

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
September 5, 2017–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
 - A. RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the August 1, 2017 Planning Board Meeting.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
 - A. Case #: Z-2017-04
Applicant: Wiley C. "Buddy" Page, Agent for Wayne Cotton, Copter Complex, LLC., Owners
Address: 9700 BLK N Pensacola Boulevard
Property Size: 3.47 (+/-) acres
From: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)
To: Com, Commercial district (25 du/acre)
 - B. Case #: Z-2017-16
Applicant: David Fitzpatrick, Agent for Stafford Development Group, Owner

Address: 5940 Saufley Pines Road
Property Size: 1.43 (+/-) acres
From: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)
To: MDR, Medium Density Residential district (10 du/acre)

C. Case #: Z-2017-14
Applicant: Wiley C. "Buddy" Page, Agent for Crimson Nine Mile Road Holdings, LLC, Owner
Address: SW Corner of Nine Mile Road and I-10
Property Size: 174 (+/-) acres
From: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)
To: Com, Commercial district (25 du/acre)

D. Case #: Z-2017-15
Applicant: Wiley C. "Buddy" Page, Agent for The Dawson Company, Owner
Address: 3811 W Nine Mile Road
Property Size: 52 (+/-) acres
From: HDMU, High Density Mixed-use district (25 du/acre)
To: Com, Commercial district (25 du/acre)

8. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Rezoning

4. A.

Meeting Date: 09/05/2017

Agenda Item:

RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the August 1, 2017 Planning Board Meeting.

Attachments

Draft August 1, 2017 Planning Board Rezoning Meeting Minutes

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING August 1, 2017

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:36 A.M. – 10:29 A.M.)
(10:39 A.M. - 1:30 P.M.)
(1:35 P.M. - 2:50 P.M.)

Present: Reid Rushing
Jay Ingwell
Wayne Briske, Chairman
Timothy Pyle
Eric Fears
William Clay
Stephen Opalenik

Absent: Edwin Howard
Patty Hightower

Staff Present: Andrew Holmer, Division Manager, Planning & Zoning
Caleb MacCartee, Urban Planner, Planning & Zoning
Griffin Vickery, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag was led by Wayne Briske.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.
Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)
4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 10, 2017 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for July 2017.
 - C. Planning Board 6-Month Outlook for August 2017.

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to approve the minutes from the July 10, 2017 Rezoning Planning Board Meeting.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to approve the minutes from the July 10, 2017 Regular Planning Board Meeting.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to accept the Rezoning Planning Board meeting packet for August 1, 2017.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A. Case #: Z-2017-06
Applicant: Floyd Peacock, Agent for
New Birth Baptist Church,
Owner
Address: 1703 N Q Street
Property Size: 0.46 (+/-) acres
From: MDR, Medium Density
Residential district (10
du/acre)
To: HDR, High Density
Residential district (18
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Timothy Pyle, Seconded by Jay Ingwell

Motion was made to accept Staff's Findings of Fact and recommend denial of the rezoning case.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

B. Case #: Z-2017-11
Applicant: Tom Hammond, Agent
for William R. Smith,
Owner
Address: 7237 Mobile Highway
Property Size: 4.3 (+/-) acres
From: LDR, Low Density
Residential district (four
du/acre)
To: HDMU, High Density
Mixed-use district (25
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

Tim Pyle abstained from voting on this matter due to any conflict of interest.

Motion by Jay Ingwell, Seconded by Reid Rushing

Applicant requested to change the rezoning request to LDMU instead of HDMU.

Motion was made to recommend denial based on Staff Find's of Fact.

Vote: 5 - 0 Approved

Other: Timothy Pyle (ABSTAIN)
Edwin Howard (ABSENT)

C. Case #: Z-2017-12
Applicant: Micheal W. Milner, Agent
for Richard Mertins, Owner
Address: 2410 Langley Avenue
Property Size: 0.82 (+/-) acres
From: Com, Commercial district
(25 du/acre)
To: HC/LI-NA, Heavy
Commercial and Light
Industrial district,
prohibiting the subsequent
establishment of any
microbreweries,
microdistilleries,
microwineries, bars,
nightclubs, or adult
entertainment uses (25
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Timothy Pyle, Seconded by Eric Fears

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

- D. Case #: Z-2017-13
Applicant: Hattie M. McGary, Owner
Address: 105 Louis Street
Property Size: 0.17 (+/-) acres
From: LDR, Low Density Residential district (four du/acre)
To: LDMU, Low Density Mixed-use district (seven du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Timothy Pyle, Seconded by William Clay

Motion was made to recommend approval of the rezoning case, based on the case being compatible with Criteria 1-3 and 5, and accepting Staff's Findings of Fact for Criteria 4 and 6.

Vote: 6 - 0 Approved

Other: Edwin Howard (ABSENT)

8. Discussion Items.

A. Zoning/FLU Inconsistencies Discussion.

Board Members, Staff, and citizens discussed this item. Board asked for a very clear description on the different options being presented to them.

B. Clustering Discussion.

Board Member, Staff, and citizens discussed this issue. The item will be brought back next month for action.

C. Spot Zoning/Rezoning Discussion.

Board Members, Staff, and citizens discussed this item. The item will be brought back next month for more discussion.

D. Subdivision Roads and Site Plans Discussion.

Board Members, Staff, and citizens discussed this item. The item will be brought back next month for more discussion.

E. Storage Containers Discussion.

Board Members and Staff discussed this item. They will have more discussion on this item next month.

9. Adjournment.

Planning Board-Rezoning

7. A.

Meeting Date: 09/05/2017
CASE : Z-2017-04
APPLICANT: Wiley C. "Buddy" Page, Agent for Wayne Cotton, Copter Complex, LLC., Owners
ADDRESS: 9700 N Pensacola Boulevard
PROPERTY REF. NO.: 08-1S-30-3201-049-005
FUTURE LAND USE: C, Commercial (MU-U, Mixed-Use Urban Pending Small Scale Review)
DISTRICT: 5
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 10/05/2017

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)

TO: Com, Commercial district (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

Comprehensive Plan (CPP)1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The maximum residential density is 25 dwelling units per acre.

CPP FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

FINDINGS

The proposed amendment to Com **is consistent** with the intent and purpose of Future Land Use (FLU) category MU-U as proposed in the Small Scale SSA-2017-04 and as stated in CPP FLU 1.3.1. The FLU allows for a mix of both residential and non-residential uses such a retail and services, professional office and light industrial. As stated in CPP FLU 1.5.1, if development occurs, the property will utilize the existing roadway, utilities, and infrastructure and will encourage redevelopment of the underutilized property to maximize development densities and intensities located in the MU-U FLU use categories.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).

(a) Purpose. The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas and land use regulations for a complementary mix of industrial uses with a broad range of commercial activities. The primary intent of the district is to allow light manufacturing, large-scale wholesale and retail uses, major services, and other more intense uses than allowed in the Commercial district. The variety and intensity of non-residential uses within the HC/LI district is limited by their compatibility with surrounding uses. All commercial and industrial operations are limited to the confines of buildings and not allowed to produce undesirable effects on other property. To retain adequate area for commercial and industrial activities, other uses within the district are limited.

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations

within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code. Although, the proposed rezoning meets the site design standards within the location criteria, and there are many commercial and residential uses that adjoin this property staff believes keeping the zoning designation of HC/LI would be a better consistent zoning trend for this area. The change to commercial zoning would create an isolated zoning area between the vicinity of Nine Mile road and Nine and Half Mile Road which is currently all zoned HC/LI. Also, due to the fact HC/LI allows for residential uses already and the change to Com zoning would create an isolated zoning designation area between the vicinity of Nine Mile road and Nine and Half Mile Road which currently all have a zoning category of HC/LI. The zoning HC/LI does allow for residential uses but must be part of a predominantly commercial development. Predominantly commercial development is development for which more than two-thirds of the development parcel area and more than two-thirds of all gross floor area within the parcel is devoted to commercial use.

Transportation & Traffic Operations (TTO) Staff has reviewed the Rezoning Case (Z)-2017-04, 9700 Pensacola Blvd (US29), agenda item for the Planning Board meeting scheduled for September 5th, 2017.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel. However, The Florida Department of Transportation (FDOT) currently has an ongoing Roadway Widening Project (6-Laning) of US29 from I-10 to north of Nine and One-Half Mile Road. Per FDOT, the construction is expected to be completed calendar year 2020. Per the Florida-Alabama TPO's Congestion Management Process Plan, N. Palafox Hwy is currently functioning within its allowable capacity for traffic volumes between the segment of Pensacola Boulevard and Nine Mile Road. The maximum level-of-service (LOS) for the roadway segment is LOS D (17,700 trips/day), and currently the roadway segment is functioning at a LOS C (13,667 trips/day) and is expected to remain at a LOS C and exceed 16,600 trips/day by Year 2024. However, once the 6-laning construction project is completed, referenced above, the LOS should see some level of additional relief.

At this time, TTO has no immediate comments for the proposed rezoning request. TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The proposed amendment **is not compatible** with surrounding existing uses in the area. Within the 500' radius area, staff observed properties with zoning districts HDMU, HDR, and HCLI. The majority of the parcels within the 500' area are currently being used or listed by the Property Appraiser as a mixed of commercial uses and residential uses the change to commercial zoning would not be compatible with the existing surrounding uses that is commercial. The adjacent property to the east is currently a warehouse, to the north is a RV park, store, auto repair, office, whole sale shop and two residential homes. To the south of is a vacant commercial property, store, and warehouse properties. Across Pensacola Blvd to the west is a storage facility, office, and a auto repair service. Any new development will go through the Site Plan Review Process and must meet all LDC requirements for buffering, setbacks, access, and stormwater as well as other code requirements that may apply.

Criterion d., LDC Sec. 2-7.2(b)(4)

Changed conditions

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

Staff found **no changed** conditions that would impact the amendment or property.

Criterion e., LDC Sec. 2-7.2(b)(4)

Development patterns

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would not result** in a logical and orderly development pattern due to the proximity to major roads and a already established mix use of commercial business/residential uses surrounding the parcel in all directions. The proposed Commercial zoning is a suitable replacement of the existing HC/LI zoning for the need of a assisting living facility land use to accommodate the suggested residential development. However, due to the mix of residential and mostly commercial uses in the area, the existing HC/LI is a more suitable zoning designation for the area of commercial growth due to the proximity of less than a half mile away from a minor arterial road, Nine Mile Road. The current zoning of HC/LI has a location criteria for all new non-residential uses proposed within the HC/LI district which is a half-mile away from a major

intersection where two arterial roads meet. Escambia County has limited arterial roads meeting arterial road intersection within a half-a-mile for heavy commercial and light industrial uses. Changing the zoning to commercial would change the availability of HC/LI that is already meets the locational criteria.

Criterion (f) Effect on natural environment LDC Sec. 2-7.2(b)(4)

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

Attachments

Working Case File

Z-2017-04



ROBERTS ROAD

CHEMSTRAND RD

TEN MILE ROAD

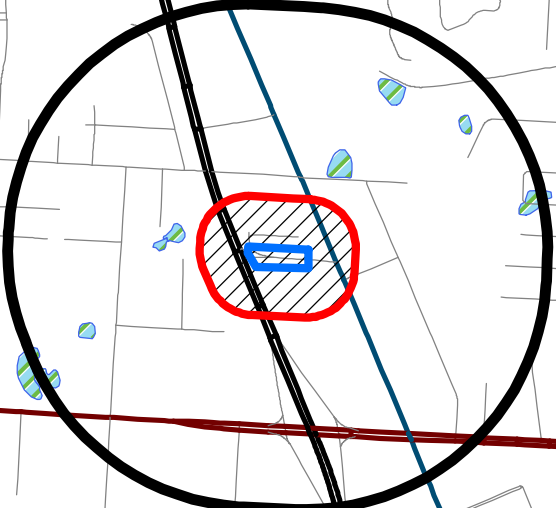
WEST NINE MILE ROAD

EAST NINE MILE ROAD

PENSACOLA BLVD

W DETROIT BLVD

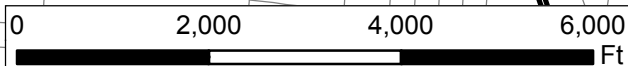
E JOHNSON AVE



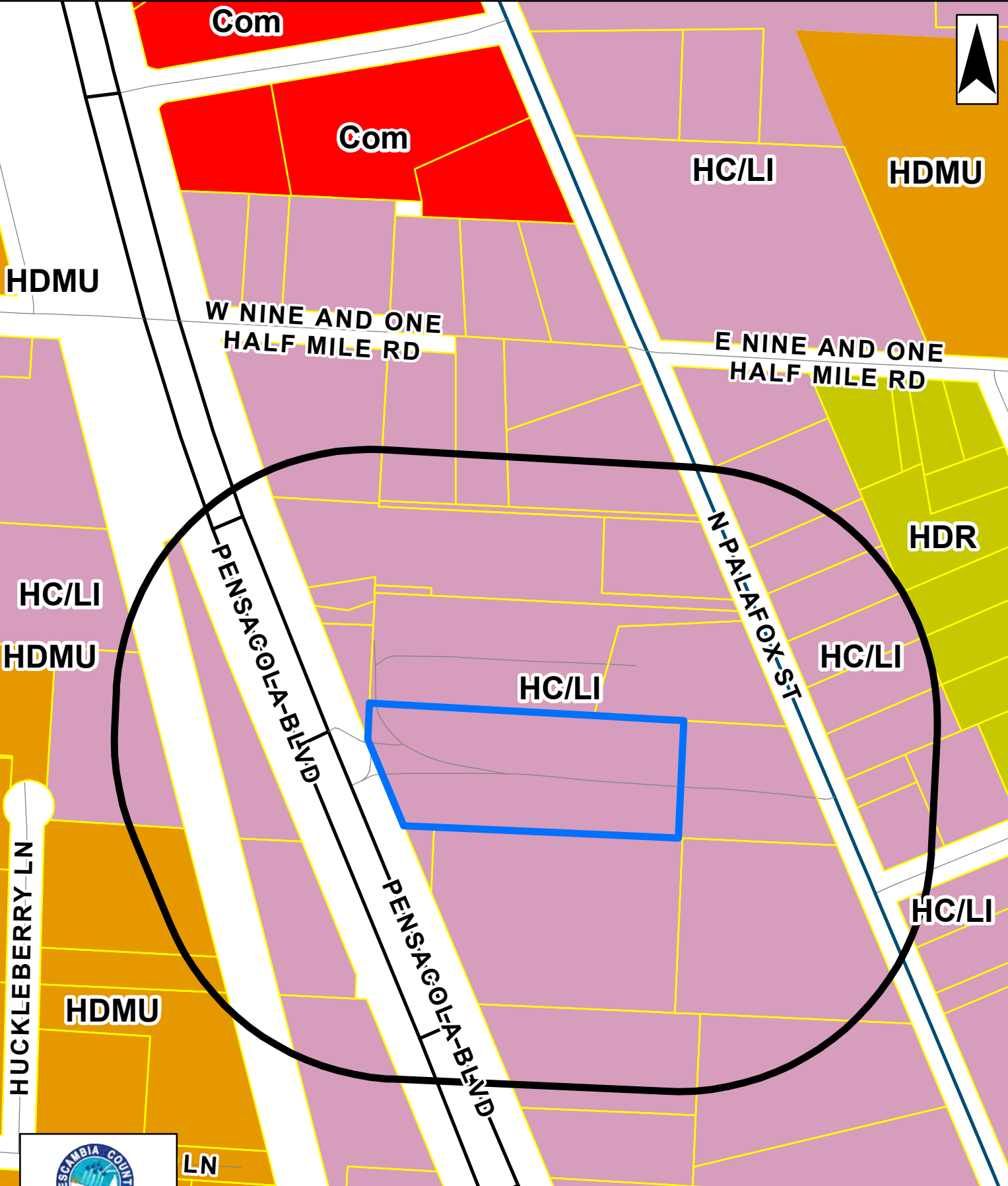
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

Z-2017-04 LOCATION & WETLAND MAP



-  500 Foot Buffer
-  2500 Foot Buffer
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  WETLANDS_2006



Com

Com

HC/LI

HDMU

HDMU

W NINE AND ONE
HALF MILE RD

E NINE AND ONE
HALF MILE RD

HDR

HC/LI

HDMU

HC/LI

HC/LI

HC/LI

PENSACOLA BLVD

N PALAFOX ST

PENSACOLA BLVD

HUCKLEBERRY LN

HDMU

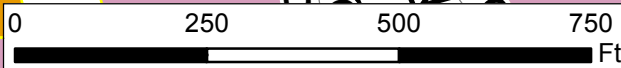
LN



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John C Fisher
Planning and Zoning Dept.

