55'30" East along said southerly line of Lots 10 and 11, a distance of 250.77 feet to the northwesterly right of way line of the Atlantic Coastline Railroad; thence North 15°21'42" East along said railroad right of way line, a distance of 798.25 feet; thence North 89°55'30" West parallel to the southerly line of said Lots 11 and 10, a distance of 393.05 feet; thence South 0°03'39" East, parallel to the westerly line of said Lot 10, a distance of 140.00 feet; thence North 89°55'30" West, parallel to the southerly line of said Lots 10 and 11, a distance of 70 feet; thence South 0°03'39" East, parallel to the westerly line of said Lot 10, a distance of 630 feet to the point of beginning.

PARCEL L: (RE #09413-0056)

A part of those lands described in Official Records Volume 2883, Page 707, of the Current Public Records of Duval County, Florida. The same being part of Lots 9 and 11, Section 21, Township 3 South, Range 26 East, Jacksonville Heights as recorded in Plat Book 5, Page 93 of said Public Records, more particularly described as follows:

Commencing at the Southwesterly corner of Lot 10 of said Section 21; thence South 89°55'30" East along the Southerly line of said Lot 10, a distance of 444.26 feet to the Easterly line of a proposed street; thence North 0°03'39" West, parallel to the Westerly line of said Lots 10 and 9, along the said Easterly line of said proposed street, a distance of 748 feet to the point of beginning; thence continue North 0°03'39" West parallel to said Westerly line, a distance of 118.00 feet; thence South 89°55'30" East parallel to said Southerly line of Lot 10, a distance of 277.00 feet; thence South 0°03'39" East parallel to said Westerly line of 10 and 9, a distance of 118.00 feet; thence North 89°55'30" West parallel to said Southerly line of Lot 10, a distance of 277.00 feet to the point of beginning.

PARCEL M: (RE #098410-0000 – CUMMINGS LANE)

A part of Lots 9, 10, 11 and 12, Block 4, Section 21, Township 3 South, Range 26 East, Jacksonville Heights, as recorded in Plat Book 5, Page 93 of the Current Public Records of Duval County, Florida, more particularly described as follows:

Commencing at the southwesterly corner of said Lot 10; thence South 89°55'30" East along the southerly line of said Lot 10, a distance of 394.26 feet to the westerly line of the proposed street and the point of beginning; thence North 0°03'39" West parallel to the westerly line of said Lot 10, a distance of 630.00 feet; thence North 89°55'30" West parallel to the southerly line of said Lot 10, a distance of 394.26 feet to the westerly line of said Lot 10; thence North 0°03'39" West along said westerly line of Lots 10 and 9, a distance of 50.00 feet; thence South 89°55'30" East parallel to said southerly line of Lot 10, a distance of 394.26 feet; thence North 0°03'39" West parallel to said westerly line of Lot 9, a distance of 472.00 feet; thence South 89°55'30" East parallel to said southerly line of Lots 10 and 11, a distance of 377.0 feet; thence South 0°03'39" East parallel to said westerly line of Lots 9 and 10, a distance of 80.0 feet; thence North 89°55'30" West parallel to said southerly line of Lots 10 and 11, a distance of 50.0 feet; thence North 0°03'39" West parallel to said westerly line of Lots 9 and 10, a distance of 30.00 feet; thence North 89°55'30" West, parallel to said southerly line of Lots 10 and 11, a distance of 277.00 feet; thence South

0°03'39" East, parallel to said westerly line of Lots 9 and 10, a distance of 1,102.00 feet to the southerly line of said Lot 10; thence North 89°55'30" West along said southerly line of Lot 10, a distance of 50.00 feet to the point of beginning.

LESS AND EXCEPT CUMMINGS LANE RIGHT OF WAY NOT SUBJECT TO APPLICATION:

FROM THE POINT OF BEGINNING;

Thence, S 89 degrees 52 minutes 49 seconds W for a distance of 49.91 feet to a point on a line.

Thence, N 00 degrees 14 minutes 45 seconds W for a distance of 629.43 feet to a point on a line.