Z-2017-04 ZONING MAP



- 500 Foot Buffer
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



W NINE AND ONE
HALF MILE RD

E NINE AND ONE
HALF MILE RD

N-PALM-FOX-ST

PENSACOLA-BLVD

PENSACOLA-BLVD

CHAUNCEY
ST

HUCKLEBERRY LN

MU-U

MCKINNON LN

C

Z-2017-04 EXISTING FLU MAP



- 500 Foot Buffer
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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John C Fisher
Planning and Zoning Dept.



W NINE AND ONE
HALF MILE RD

E NINE AND ONE
HALF MILE RD

N-PALM-FOX-ST

PENSACOLA-BLVD

PENSACOLA-BLVD

CHAUNCEY
ST

HUCKLEBERRY LN

MU-U

MU-U

C

MCKINNON LN



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John C Fisher
Planning and Zoning Dept.

Z-2017-04 & SSA-2017-04 PROPOSED FLU MAP



- 500 Foot Buffer PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



W NINE AND ONE
HALF-MILE RD

E NINE AND ONE
HALF-MILE RD

AUTO REPAIR

AUTO REPAIR

OFFICE SF

SF

OFFICE

SF

CHRUCH

WHOLE SALE

SF

MH

MH

STORE

MH PARK

SF

WAREHOUSE

MH

SF

STORAGE

WAREHOUSE

WAREHOUSE

MF

DAY CARE

HUCKLEBERRY LN

SF

MH

OFFICE

VC

SF

SF

V

AUTO REPAIR

OFFICE

WAREHOUSE

MCKINNON LN

STORE

Z-2017-04 ELU MAP

0 250 500 750 Ft



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

- 500 Foot Buffer
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



W NINE AND ONE HALF MILE RD

E NINE AND ONE HALF MILE RD

N PALAFOX ST

PENSACOLA BLVD

PENSACOLA BLVD

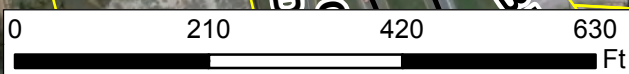
MCKINNON LN



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John C Fisher
Planning and Zoning Dept.

Z-2017-04 AERIAL MAP



SF ARCELS

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

Escambia_2016_Aerials.ecw

RGB

- Red: Red
- Green: Green
- Blue: Blue





NOTICE OF PUBLIC HEARING REZONING

CASE NO.: 7-2017-04

CURRENT ZONING: HC/LI PROPOSED ZONING: COM

PLANNING BOARD

DATE: 09/05/17 TIME: 8:30 AM

LOCATION OF HEARING
 ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
 3363 WEST PARK PLACE
 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:47 PM

LOCATION OF HEARING
 ESCAMBIA COUNTY GOVERNMENT CENTER
 221 PALAFOX PLACE
 1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
 DEVELOPMENT SERVICES AT 666-3475 OR VISIT
 WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
 PROPERTY OF ESCAMBIA COUNTY

NOTICE OF REQUEST FOR FUTURE LAND USE CHANGE

EXISTING FUTURE LAND USE: COM

PROPOSED FUTURE LAND USE: MU-U

CPA NUMBER: SSA-2017-04

PUBLIC MEETING/HEARING

PLANNING BOARD

DATE: 09/05/17 TIME: 8:35 AM

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
 3363 WEST PARK PLACE
 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:46 PM

ESCAMBIA COUNTY COURTHOUSE
 221 PALAFOX PLACE
 1ST FLOOR BCC CHAMBERS

FOR MORE INFORMATION CALL:
 ESCAMBIA COUNTY DEVELOPMENT SERVICES
 666-3475

Public Hearing Signs



Looking Southwest across Highway 29

NOTICE OF REQUEST FOR FUTURE LAND USE CHANGE

EXISTING FUTURE LAND USE COM

PROPOSED FUTURE LAND USE MU-U

CPA NUMBER SSA-2017-04

PUBLIC MEETING/HEARING

PLANNING BOARD

DATE: 09/05/17 TIME: 8:35 AM

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

OF COUNTY COMMISSIONERS

DATE: 09/05/17 TIME: 5:46 PM



Looking North along Highway 29

NOTICE OF REQUEST FOR FUTURE LAND USE CHANGE

EXISTING FUTURE LAND USE: COM

PROPOSED FUTURE LAND USE: MU-U

CPA NUMBER: SSA-2017-04

PUBLIC MEETING/HEARING

PLANNING BOARD

DATE: 09/05/17 TIME: 8:35 AM

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
393 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:46 PM

ESCAMBIA COUNTY COURTHOUSE
221 PALAFOX PLACE
1ST FLOOR BECC CHAMBERS

FOR MORE INFORMATION CALL:
ESCAMBIA COUNTY DEVELOPMENT SERVICES
936-3444

NOTICE OF PUBLIC HEARING REZONING

CASE NO.: 2-2017-04

CURRENT ZONING: HC/LI PROPOSED ZONING: COM

PLANNING BOARD

DATE: 09/05/17 TIME: 8:30 AM

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
393 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:47 PM

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES 936-3444



FOR SALE
4.6 AC
ZONED C-2
850-393-8565

**NOTICE OF
PUBLIC HEARING
REZONING**
CASE NO.:
CURRENT: 7500
ZONING:

Looking East onto the subject property.



Looking Southeast



Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z-2017-04 Accepted by: A. Cam PB Meeting: 6/6/17

1. Contact Information:

A. Property Owner/Applicant: Copter Complex, LLC

Mailing Address: 517 Dracena Way Gulf Breeze, FL 32561

Business Phone: _____ Cell: 850-232-9853

Email: _____

B. Authorized Agent (if applicable): Wiley C. "Buddy" Page

Mailing Address: 5337 Hamilton Lane Pace, FL 32571

Business Phone: _____ Cell: 850-232-0853

Email: budpage1@att.net

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information: 9700 PENSACOLA BLVD.

A. Existing Street Address: ~~9715 N. Palafox Hwy~~ Pensacola 32534

Parcel ID (s): 08-1S-30-3201-007-005

048/35
9

B. Total acreage of the subject property: 04.85 → 3.47 BS

C. Existing Zoning: HC/LI

Proposed Zoning: Comm

FLU Category: MU-U Com BS

D. Is the subject property developed (if yes, explain): Group Living

E. Sanitary Sewer: Septic:

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

(if applicable)
9700 N. PENSACOLA BLVD

As owner of the property located at 9715 North Palafox Street Pensacola, FL 32534
Pensacola, Florida, property reference number(s) 08-1S-30-3201-007-005

I hereby designate Wiley. C. "Buddy" Page

for the sole purpose of completing this application and making a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property. This Limited Power of Attorney is granted on this 4 day of April the year of 2017, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Wiley C. "Buddy" Page Email: budpage1@att.net

Address: 5337 Hamilton Lane Pace, Florida 32571 Phone: 850-232-9853

Charles Wayne Cotton
Signature of Property Owner

Copter Complex, LLC
Printed Name of Property Owner

4/4/17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 4th day of April 20 17 by Charles Wayne Cotton

Personally Known OR Produced Identification . Type of Identification Produced: _____

Angela E Bonds
Signature of Notary

Printed Name of Notary



(Notary Seal)

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 08-1S-30-3201-~~007~~⁰⁴⁹-005

Property Address: ~~9715 North Palafox Highway~~ Pensacola, Florida 32534 9700 Pensacola Blvd

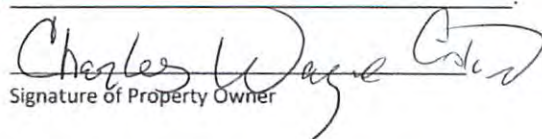
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, YEAR OF _____


Signature of Property Owner

Copter Complex, LLC
Printed Name of Property Owner

4-4-17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

A. Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B. Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Fees include all notices and advertisements required for the public hearing and a \$5 technical fee. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted.

C. Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

D. Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

E. Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrence Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Charles Wayne Colton Copter Complex, LLC 4/4/17
 Signature of Owner/Agent Printed Name Owner/Agent Date

 Signature of Owner Printed Name of Owner Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 4th day of April 20 17, by Charles Wayne Colton

Personally Known OR Produced Identification . Type of Identification Produced: _____

Angela E. Bonds _____
 Signature of Notary Printed Name of Notary (notary seal)

NOTARY PUBLIC
 STATE OF FLORIDA
 ANGELA E. BONDS
 MY COMMISSION # FF 032581
 EXPIRES: October 30, 2017
 Bonded Thru Budget Notary Services

Wiley C. "Buddy" Page, MPA, APA
Professional Growth Management Services, LLC
5337 Hamilton Lane Pace, Florida 32571
Cell 850.232.9853
budpage1@att.net

April 20, 2017
VIA HAND DELIVERY

Mr. Horace Jones, Director
Development Services Department
1363 Park Place Central Complex
Pensacola, Florida 32505

049 188
RE: Rezoning (Down Zoning) Request HC/LI to Com
Parcel Number 08-1S-30-3201-007-005
Address: ~~9715 North Palafox Highway~~

Dear Mr. Jones:

9700 Pensacola Blvd.

This letter together with the attached application and supporting documentation requests Planning Board consideration to downzone the referenced property from the existing HC/LI category to the Commercial classification. The buyer intends on constructing an assisted living facility (group living) as permitted in the Land Development Code at **Sec. 3-2.10(b)(1)a**.

The proposed development was presented by engineer Greg Campbell for the pre-application review by the Development Review Committee (DRC) on March 29, 2017. The minutes of that meeting together with the project narrative are attached herewith. As noted, the assisted living facility has been designed for 50 units made up with 15 private and 35 shared rooms. Property owners have elected to rezone the property to facilitate the development.

With regard to the **Rezoning Approval Conditions**, the following responses are offered:

1- Consistent with Comprehensive Plan: The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

RESPONSE: The requested Commercial zoning is listed as a consistent classification within the Mixed Use-Urban Future Land Use category index found in the Comprehensive Plan. This listing affirms the consistency with the goals, objectives and policies of the Comprehensive plan.

2- Consistent with the LDC. The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

RESPONSE: The Land Development Code contains the following:

Sec. 3-2.10 Commercial district (Com). (a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

Sec. 3-2.10 (f) Rezoning to Commercial. Commercial zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U) or Commercial (C) future land use categories. The district is appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy commercial or industrial. Rezoning to Commercial is subject to the same location criteria as any new non-residential use proposed within the Commercial district.

The requested category is consistent with the purpose under Sec. 3-2-10(a) and as a transitional category as stated under Sec. 3-2.10(f) above.

3- Compatibility. All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities or conditions.

RESPONSE: If approved, this site and zoning category will be surrounded by HC/LI on all four sides suggesting that it will be compatible with all allowed uses therein.

4-Changed Conditions The area to which the proposed rezoning would apply has changed, or is changing to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

RESPONSE: No major nearby changes observed.

Application
April 20, 2017
Page 3

5- Development Patterns The proposed rezoning would contribute to or result in a logical and orderly development pattern.

RESPONSE: The Commercial category is transitional under **Sec. 3-2.10 (f)**- see above- and is consistent with other Commercial/Heavy Commercial/Light Industrial land use combinations seen elsewhere on Highway 29.

6-Effect on the Natural Environment The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

RESPONSE: The site may have an area that is potentially hydric in composition. A Site Specific Survey will provide detailed location(s) and other determinations requiring further review and approval.

With regard to **Locational Criteria** requirements, the proposed rezoning meets **Sec. 3-2.10(e)(1)** Intersection Proximity, and **(2)** Proximity to a Traffic Generator(Major truck stop), and **(3)** Infill Development and **(4)** Site Design criteria.

Please contact me if you have any questions or require anything further.

Very truly yours,



Wiley C. "Buddy" Page

35.50
#400
5250.00

This Instrument Prepared By:

WILLIAM E. FARRINGTON, II
307 South Palafox Street
Pensacola, Florida 32502

Property ID: 08-1S-30-3201-007-005

STATE OF FLORIDA
COUNTY OF ESCAMBIA

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **R. H. Woodard, Wilson B. Robertson, and Douglas E. Levins**, as the current Local Board of Trustees of Worship Center Church of God, who is the Successor by Merger to University Church of God at 5715 North "W" Street, Pensacola, Florida 32505, (herein "Grantor"), for and in consideration of the sum of \$10.00 (Ten Dollars and 00 cents) and other good and valuable considerations, the receipt, adequacy and sufficiency of which is hereby acknowledged, do hereby bargain, sell, remise, confirm, convey and grant unto **Copter Complex, LLC**, a Florida Limited Liability Company, (herein "Grantee"), whose address is Post Office Box 7548, Pensacola, Florida 32534, its successors and assigns, forever, the following described real property located in Escambia County, Florida:

See Exhibit "A" attached hereto and incorporated herein by this reference.

Subject to zoning restrictions, prohibitions and other requirements imposed by governmental authorities, all easements, encumbrances and restrictions of record or on the Plat, if there is a recorded Plat, affecting the above-described property; easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed, any liens for ad valorem real property taxes for the year 2006, and subsequent years; and any other matters arising subsequent to the date hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, free from all exemptions and right of homestead, in fee simple forever. And we covenant that we are well seized of an indefeasible estate in fee simple in said property and have a good right to convey the same; that it is free lien or encumbrances, and that we, our heirs, executors, administrators, successors and assigns, in the quiet and peaceful possession and enjoyment thereof, against all persons whomsoever lawfully claiming the same, shall and will forever warrant and defend, subject to the expectations set forth herein.

14th day of May, 2006. IN WITNESS WHEREOF, we have hereunto set our hands and seals this

PURSUANT TO AFFIDAVIT OF TRUSTEES AND PASTOR ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Signed, sealed and delivered in the presence of:

WORSHIP CENTER CHURCH
GOD, f/k/a UNIVERSITY CHURCH
OF GOD

[Signature]
Name: W. G. Farrington, II

By: [Signature]
R. H. Woodard, Trustee

[Signature]
Name: Amelia W. Sarrett
(As to Each Trustee)

By: [Signature]
Wilson B. Robertson, Trustee

By: [Signature]
Douglas E. Levins, Trustee

5715 North "W" Street
Pensacola, Florida 32505

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 14th day of May, 2006, by R. H. Woodard, Wilson B. Robertson, and Douglas E. Levins, as Trustees of Worship Center Church of God, f/k/a University Church of God, an unincorporated religious organization, on behalf of the organization, who did not take an oath and who:

is/are personally known to me.
 produced current Florida driver's license as identification.
 produced _____ as identification.

[Signature]
Notary Public, State of Florida

WILLIAM E. FARRINGTON, II
Notary Public - State of FL
Comm. Exp. 11/01/06
Comm. No. DD 140973

William E. Farrington, II
Name of Notary Printed
My Commission Expires: 11-1-06
Commission Number: DD140973

Schedule A (Continued)

Agent File No.: **1-41132**

SOUTH FIVE (5) ACRES OF LOT THREE (3), IN BLOCK FIVE (5), OF SECTION EIGHT (8), TOWNSHIP ONE (1) SOUTH, RANGE THIRTY (30) WEST, ACCORDING TO MAP OF PENSACOLA FARM LANDS COMPANY RECORDED IN DEED BOOK 67 AT PAGE 345 IN THE OFFICES OF THE CLERK OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 95 (200' RIGHT-OF-WAY) THENCE PROCEED NORTH 02 DEGREES 24' 21" EAST ALONG SAID WEST LINE OF SECTION 8, A DISTANCE OF 125.50 FEET; THENCE DEPARTING SAID WEST LINE, PROCEED SOUTH 88 DEGREES 21' 38" EAST A DISTANCE OF 793.28 FEET TO THE WESTERLY RIGHT-OF-WAY OF STATE HIGHWAY NUMBER 7 (66' RIGHT-OF-WAY); THENCE SOUTH 24 DEGREES 17' 38" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 279.25 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, PROCEED NORTH 88 DEGREES 21' 38" WEST A DISTANCE OF 857.32 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 95; THENCE PROCEED NORTH 23 DEGREES 48' 00" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 139.13 FEET TO THE POINT OF BEGINNING, LYING IN AND BEING IN SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.



Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

Navigate Mode
 Account
 Reference
 [Printer Friendly Version](#)

General Information Reference: 081S303201049005 Account: 014805341 Owners: COPTER COMPLEX LLC Mail: PO BOX 7548 PENSACOLA, FL 32534 Situs: Use Code: VACANT COMMERCIAL Taxing Authority: COUNTY MSTU Schools (Elem/Int/High): PINE MEADOW/WOODHAM/TATE Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector	Assessments <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">Disclaimer</td> </tr> <tr> <td colspan="5" style="text-align: center;">Amendment 1/Portability Calculations</td> </tr> <tr> <td colspan="5" style="text-align: center;">★ File for New Homestead Exemption Online</td> </tr> </tbody> </table>	Year	Land	Imprv	Total	Cap Val	Disclaimer					Amendment 1/Portability Calculations					★ File for New Homestead Exemption Online				
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Sales Data <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>04/04/2017</td> <td>7690</td> <td>1537</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller	Sale Date	Book	Page	Value	Type	Official Records (New Window)	04/04/2017	7690	1537	\$100	WD	View Instr	2016 Certified Roll Exemptions None Legal Description BEG INTER OF W LI OF SEC 8 AND ELY R/W LI OF SR 95 (200 FT R/W) N 02 DEG 24 MIN 21 SEC E ALG W LI OF SEC 125.50... Extra Features None
Sale Date	Book	Page	Value	Type	Official Records (New Window)								
04/04/2017	7690	1537	\$100	WD	View Instr								

Parcel Information [Launch Interactive Map](#)

Section Map Id:
08-1S-30-2

Approx. Acreage:
3.2400

Zoned:
HC/LI

Evacuation & Flood Information
[Open Report](#)

[View Florida Department of Environmental Protection \(DEP\) Data](#)

Buildings

Images

None

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L04000000494

Entity Name: COPTER COMPLEX, L.L.C.

Current Principal Place of Business:

517 DRACENA WAY
GULF BREEZE, FL 32561

Current Mailing Address:

517 DRACENA WAY
GULF BREEZE, FL 32561 US

FEI Number: 54-2141771

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

ROBERTSON, WILSON B
3057 KNOTTY PINE DRIVE
PENSACOLA, FL 32505 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

_____ Date

Authorized Person(s) Detail :

Title MGRM
Name ROBERTSON, WILSON B
Address 3057 KNOTTY PINE DRIVE
City-State-Zip: PENSACOLA FL 32505

Title MGRM
Name COTTON, C. WAYNE
Address 517 DRACENA WAY
City-State-Zip: GULF BREEZE FL 32561

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: WILSON B ROBERTSON

MGR

03/01/2017

Electronic Signature of Signing Authorized Person(s) Detail

_____ Date



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity Name

Florida Limited Liability Company
COPTER COMPLEX, L.L.C.

Filing Information

Document Number L04000000494
FEI/EIN Number 54-2141771
Date Filed 12/23/2003
State FL
Status ACTIVE

Principal Address

517 Dracena Way
Gulf Breeze, FL 32561

Changed: 03/01/2017

Mailing Address

517 Dracena Way
Gulf Breeze, FL 32561

Changed: 03/01/2017

Registered Agent Name & Address

ROBERTSON, WILSON B
3057 Knotty Pine Drive
PENSACOLA, FL 32505

Address Changed: 03/01/2017

Authorized Person(s) Detail

Name & Address

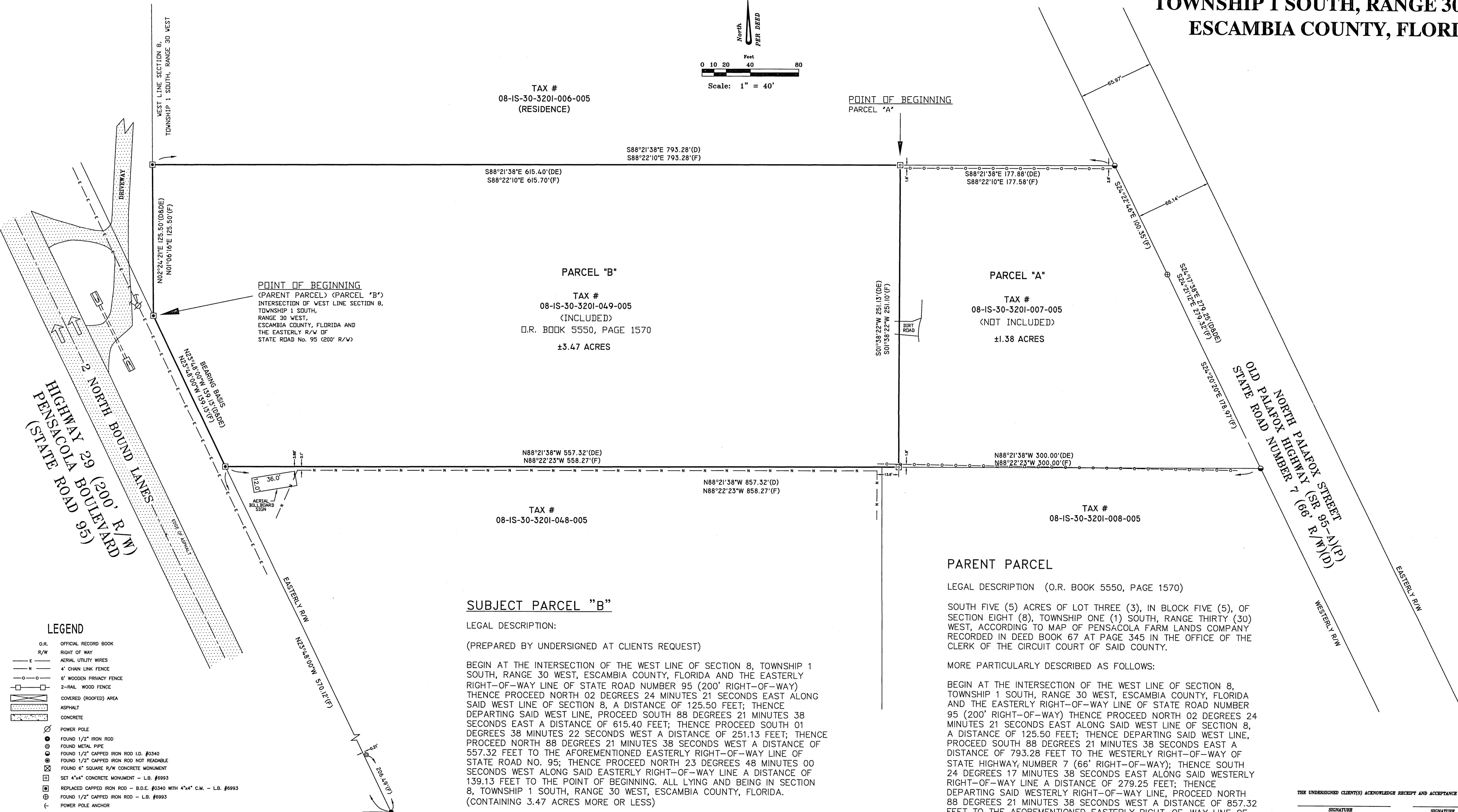
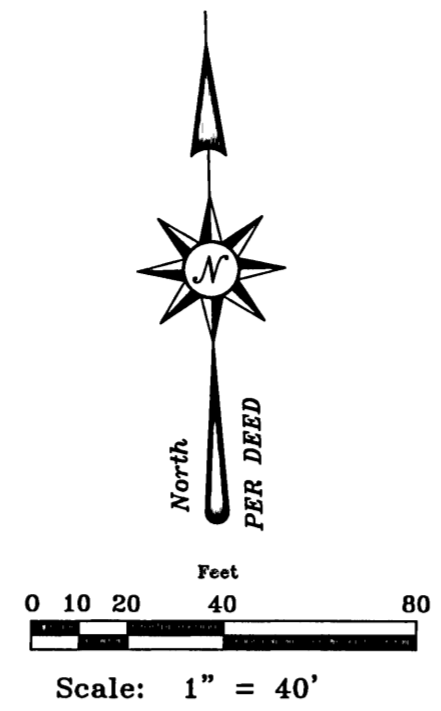
Title MGRM

ROBERTSON, WILSON B
3057 Knotty Pine Drive
PENSACOLA, FL 32505

Title MGRM

COTTON, C. WAYNE
517 Dracena Way
Gulf Breeze, FL 32561

BOUNDARY SURVEY PENSACOLA BOULEVARD PORTION OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST ESCAMBIA COUNTY, FLORIDA



- LEGEND**
- O.R. OFFICIAL RECORD BOOK
 - R/W RIGHT OF WAY
 - - - AERIAL UTILITY WIRES
 - - - 4\"/>

TAX #
08-IS-30-3201-006-005
(RESIDENCE)

PARCEL "B"
TAX #
08-IS-30-3201-049-005
(INCLUDED)
O.R. BOOK 5550, PAGE 1570
±3.47 ACRES

PARCEL "A"
TAX #
08-IS-30-3201-007-005
(NOT INCLUDED)
±1.38 ACRES

SUBJECT PARCEL "B"
LEGAL DESCRIPTION:
(PREPARED BY UNDERSIGNED AT CLIENTS REQUEST)

BEGIN AT THE INTERSECTION OF THE WEST LINE OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 95 (200' RIGHT-OF-WAY) THENCE PROCEED NORTH 02 DEGREES 24 MINUTES 21 SECONDS EAST ALONG SAID WEST LINE OF SECTION 8, A DISTANCE OF 125.50 FEET; THENCE DEPARTING SAID WEST LINE, PROCEED SOUTH 88 DEGREES 21 MINUTES 38 SECONDS EAST A DISTANCE OF 615.40 FEET; THENCE PROCEED SOUTH 01 DEGREES 38 MINUTES 22 SECONDS WEST A DISTANCE OF 251.13 FEET; THENCE PROCEED NORTH 88 DEGREES 21 MINUTES 38 SECONDS WEST A DISTANCE OF 557.32 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 95; THENCE PROCEED NORTH 23 DEGREES 48 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 139.13 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.
(CONTAINING 3.47 ACRES MORE OR LESS)

PARENT PARCEL
LEGAL DESCRIPTION (O.R. BOOK 5550, PAGE 1570)

SOUTH FIVE (5) ACRES OF LOT THREE (3), IN BLOCK FIVE (5), OF SECTION EIGHT (8), TOWNSHIP ONE (1) SOUTH, RANGE THIRTY (30) WEST, ACCORDING TO MAP OF PENSACOLA FARM LANDS COMPANY RECORDED IN DEED BOOK 67 AT PAGE 345 IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF SAID COUNTY.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 95 (200' RIGHT-OF-WAY) THENCE PROCEED NORTH 02 DEGREES 24 MINUTES 21 SECONDS EAST ALONG SAID WEST LINE OF SECTION 8, A DISTANCE OF 125.50 FEET; THENCE DEPARTING SAID WEST LINE, PROCEED SOUTH 88 DEGREES 21 MINUTES 38 SECONDS EAST A DISTANCE OF 793.28 FEET TO THE WESTERLY RIGHT-OF-WAY OF STATE HIGHWAY, NUMBER 7 (66' RIGHT-OF-WAY); THENCE SOUTH 24 DEGREES 17 MINUTES 38 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 279.25 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, PROCEED NORTH 88 DEGREES 21 MINUTES 38 SECONDS WEST A DISTANCE OF 857.32 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 95; THENCE PROCEED NORTH 23 DEGREES 48 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 139.13 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 8, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY:
SIGNATURE _____ SIGNATURE _____
TYPED OR PRINTED NAME _____ TYPED OR PRINTED NAME _____
THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA STANDARDS OF PRACTICE TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S) AND COMPANIES:
COPTER COMPLEX, LLC

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 -- FAX: 850-477-3705
LICENSED BUSINESS #6993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
2.) LEGAL & SKETCH	N/A	1/05/17
3.) BOUNDARY (SET CONCRETE MONUMENTS)	180/4	2/16/17
4.) TAX I.D. NO.	N/A	6/16/17

POSSIBLE ENCROACHMENTS:
DIRT ROAD

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN FLORIDA ADMINISTRATION CODE CHAPTER 6J-17.050, 6J-17.051 AND 6J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.
LELAND M. EMPIE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, NO. 5766, STATE OF FLORIDA
DATE: JUNE 16, 2017

SCALE: 1" = 40'
FIELD DATE: 5/04/06
ORDER NO.: 165-06-4B
FIELD BOOK: 91/47, 92/41-42
AND DATA COLLECTOR

CLIENT COPTER COMPLEX, LLC
BEARING BASIS: EASTERLY R/W U.S. HIGHWAY 29 N23°48'00"W (D)
TYPE OF SURVEY: BOUNDARY
GENERAL NOTES:
1. Fence locations as drawn are not to scale.
2. Jurisdiction (Wetlands) boundary lines not located unless shown on drawing.
3. Footings, foundations, or any other subsurface structures were not located unless otherwise noted.
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D); Description = (DE); Actual Field Measurement = (F); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown meet the standards required in the appropriate land area.
6. No Title Search of the Public Records has been performed by this firm and lands shown hereon abstracted by this firm or abstracted by this firm may be subject to setbacks, easements, zoning and restrictions that may be found in the Public Records of said County.
SOURCE OF INFORMATION:
FIELD EVIDENCE
DEEDS OF RECORD
PLAT RECORDED IN:
PRIOR SURVEYS/DRAWINGS



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Development Services Manager
Development Services Department**

**FROM: David Forte, Division Manager
Transportation & Traffic Operations Division**

DATE: July 31, 2017

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-04

TTO Staff has reviewed the Rezoning Case (Z)-2017-04, 9700 Pensacola Blvd (US29), agenda item for the Planning Board meeting scheduled for September 5th, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel. However, The Florida Department of Transportation (FDOT) currently has an ongoing Roadway Widening Project (6-Laning) of US29 from I-10 to north of Nine and One-Half Mile Road. Per FDOT, the construction is expected to be completed calendar year 2020.

Per the Florida-Alabama TPO's Congestion Management Process Plan, N. Palafox Hwy is currently functioning within its allowable capacity for traffic volumes between the segment of Pensacola Boulevard and Nine Mile Road. The maximum level-of-service (LOS) for the roadway segment is LOS D (17,700 trips/day), and currently the roadway segment is functioning at a LOS C (13,667 trips/day) and is expected to remain at a LOS C and exceed 16,600 trips/day by Year 2024. However, once the 6-laning construction project is completed, referenced above, the LOS should see some level of additional relief.

At this time, TTO has no immediate comments for the proposed rezoning request. TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director**

Planning Board-Rezoning

7. B.

Meeting Date: 09/05/2017
CASE : Z-2017-16
APPLICANT: David Fitzpatrick, Agent for Stafford Development Group,
Owner
ADDRESS: 5940 Saufley Pines Road
PROPERTY REF. NO.: 02-2S-31-3000-000-009
FUTURE LAND USE: I, Industrial (MU-S, Mixed-Use
Suburban pending Small Scale
Review)
DISTRICT: 2
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 10/05/2017

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)

TO: MDR, Medium Density Residential district (10 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

Comp Plan Policy (CPP) FLU 1.3.1 Future Land Use Categories.

The Industrial (I) Future Land Use (FLU) category is intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial

operations within the County and provide jobs and employment security for present and future residents.

Range of allowable uses include: Light to Intensive Industrial, Ancillary Retail and Office, No new residential development is allowed.

The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is

intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The maximum residential density is twenty five dwelling units per acre.

FINDINGS

The proposed amendment to MDR **is not** consistent with the current Industrial (I) Future Land Use (FLU) category as stated in CPP FLU 1.3.1. The current FLU of Industrial (I) is intended for industrial developments to be compatible to surrounding properties and does not allow for residential uses. The applicant is currently requesting a FLUM amendment from I to MU-S and if the FLUM amendment is approved, the requested zoning of MDR **will be** compatible with the MU-S designation.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

Sec. 3-2.7 Medium Density Residential district (MDR)

(a) Purpose. The Medium Density Residential district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

(b) Permitted uses. Permitted uses within the MDR district are limited to the following :

(1) Residential.

(a) Manufactured (mobile) homes only within manufactured home parks or subdivisions.

No new or

expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land

zoned V-4 prior to adoption of MDR zoning.

(b) Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots one acre or larger.

Attached single-family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.

(c) Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.

See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services. See conditional uses in this district.

(4) Public and civic. Public utility structures, excluding telecommunications towers. See also conditional uses in this district.

(5) Recreation and entertainment.

a. Marinas, private.

b. Parks without permanent restrooms or outdoor event lighting. See also conditional uses in this district.

(6) Industrial and related. No industrial or related uses.