Thence, S 89 degrees 52 minutes 33 seconds W for a distance of 394.08 feet to a point on a line.

Thence, N 00 degrees 13 minutes 18 seconds W for a distance of 50.49 feet to a point on a line.

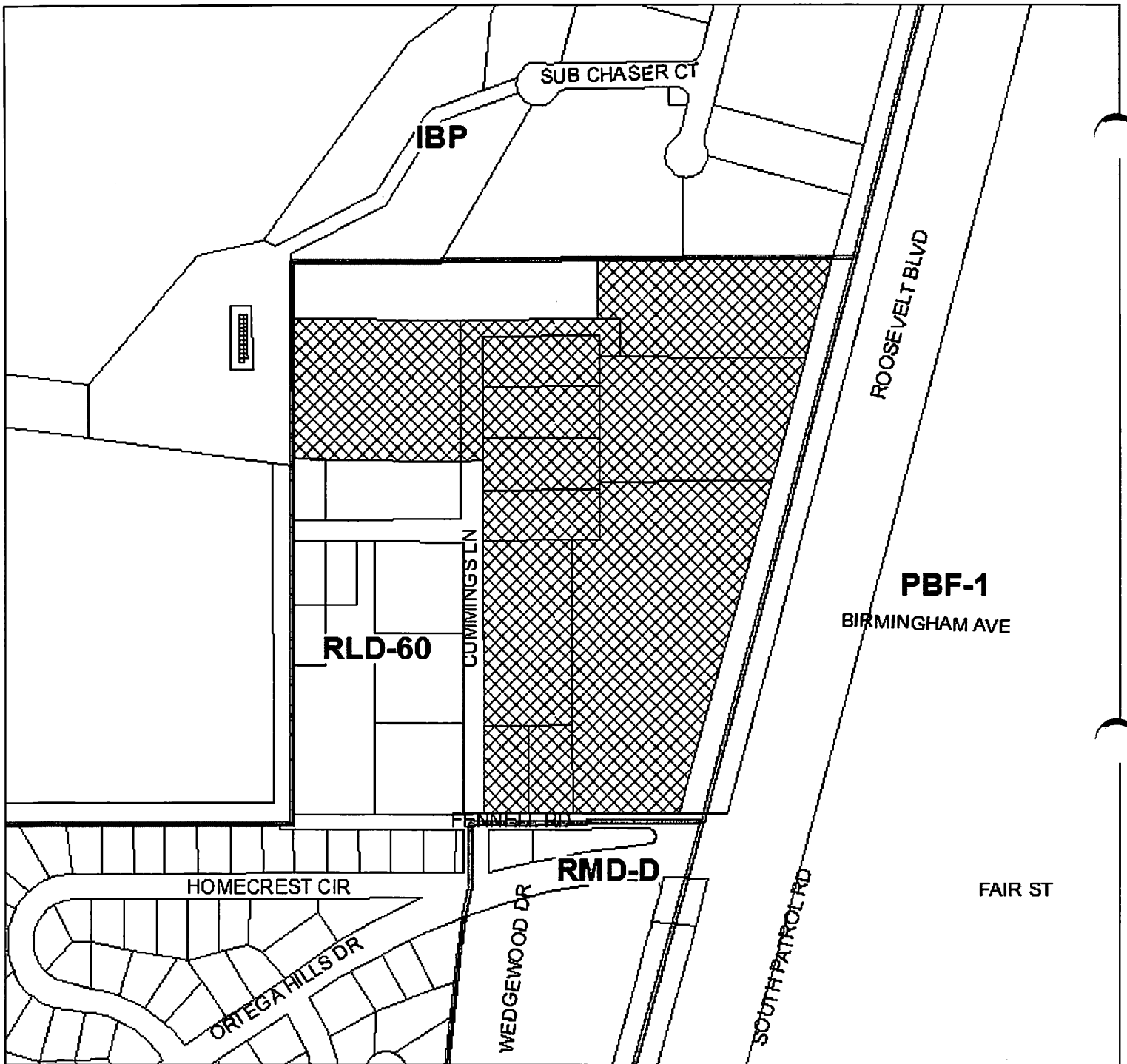
Thence, N 89 degrees 54 minutes 20 seconds E for a distance of 394.39 feet to a point on a line.