(7) Agricultural and related. Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

See also conditional uses in this district.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the LDC. As per LDC 3-2.7, MDR allows residential uses, no retail sales or services no industrial uses, and would not be in conflict with any portion of the code.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The proposed amendment is compatible with surrounding existing uses in the area. Within the 500' radius area, staff observed properties with zoning districts LDR, MDR, Pub, HC/LI. The proposed amendment would be consistent with the surrounding uses and coexist without producing negative impacts on the neighboring properties. Rezoning the parcel to MDR would allow residential development which would be compatible to the single family homes that exist in the area instead of industrial type businesses which may cause more noise, dust and overall nuisance to the adjoining neighbors. Density and intensity would be decreased in the area through the rezoning from HC/LI to MDR.

Criterion d., LDC Sec. 2-7.2(b)(4)

Changed conditions

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

In 2016, on the adjoining 32 +/- acre parcel, the applicant requested a rezoning from HC/LI to MDR and a large scale map amendment from Industrial to Mixed-Use

Suburban. The Board of County Commissioners approved both at the January 5, 2017 Board meeting. The proposed 1.43 +/- acre parcel will be incorporated into the larger parcel to be part of a residential subdivision. The applicant is currently requesting a Future Land Use map amendment (FLUM) from Industrial to Mixed-Use Suburban. This rezoning is contingent upon the FLUM approval. The rezoning is a decrease in density as well as uses, and the FLUM change is a less intense category, making both more compatible with the surrounding residential neighborhood.

Criterion e., LDC Sec. 2-7.2(b)(4)

Development patterns

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern. The area consists of single-family homes therefore changing the zoning to MDR will be less intense than the current zoning of Industrial and allow for more single family development. All new development must go through the Development Review Process and comply with all regulations in the LDC.

Criterion (f) LDC Sec. 2-7.2(b)(4)

Effect on natural environment

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

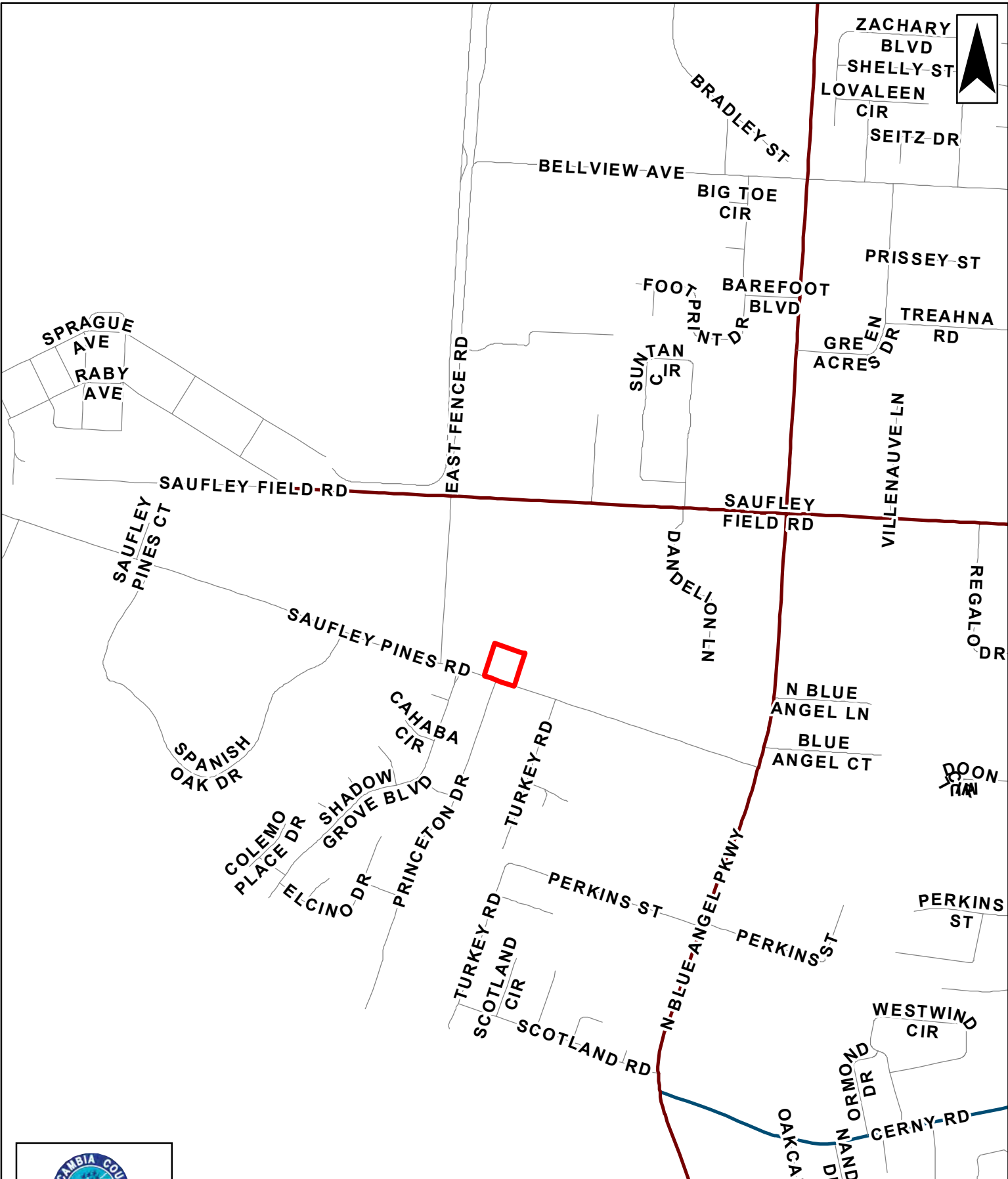
FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

Attachments

Working Case File

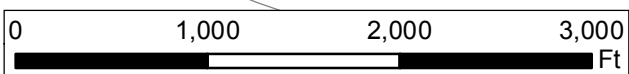
Z-2017-16



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-16 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



SAUFLEY-FIELD-RD

HDMU

HC/LI

MDR

Pub

EAST-FENCE-RD

LDR

MDR

HC/LI

SAUFLEY PINES RD

LDR

LDR

LDR

SAUFLEY PINES RD

CAHABA CIR

LDR

GNARLY OAKS CIR

LDR

SHADOW GROVE BLVD

KENWOOD DR

TURKEY RD

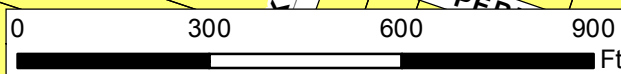
PRINCETON DR



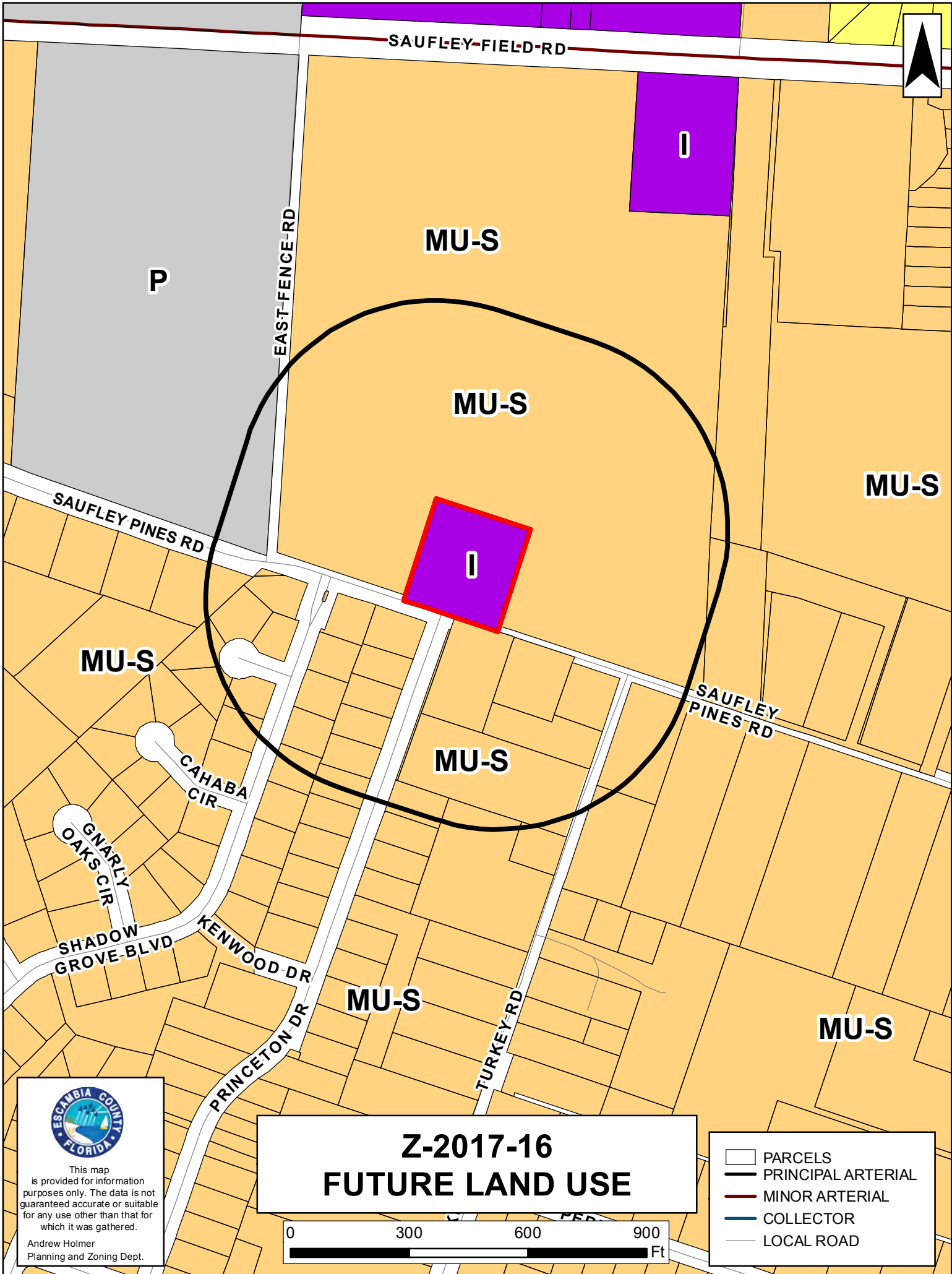
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-16 500' RADIUS ZONING



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



SAUFLEY-FIELD-RD

P

MU-S

I

MU-S

MU-S

SAUFLEY PINES RD

I

MU-S

SAUFLEY PINES RD

MU-S

CAHABA CIR

GNARLY OAKS CIR

SHADOW GROVE BLVD

KENWOOD DR

MU-S

TURKEY RD

MU-S

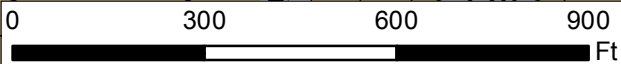
PRINCETON DR



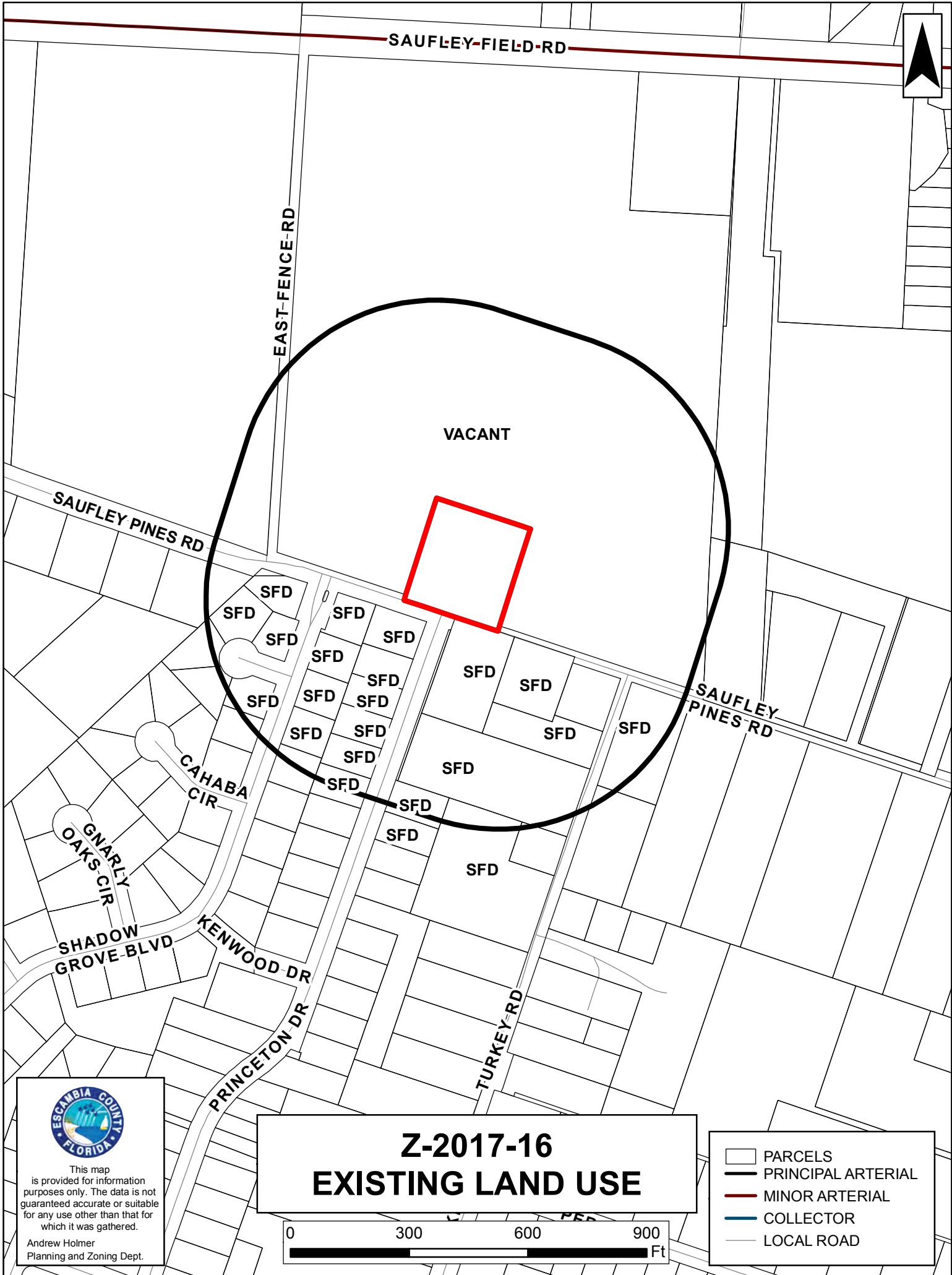
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-16 FUTURE LAND USE



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



SAUFLEY-FIELD-RD

EAST-FENCE-RD

VACANT

SAUFLEY PINES RD

SFD
SFD
SFD

SFD
SFD

SFD

SAUFLEY PINES RD

CAHABA CIR

SFD
SFD
SFD

SFD

SFD

GNARLY OAKS CIR

SFD
SFD

SFD

SHADOW GROVE BLVD

KENWOOD DR

TURKEY RD

PRINCETON DR



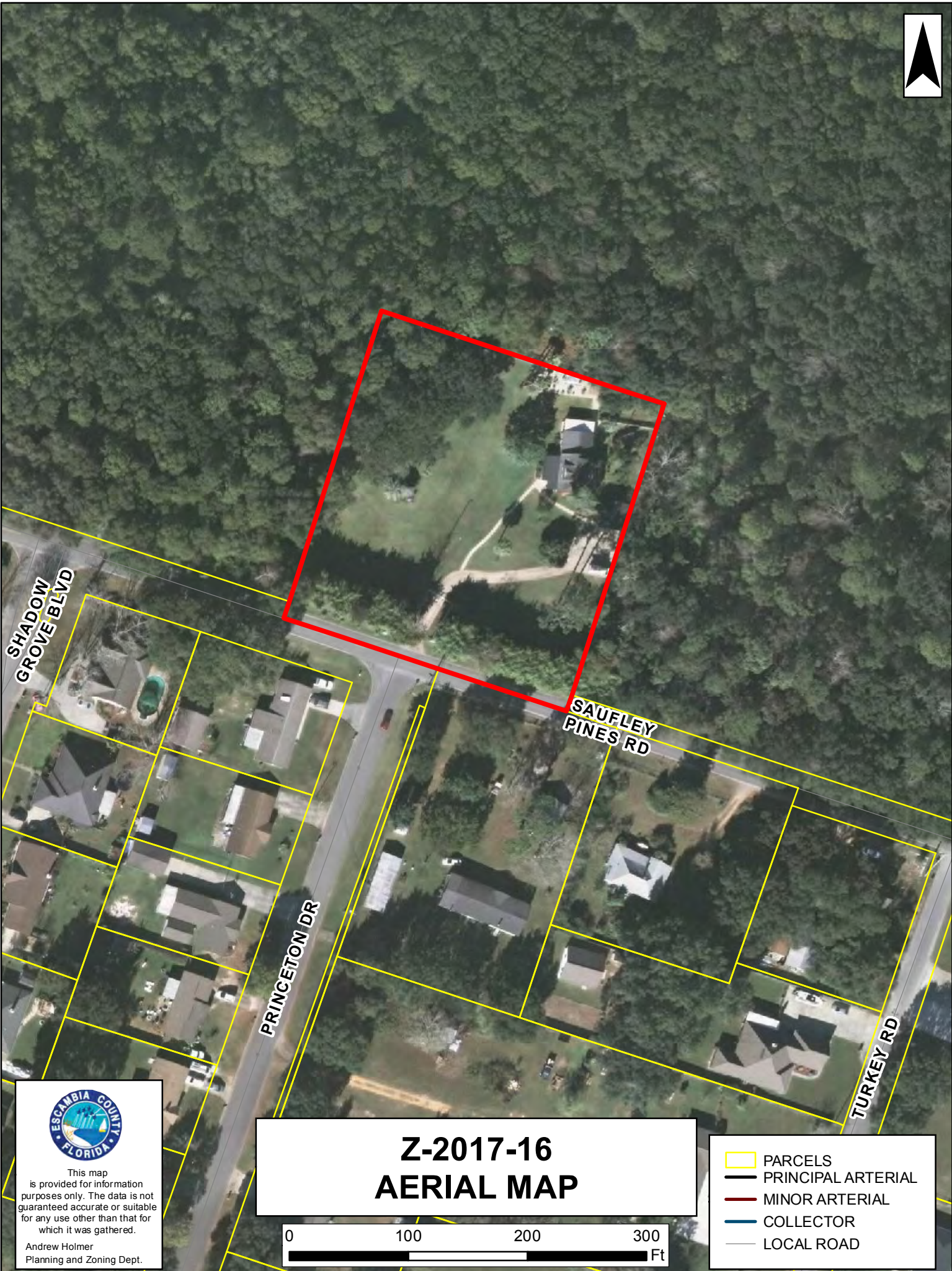
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-16 EXISTING LAND USE



	PARCELS
	PRINCIPAL ARTERIAL
	MINOR ARTERIAL
	COLLECTOR
	LOCAL ROAD




SHADOW GROVE BLVD

PRINCETON DR

SAUFLEY PINES RD

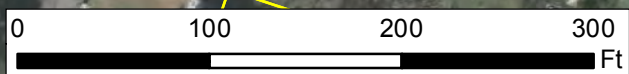
TURKEY RD




This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-16 AERIAL MAP



-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2017-16
CURRENT ZONING: HC/LI PROPOSED ZONING: MDR

PLANNING BOARD

DATE: 09/05/17 TIME: 8:30 AM

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:49 PM

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS PROJECT, PLEASE CALL [REDACTED] AT [REDACTED]

Public Notice Sign

PROPERTY OF ESCAMBIA COUNTY



**NOTICE OF
REQUEST FOR FUTURE
LAND USE CHANGE**

EXISTING FUTURE LAND USE I

PROPOSED FUTURE LAND USE MU-S

CPA NUMBER SSA-2017-05

PUBLIC MEETING/HEARING

PLANNING BOARD

DATE: 09/05/17 TIME: 8:35 AM

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3263 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 10/05/17 TIME: 5:48 PM

ESCAMBIA COUNTY COURTHOUSE
801 PALMER PLACE
1ST FLOOR BOC CHAMBERS

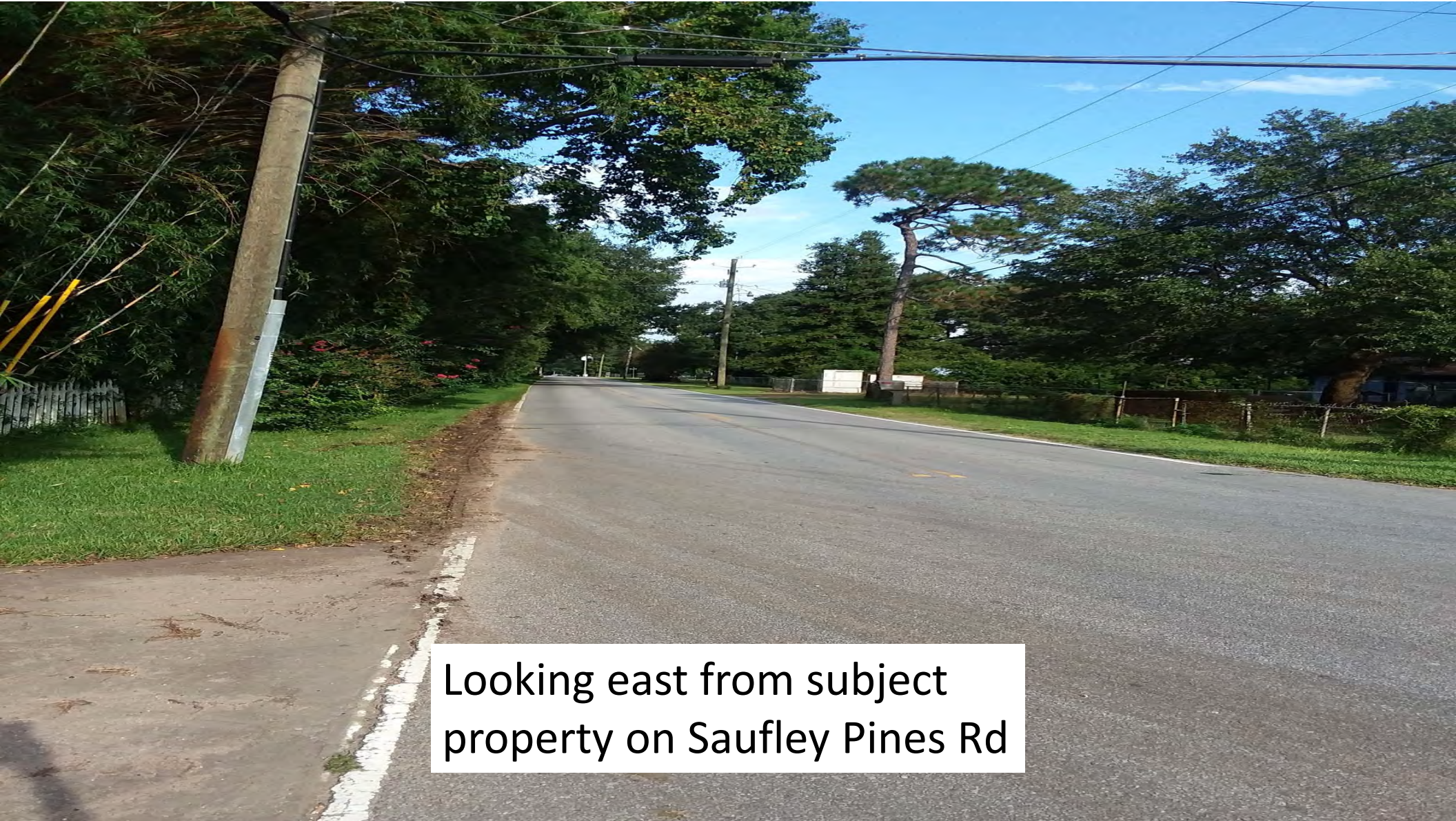
FOR MORE INFORMATION CALL
ESCAMBIA COUNTY DEVELOPMENT SERVICES
904.438.4175



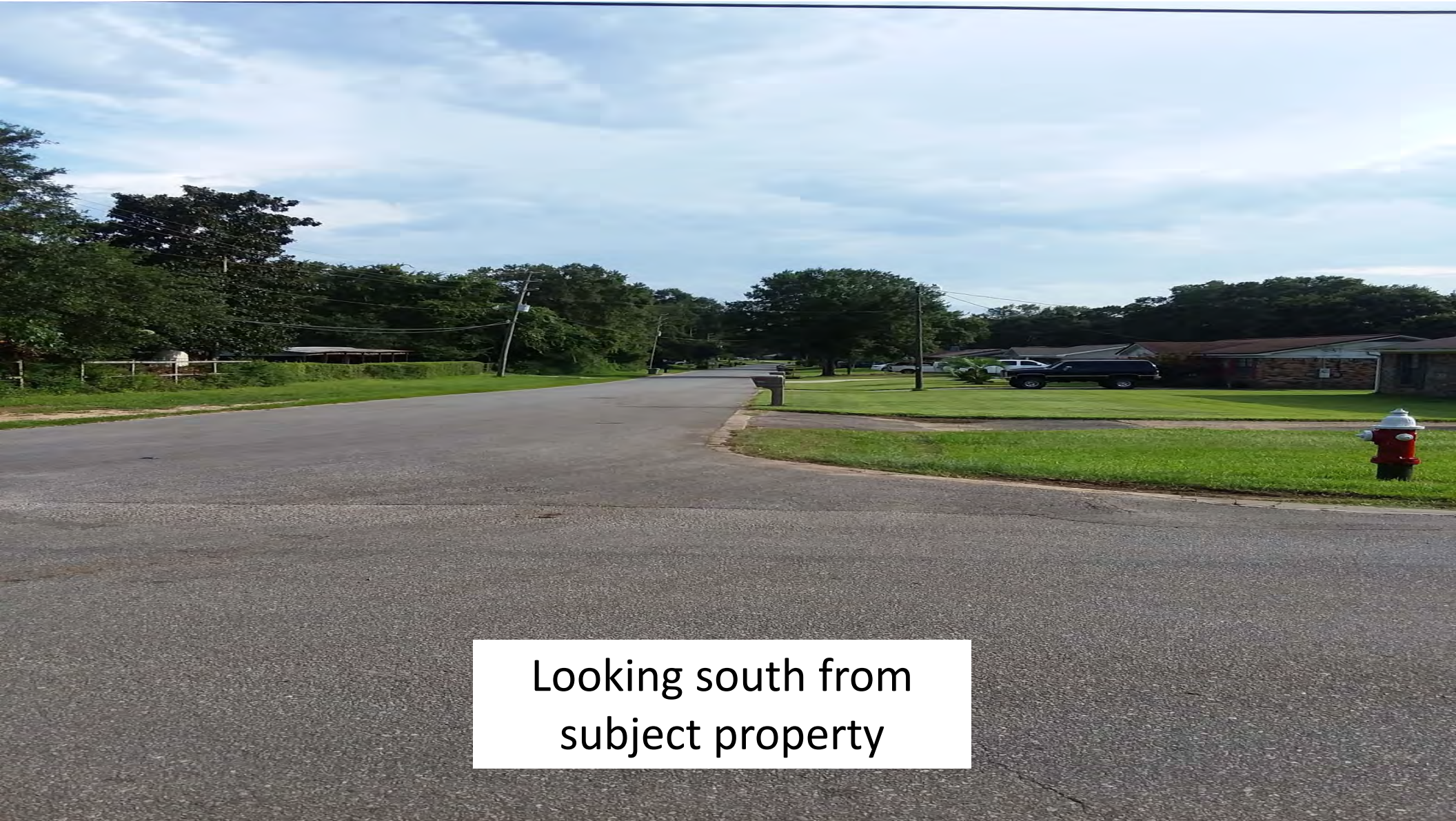
Subject Property



Subject Property



Looking east from subject property on Saufley Pines Rd



Looking south from
subject property



Looking west along Saufley Pines Rd from subject property



Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z-2017-14 Accepted by: _____ PB Meeting: Sept 5, 2017

1. Contact Information:

A. Property Owner/Applicant: TOOD STAFFORD OF STAFFORD DEVELOPMENT GROUP INC

Mailing Address: 357 GRANDE OAKS BLVD CANTONMENT FL 32533

Business Phone: 850-453-1253 Cell: 850-336-5330

Email: TSTAFFORD@heatonbrothersconstruction.com

B. Authorized Agent (if applicable): DAVID W FITZPATRICK, P.E., P.A.

Mailing Address: 10250 N PALAFOX ST PENSACOLA FL 32534

Business Phone: 850-476-8617 Cell: 850-698-7747

Email: david@fitzeng.com

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information:

A. Existing Street Address: 5940 SAUFLEY PINES ROAD

Parcel ID (s): 02-25-31-3000-000-009

B. Total acreage of the subject property: 1.43

C. Existing Zoning: HC/LI

Proposed Zoning: MOR

FLU Category: CURRENTLY I BUT BEING CHANGED TO MUS

D. Is the subject property developed (if yes, explain): YES - SINGLE FAMILY HOME

E. Sanitary Sewer: _____ Septic:

3. Amendment Request

- A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.**

Surrounding parcel was rezoned previously by the applicant and is being planned as a residential subdivision. The purchase of this parcel removes the chances of a commercial development in the middle of this residential neighborhood. Current zoning does not allow residential construction. Current zoning is incompatible with the area. The subject parcel is surrounded by the requested zoning.

- B. Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)**

- 1. Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

The requested zoning change is consistent with the comp plan in that it will duplicate neighboring designations and remove the designation HCLI from this residential area. The change will facilitate an infill development where infrastructure is sufficient to meet demands. This change will facilitate the improvement of this existing residential neighborhood and remove the possibility of the development of an intense commercial use on the subject parcel should the existing zoning designation remain.

- 2. Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

Similar to the above first item. The proposed change will allow better consistency with the LDC than the existing zoning designation. The LDC establishes a means to protect public health, safety and general welfare, private property rights, the natural environment, and economic vitality of the county. The change to MDR from HCLI in this existing residential neighborhood allows for those means to be met.

3. Compatibility. All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions. The subject parcel is developed as a single family residence which is incompatible with its current zoning and its surrounding parcel uses and zoning. The proposed zoning of MDR is a residential category. The subject parcel is bordered on three sides by MDR zoning.
The neighborhood is composed of single family homes which are compatible with the proposed zoning request.

4. Changed conditions. The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning. The area has experienced changed conditions in that the near by Saufley Field Navy Base has eliminated their flight training school and lifted the air traffic protection overlay areas.
It is in the public interest to allow this area to now be developed residentially.

5. Development patterns. The proposed rezoning would contribute to or result in a logical and orderly development pattern. The proposed rezoning would contribute to logical and orderly development in that it is infill development with ample public infrastructure in place.

6. Effect on natural environment. The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment. Rezoning this parcel will remove the possibility of significant adverse impacts on the natural environment. There is a greater possibility significant adverse impacts on the natural environment with the current zoning.

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 02-2S-31-3000-000-009

Property Address: 5940 Saufley Pines Road

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 27 DAY OF July, YEAR OF 2017


Signature of Property Owner

Todd Stafford
Printed Name of Property Owner

7-27-17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

A. X Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B. X Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

C. X Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

D. N/A Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

E. X Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Todd Stafford
Signature of Owner/Agent

Todd Stafford
Printed Name Owner/Agent

7-27-17
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 27 day of July 20 17, by Todd Stafford

Personally Known OR Produced Identification . Type of Identification Produced: _____

Sandra Dukes Vallia
Signature of Notary



Sandra Dukes Vallia
(notary seal)

Prepared by:
Stephen R. Moorhead, Esquire
McDonald Fleming Moorhead
127 Palafox Place, Suite 500
Pensacola, Florida 32502
RE-17-1188

Pam Childers
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA
INST# 2017041396 6/1/2017 2:22 PM
OFF REC BK: 7721 PG: 1865 Doc Type: WD
Recording \$27.00 Deed Stamps \$1,574.30

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

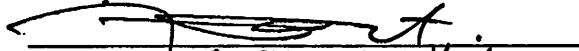
KNOW ALL MEN BY THESE PRESENTS: that Leonard W. Montgomery and Pamela A. Montgomery, husband and wife, whose mailing address is 5940 Saufley Pines Road, Pensacola, FL 32526, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, does grant, bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto Stafford Development Group, Inc., a Florida corporation, whose mailing address is 357 Grande Oaks Blvd., Cantonment, FL 32533, hereinafter called Grantee, its successors and assigns:

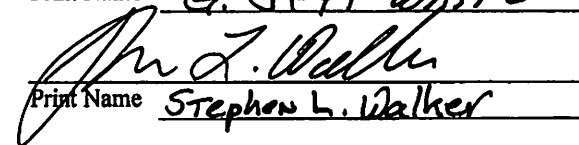
SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE


And Grantors do hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons whomsoever. Subject to taxes for the current and subsequent years and restrictions and reservations of record which are not hereby reimposed.