Thence, N 00 degrees 04 minutes 39 seconds W for a distance of 140.52 feet to a point on a line.

Thence, N 89 degrees 46 minutes 42 seconds E for a distance of 49.51 feet to a point on a line.

Thence, S 00 degrees 13 minutes 18 seconds E for a distance of 820.32 feet to the POINT OF BEGINNING.

Total area is 1.4 acres.

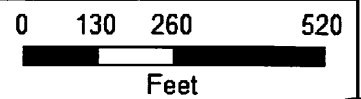
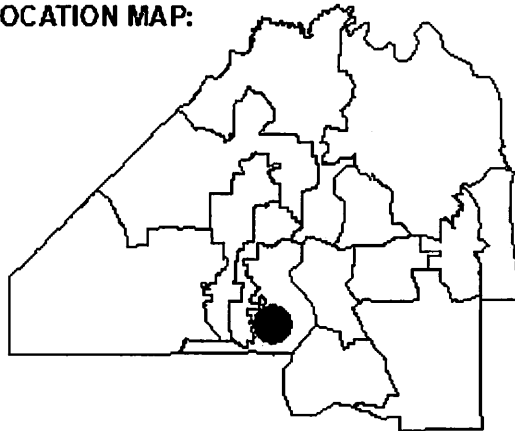


REQUEST SOUGHT:

FROM: RLD-60

TO: IBP

LOCATION MAP:



COUNCIL DISTRICT:

14

TRACKING NUMBER

T-2020-2982

**EXHIBIT 2
PAGE 1 OF 1**



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Steve Diebenow
Driver, McAfee, Hawthorne & Diebenow, PLLC
One Independent Drive, Ste 1200
Jacksonville, FL, 32202

October 10, 2019

Project Name: Fennell Commercial Development
Availability#: 2019-3428

Attn: Steve Diebenow,

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

Point of Connection:

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement from the third party owner providing applicant with the right to construct the utilities.

Offsite Improvements:

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

Reservation of Capacity:

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

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found, https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team



21 West Church Street
Jacksonville, Florida 32202-3139

ELECTRIC WATER SEWER RECLAIMED

Availability#: 2019-3428
Request Received On: 9/27/2019
Availability Response: 10/10/2019
Prepared by: Susan West

Project Information

Name: Fennell Commercial Development
Type: Retail Store
Requested Flow: 18,000 gpd
Location: 0 Fennell Road, Jacksonville, FL 32244 along Cummings Lane
Parcel ID No.: 098410-0000, 098410-0010, 098413-0010, 098412-0020, 098413-0020, 098413-0030, 098413-0050, 098413-0052, 098413-0054, 098413-0056, 098413-0080, 098413-0100
Description: Commercial development of approximately 10,000 sq. ft per parcel on 12 parcels.

Potable Water Connection

Water Treatment Grid: NORTH GRID
Connection Point #1: Existing 16 inch water main along Roosevelt Blvd
Connection Point #2: NA
Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Treatment Plant: SOUTHWEST
Connection Point #1: Existing 8 inch gravity main/manhole along Ortega Hills Dr
Connection Point #2: Existing 8 inch force main along Cummings La at Fennell Rd
Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite pump station, and a JEA dedicated force main (min. 4" dia.). Send force main connection condition requests, with availability number, to fmconnections@jea.com. Ownership and maintenance entity of pump station to be determined either at the preapplication meeting or during plan review.

Reclaimed Water Connection

Sewer Region/Plant: N/A
Connection Point #1: This property is not located within the JEA Reclaimed Water System Service Area.
Connection Point #2: NA
Special Conditions:

General Comments:

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations. Point of connection location(s) to be field verified by developer during project design. Send pre-application meeting requests, with availability number, to wsdevprojrequests@jea.com. Copies of reference drawings may be requested from the JEA Record online at [https:// www.jea.com/engineering_and_construction/request_an_as-built_drawing/](https://www.jea.com/engineering_and_construction/request_an_as-built_drawing/).