IN WITNESS WHEREOF, we have hereunto set our hand and seal on this the 30th day of May, 2017.

Signed, sealed and delivered
in the presence of:


Print Name G. Jeff White


Print Name Stephen L. Walker


Leonard W. Montgomery

[Signature]
Print Name G. Jeff White

[Signature]
Pamela A. Montgomery

[Signature]
Print Name Stephen L. Walker

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 30th day of May, 2017, by Leonard W. Montgomery and Pamela A. Montgomery, husband and wife.

[Signature]
NOTARY PUBLIC
Print Name: Stephen L. Walker

Personally Known
or
 Produced Identification
Type of Identification Produced Fl. Divers License

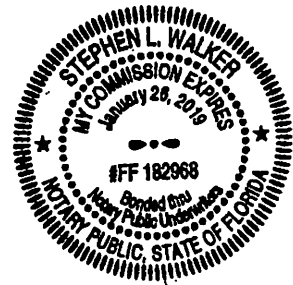
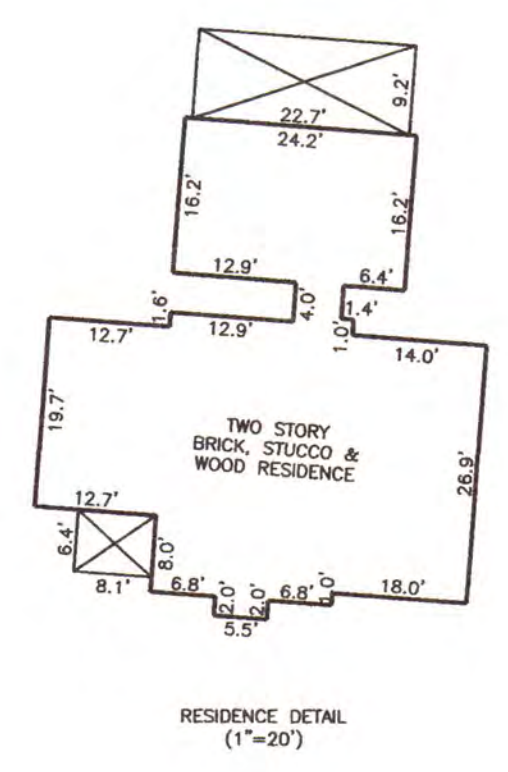
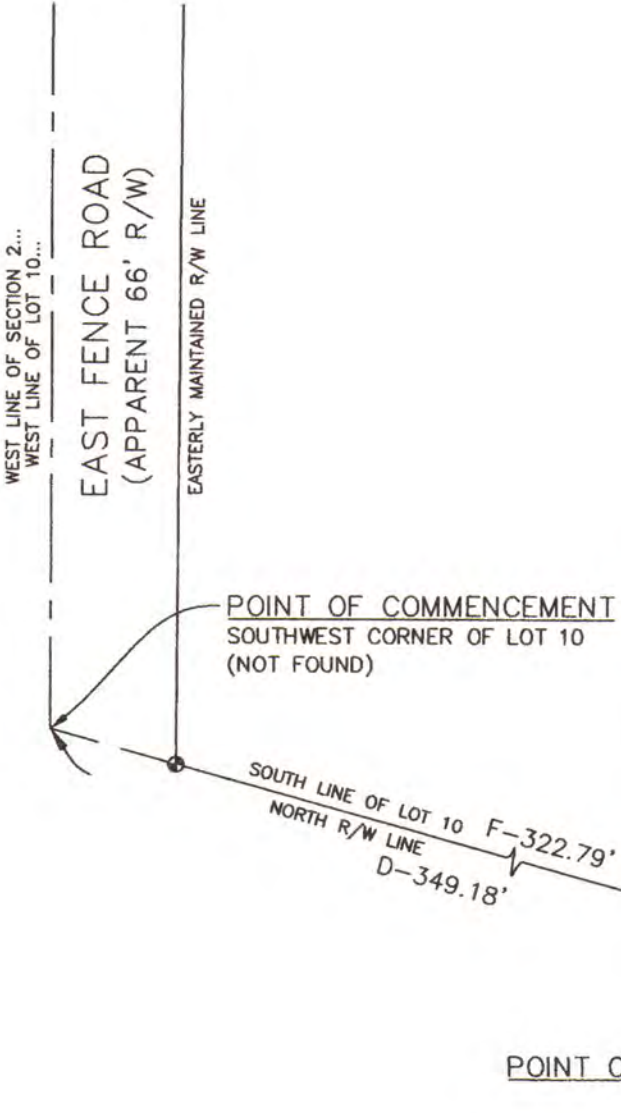
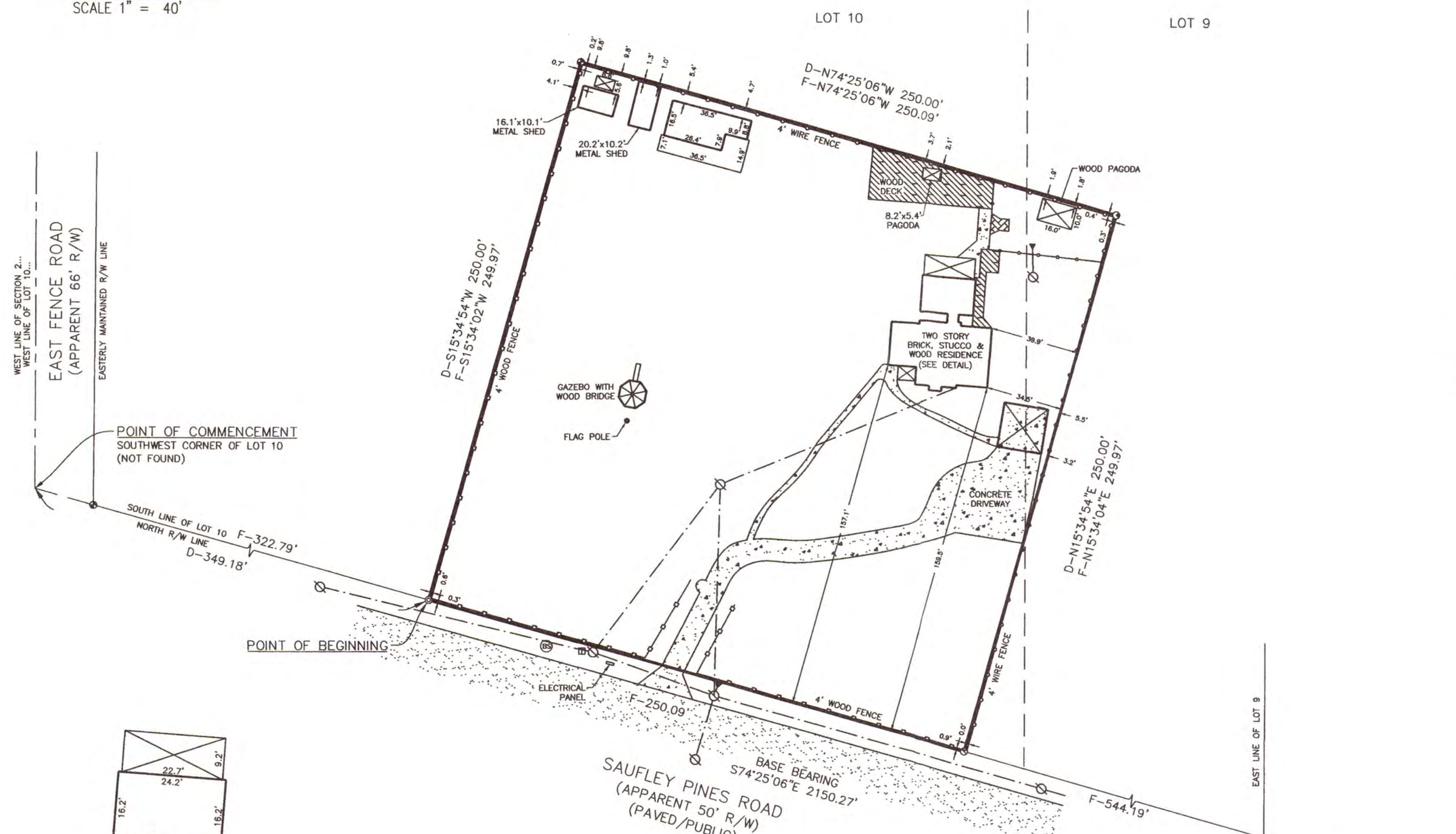
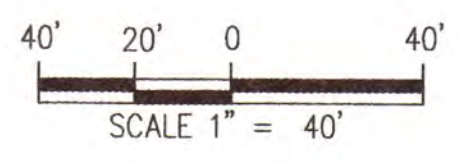
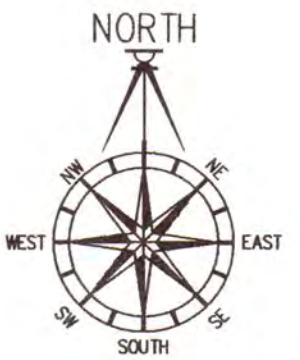


EXHIBIT "A"

A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, TOWN 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOTS 3, ACCORDING TO PLAT RECORDED IN DEED BOOK 64 AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE GO SOUTH 74 DEGREES 25 MINUTES 06 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE SAID LOT 10 A DISTANCE OF 349.18 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 74 DEGREES 25 MINUTES 06 SECONDS EAST A DISTANCE OF 250.00 FEET; THENCE GO NORTH 15 DEGREES 34 MINUTES 54 SECONDS EAST A DISTANCE OF 250.00 FEET; THENCE GO NORTH 74 DEGREES 25 MINUTES 06 SECONDS WEST A DISTANCE OF 250.00 FEET; THENCE GO SOUTH 15 DEGREES 34 MINUTES 54 SECONDS WEST A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING.



SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.
- ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES STANDARD FOOT.
- NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.
- NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.
- ERROR OF CLOSURE MEETS STANDARDS OF PRACTICE.
- THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT.
- BASES OF BEARINGS: NORTH R/W LINE OF SAUFLEY PINES ROAD AS S74°25'06"E.
- REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION; COPY OF SURVEY BY THIS FIRM, JOB #16-16851, AS DATED 07/25/16; COPY OF COUNTY PROPERTY APPRAISERS MAP OF SECTION 2.
- ENCROACHMENTS ARE AS SHOWN.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP NOR AN ENCROACHMENT OF FENCES, WALLS, ETC.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCEL OF LAND SHOWN HEREON AS PER THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS:
ZONE: "X"
ELEVATION: N/A
PANEL NUMBER: 12033C 0355 G
AS DATED: 09/29/06
- THE CERTIFICATE OF AUTHORIZATION NUMBER FOR KJM LAND PLANNING, LLC, IS LB. 7919.

DESCRIPTION: (OFFICIAL RECORDS BOOK 3998, PAGE 147)
A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, T-2-S, R-31-W, ESCAMBIA COUNTY, FLORIDA, CONTAINING 1.43 ACRES MORE OR LESS AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF LOT 10 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOT 3, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 64 AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY;
THENCE GO S. 74°25'06" E. ALONG THE SOUTHERLY LINE OF SAID LOT 10 A DISTANCE OF 349.18' TO THE POINT OF BEGINNING;
THENCE S. 74°25'06" E. A DISTANCE OF 250.00';
THENCE N. 15°34'54" E. A DISTANCE OF 250.00';
THENCE N. 74°25'06" W. A DISTANCE OF 250.00';
THENCE S. 15°34'54" W. A DISTANCE OF 250.00' TO THE POINT OF BEGINNING.

- LEGEND:**
- ⊙ - FOUND 1/2" CAPPED IRON ROD PSM #1035
 - ⊙ - FOUND ILLEGIBLE 1/2" CAPPED IRON ROD
 - ⊙ - FOUND PLAIN 1/2" IRON ROD
 - ⊙ - FOUND PLAIN 1" IRON ROD
 - ⊙ - FOUND PLAIN 3/4" IRON ROD
 - ⊙ - FOUND 1/2" CAPPED IRON ROD L.B. #7919
 - ⊙ - POWER POLE WITH GUY ANCHOR
 - ⊙ - TELEPHONE PEDESTAL
 - ⊙ - BELLSOUTH TELEPHONE COMPANY MANHOLE
 - ⊙ - SEWER MANHOLE
 - PSM - PROFESSIONAL SURVEYOR AND MAPPER
 - L.B. - LICENSED BUSINESS
 - R/W - RIGHT-OF-WAY
 - F - FIELD

Certify To:
Stafford Development Group, Inc., a Florida corporation
Trustmark National Bank
McDonald Fleming Moorhead
First American Title Insurance Company

ADDRESS: 5940 SAUFLEY PINES ROAD
REQUESTED BY: TODD STAFFORD
TYPE: BOUNDARY SURVEY WITH IMPROVEMENTS
SECTION 2, TOWNSHIP - 2 - SOUTH, RANGE - 31 - WEST, ESCAMBIA COUNTY

SCALE:	FIELD BOOK	PAGE	CREW	FIELD DATE	DRAWN BY:	CHECKED BY:
1"=40'	618	61-62	TK/DB	05/04/17	JSP	JSP

DATE: 05/11/17
NO.:
DATE:
REVISIONS:

APPROVED BY:

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS & MAPPERS IN CHAPTER 54-17.050, 54-17.051 AND 54-17.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

KJM
Land Planning, LLC.
Kenneth J. Monie
Professional Surveyor and Mapper
1414 N. Army St.
Panama, FL 32350
850-432-0202 Fax 850-432-1307

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

17-17174



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: David Forte, Division Manager
Transportation & Traffic Operations Division**

DATE: August 8, 2017

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-16

TTO Staff has reviewed the Rezoning Case (Z)-2017-16, 5940 Saufley Pines Road, agenda item for the Planning Board meeting scheduled for September 5th, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel.

At this time, TTO has no immediate comments for the proposed rezoning request. TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director**

Planning Board-Rezoning

7. C.

Meeting Date: 09/05/2017

CASE : Z-2017-14

APPLICANT: Wiley C. "Buddy" Page, Agent for Crimson Nine Mile Road Holdings, LLC, Owner

ADDRESS: SW Corner of Nine Mile Road and I-10

PROPERTY REF. NO.: 10-1S-31-1401-000-002

FUTURE LAND USE: MU-U, Mixed-Use Urban

DISTRICT: 1

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 10/05/2017

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)

TO: Com, Commercial district (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses: Residential, retail and services, professional office, light industrial, recreational facilities, public and civic, limited agriculture. The residential

maximum density is 25 du/acre.

FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

FINDINGS

The proposed amendment to Commercial is **consistent** with the intent and purpose of Future Land Use category MU-U, as stated in CPP FLU 1.3.1. The MU-U FLU does provide allowances for mixed commercial and residential developments; based on the application, the intent is for a mixed development on-site. The proposed amendment would promote the efficient use of existing roads, utilities and infrastructure making it compatible with the intent of CPP FLU 1.5.1.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 3-1.6 Compatibility

(a) Generally. Zoning districts provide the primary means to establish and maintain the necessary balance between the needs and interests of different land uses, allowing neighboring uses to coexist successfully in a stable fashion over time, protecting the investments in each. Although zoning separates generally incompatible development, inclusion as a permitted use within a district does not alone ensure compatibility with other district uses.

(b) Location criteria. Location criteria are established within some zoning districts to promote compatibility among uses, especially new non-residential uses in relation to existing residential uses. Most criteria are designed to create smooth transitions of use intensity from large-scale concentrations of general commercial uses near major street intersections to small-scale dispersed neighborhood commercial uses in proximity to residential areas. Such transitions prevent the adverse impacts of continuous strip commercial development along major streets and avoid negative or blighting influences of some commercial uses on adjacent residential neighborhoods.

Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).

(a) Purpose. The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas and land use regulations for a complementary mix of industrial uses with a broad range of commercial activities. The primary intent of the district is to allow light manufacturing, large-scale wholesale and retail uses, major services, and other more intense uses than allowed in the Commercial district. The variety and intensity of non-residential uses within the HC/LI district is limited by their compatibility with surrounding uses. All commercial and industrial operations are limited to the confines of buildings and not allowed to produce undesirable effects on other

property. To retain adequate area for commercial and industrial activities, other uses within the district are limited.

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

(b) Permitted uses. Permitted uses within the Commercial district are limited to the following:

(1) Residential. The following residential uses are allowed throughout the district, but if within the Commercial (C) future land

use category they are permitted only if part of a predominantly commercial development:

a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse

treatment, post-incarceration reentry, or similar services.

b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.

c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.

d. Two-family and multi-family dwellings.

See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages and automotive

fuels, but excluding motor vehicle sales and permanent outdoor storage. See also conditional uses in this district.

(3) Retail services. The following retail services, excluding permanent outdoor storage:

a. Car washes, automatic or manual, full service or self-serve.

b. Child care facilities.

c. Hotels, motels and all other public lodging, including boarding and rooming houses.

d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.

e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.

f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and

motor services, but excluding major motor vehicle or boat service or repair, and

outdoor work.

g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way. See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Foster care facilities.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.
- l. Warehousing or maintenance facilities for government agencies or for public utilities.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.
- c. Marinas, private and commercial.
- d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related.

- a. Printing, binding, lithography and publishing.
- b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

See also conditional uses in this district.

(7) Agricultural and related.

- a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics.

(8) Other uses.

- a. Billboard structures.

- b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.
- c. Parking garages and lots, commercial.
- d. Self-storage facilities, excluding vehicle rental.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the LDC. The parcel's location is within a quarter of a mile from a traffic generator, the Navy Federal Credit Union Urban Service Area, meeting the requirements identified under Sec. 3-2.10(e) Location Criteria. The assigned MU-U FLU is compatible with the requested Commercial zoning. Based on the application, the development would concentrate the residential aspect of the project towards the south section of the parcel, to protect the adjacent residential uses and zoning; the commercial development would be located on the north of the parcel towards the main roadways. If approved, any proposed development would have to provide buffering protection between commercial and residential activities.

Based on current development trends, mainly the expansion of operations from the Navy Federal Union, we have experienced an increased need for residential and commercial development, in support of the existing and expected influx of personnel. Due to the size and location of the parcel, it appears that a balance between the needs and interests of different land uses can be achieved, enabling neighboring uses to coexist successfully.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius area staff observed properties with zoning districts HC/LI, HDMU, MDR and LDR. Twenty-two single-family residences, one mobile home, three improved agricultural residential parcels, two timber land designated parcels, one vacant residential, one vacant commercial, two commercial offices, one commercial repair, and one grazing land.

Criterion d., LDC Sec. 2-7.2(b)(4)

Changed conditions

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

Staff found **changed conditions** that would impact the amendment or property. The current expansion of the Navy Federal Credit Union, one of the primary private employers in the area, has resulted in an increased demand for residential units and commercial services. The entire character of the area has been drastically changed by the new construction of facilities in support of the Credit Union and the direct access to Interstate 10. The parcel is currently zoned HC/LI which allows for more intense uses and development than what the applicant is requesting under the Commercial district; by removing the more intense heavy commercial and light industrial uses, down-zoning the property, and assigning a more compatible and restrictive commercial zoning designation.

Criterion e., LDC Sec. 2-7.2(b)(4)

Development patterns

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern. The commercial zoning district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. The requested decrease in zoning intensity to commercial would effectively create and serve as a transitional district between medium density residential districts and the heavy commercial and light industrial uses.

Criterion f., LDC Sec. 2-7.2(b)(4)

Effect on natural environment

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

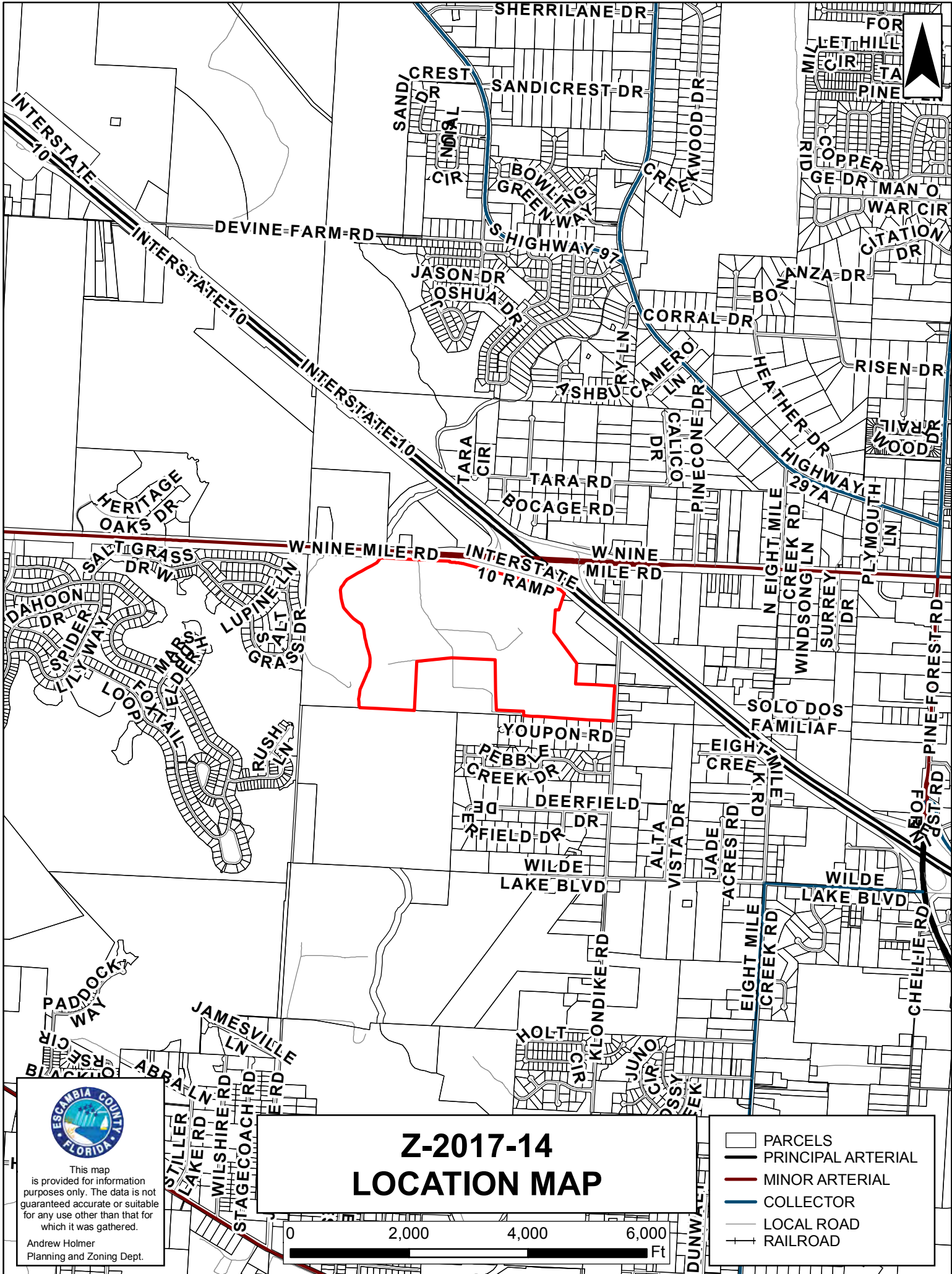
FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were indicated** on the subject property. FEMA Special Flood Hazard Areas are also present on portions of the parcel. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.







Attachments

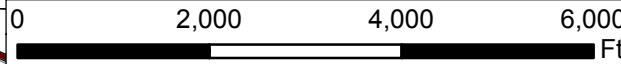

Working Case File

Z-2017-14



Z-2017-14 LOCATION MAP

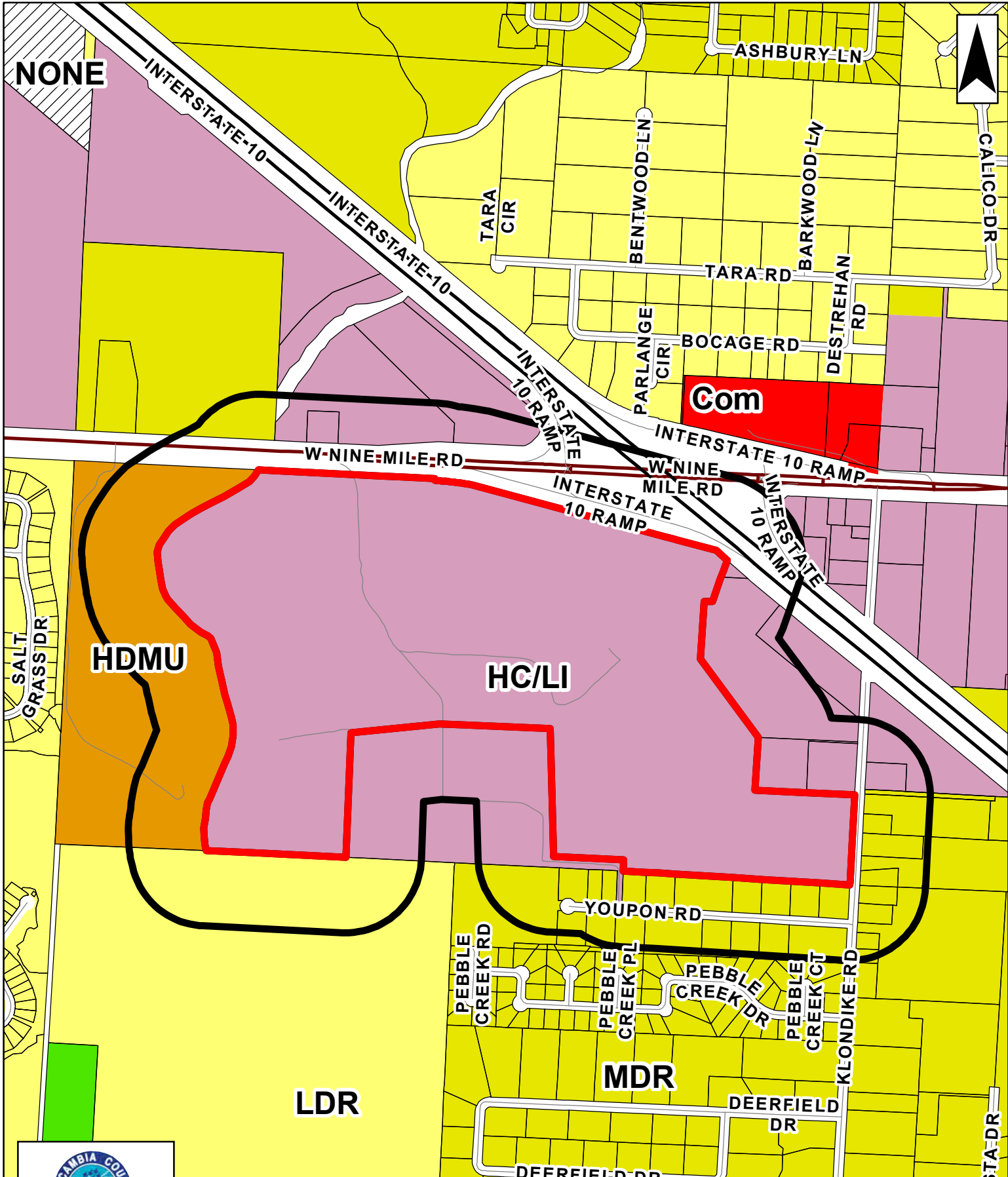
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

NONE



HDMU

HC/LI

Com

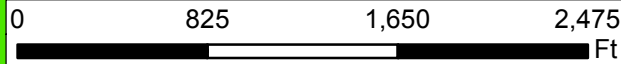
LDR

MDR

Z-2017-14

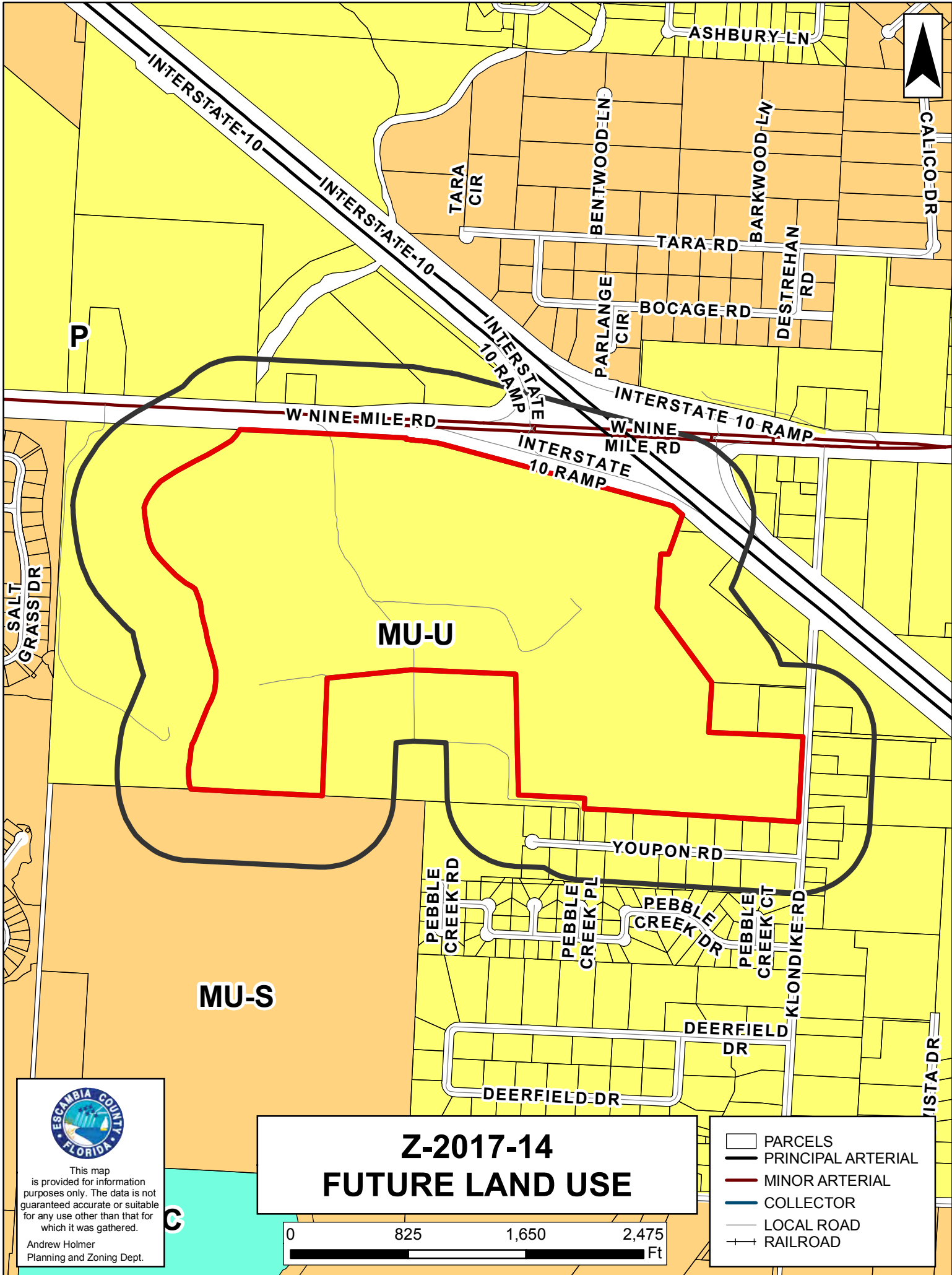
500' RADIUS ZONING

- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



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Andrew Holmer
Planning and Zoning Dept.



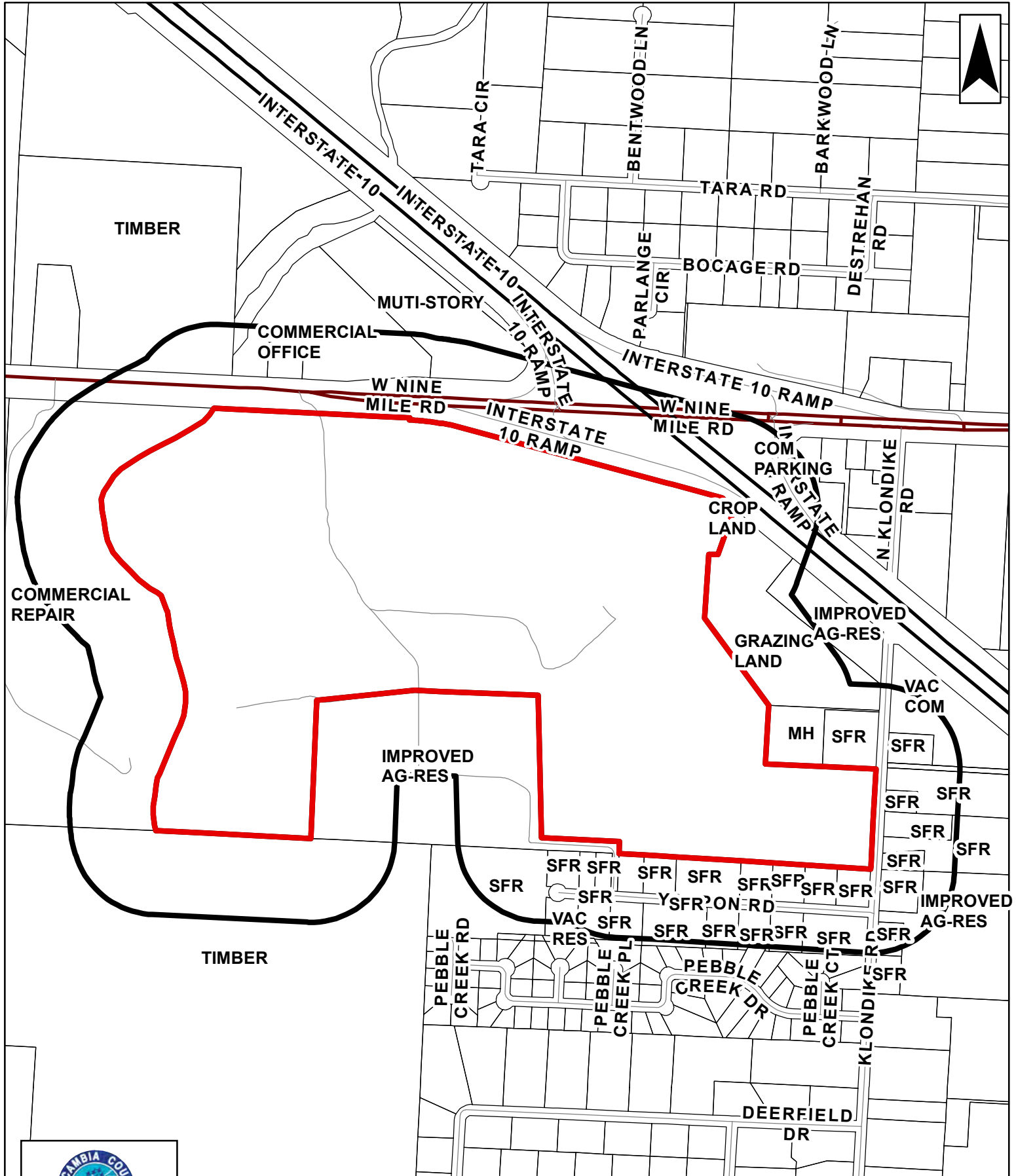

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Andrew Holmer
Planning and Zoning Dept.

Z-2017-14 FUTURE LAND USE



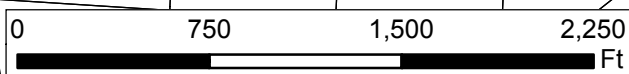
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- LOCAL ROAD
- RAILROAD

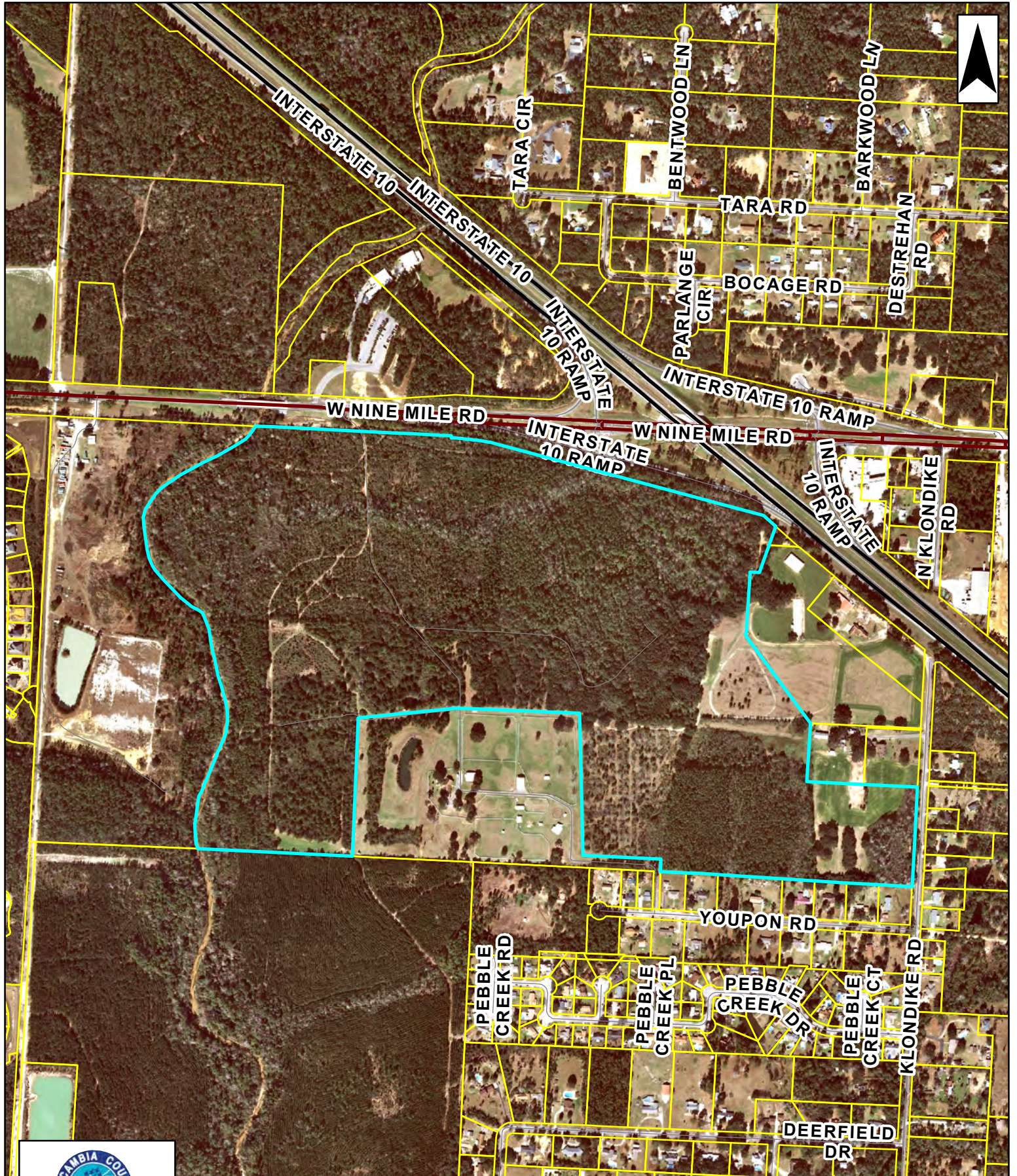
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-07 EXISTING LAND USE



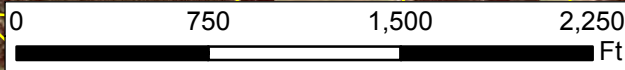
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



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Andrew Holmer
Planning and Zoning Dept.

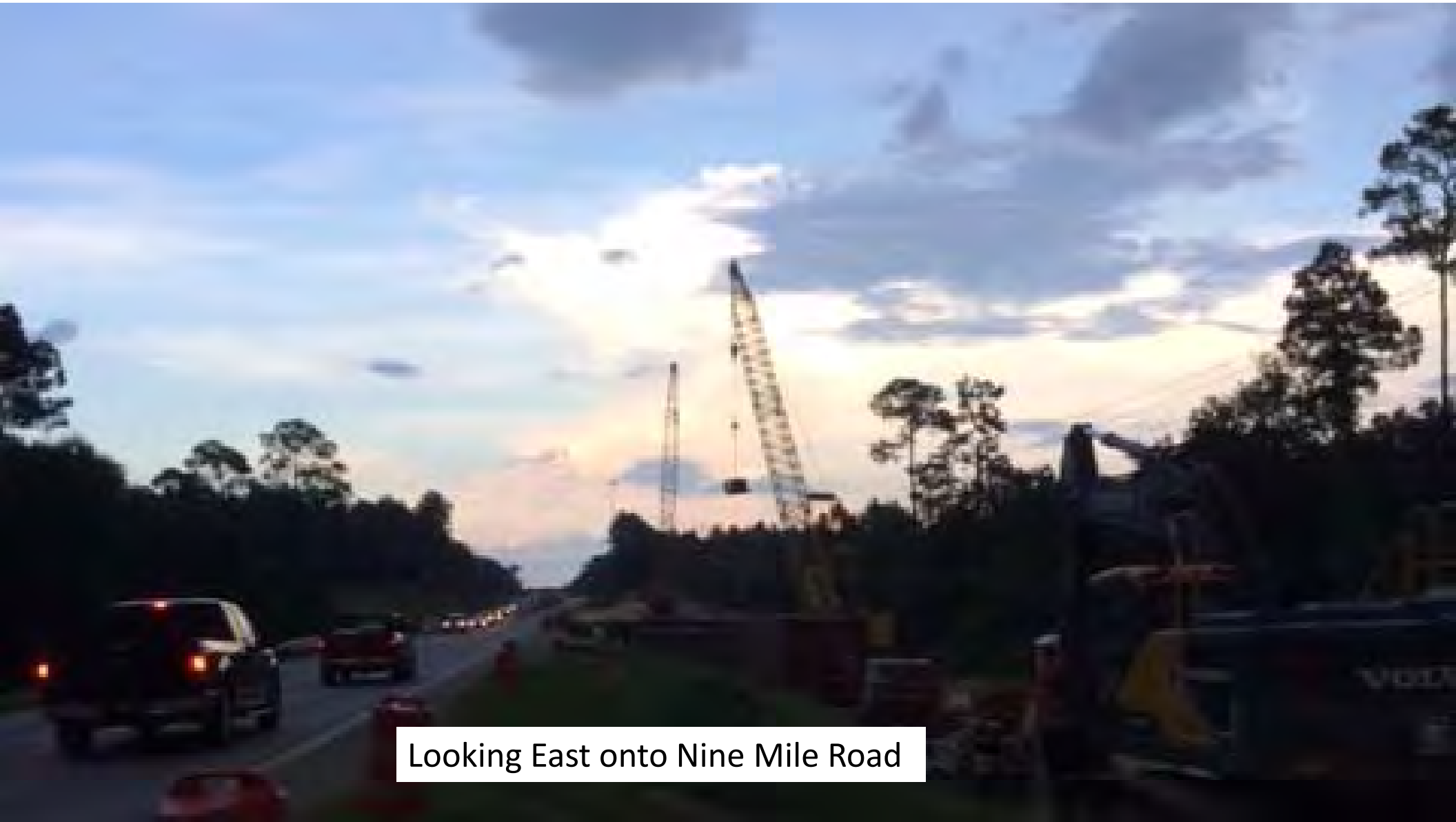
Z-2017-14 AERIAL MAP



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



Public Hearing Sign



Looking East onto Nine Mile Road



Looking North from Parcel



Looking South
onto Parcel



Looking West onto Nine Mile Road

Wiley C."Buddy" Page, MPA, APA
Professional Growth Management Services, LLC

5337 Hamilton Lane Pace, Florida 32571
Cell 850.232.9853
budpage1@att.net

July 20, 2017
VIA HAND DELIVERY

Mr. Horace Jones, Director
Escambia County Planning Department
3363 Park Avenue
Pensacola, Florida 32505

RE: Rezoning Request
Parcel No. 10-1S-31-1401-000-002
SW Corner of Nine Mile Road & I-10

Dear Mr. Jones:


I represent Crimson Nine Mile Road Holdings, LLC - Atlanta, owners of the property referenced above whereupon we are requesting Planning Board consideration to rezone the 174 acre site from HC/LI to Commercial.

Our completed application is attached together with our check in the amount of \$1,275.50 for the application fee.

We will appreciate you processing our application and advise us of the meeting dates before the Planning Board and the Escambia County Board of County Commissioners.

Please contact me with any questions or if you require anything further. Thank you.

Very truly yours,



Wiley C."Buddy" Page

copy: Mr. Andres Miramontes



Escambia County Planning and Zoning
Development Services Department
3363 West Park Place
Pensacola, FL 32505
Phone: (850) 595-3475 • Fax: (850) 595-3481
http://myescambia.com/business/ds

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 22017-14 Accepted by: A. Cain PB Meeting: 9/5/17

1. Contact Information:

A. Property Owner/Applicant: Crimson Nine Mile Road Holdings, LLC

Mailing Address: 4675 Macarthur Ct. Suite 1550 Newport Beach, CA 92660

Business Phone: 949-517-0864 Cell:

Email:

B. Authorized Agent (if applicable): Wiley C. "Buddy" Page

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: 850-232-9853 Cell:

Email: budpage1@att.net

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information:

A. Existing Street Address: Nine Mile Road at I-10 - Vacant land

Parcel ID (s): 10-1S-31-1401-000-002

B. Total acreage of the subject property: 174ac+

C. Existing Zoning: HC/LI

Proposed Zoning: Com.

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): Vacant land

E. Sanitary Sewer: [X] Septic: []

3. Amendment Request

- A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.

SEE ATTACHED

- B. **Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)**

1. **Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

SEE ATTACHED

2. **Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

SEE ATTACHED

3. **Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

ATTACHED

4. **Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

ATTACHED

5. **Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

ATTACHED

6. **Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

ATTACHED

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 10-1S-31-1401-000-002

Property Address: Vacant land - Nine Mile Road at I-10

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 11th DAY OF July, YEAR OF 2017.

Andres Micaenotes
Signature of Property Owner [Operating Officer]

Crimson Nine Mile Road Holdings, LLC
Printed Name of Property Owner

7/11/2017
Date

Signature of Property Owner

Printed Name of Property Owner

Date

“A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.”

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

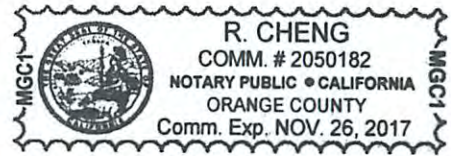
On July 11, 2017, before me, R. Cheng, Notary Public, personally appeared Andres Miramontes, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (SEAL)
Signature of Notary Public

Name: R. Cheng



5. Submittal Requirements

A. Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B. Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

C. Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

D. Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

E. Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrence Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Wiley C. Page
 Signature of Owner/Agent

Andres Mianonles
 Signature of Owner [Operating Officer]

Wiley C. "Buddy" Page
 Printed Name Owner/Agent

Crimson Nine Mile Road Holdings, LLC
 Printed Name of Owner

7/20/17
 Date

7/11/17
 Date

STATE OF _____ COUNTY OF _____ The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____.

Personally Known OR Produced Identification . Type of Identification Produced: _____

 Signature of Notary

SEE ATTACHED

 Printed Name of Notary (notary seal)

"A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

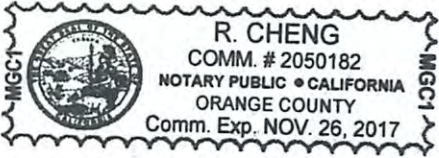
On July 11, 2017, before me, R. Cheng, Notary Public, personally appeared Andres Miramontes, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *R. Cheng* (SEAL)
Signature of Notary Public

Name: R. Cheng



Application Overview

Proposed Crimson 9 Mile Road Development

Parcel 10-1S-31-1401-000-002

This proposed development will be located on a 174 acre parcel of property generally located near the intersection of 9 Mile Road and Interstate 10 and across from the Navy Federal Credit Union campus. The owners anticipate construction of a commercial/residential development mix that would not otherwise be constructed as designed under the existing HC/LI zoning classification. After reviewing the other zoning categories, the owners determined that the Commercial category provided uses best suited for their proposed development plan.

Required responses to approval conditions:

1- Consistent with the Comprehensive Plan.

The Comprehensive Plan Future Land Use classification for the property is Mixed Use-Urban. This classification contains allowed uses, one of which is Commercial, indicating that the Commercial use is consistent with the Comprehensive Plan.

2- Consistent with the Land Development Code

The request is consistent with the stated purpose and intent of the Land Development Code found at *LDC 3-2.10(a) Purpose*.

3- Compatibility

The Commercial zoning category will be compatible with surrounding conforming uses. The site is bounded with 9 Mile Road/Navy Federal to the north, a 50 acre vacant parcel to the west, and residential east and south of the site. Highest and best use of the site was found to be commercial activities along the 9 Mile Road frontage, with residential uses at its southern and eastern areas. Appropriate landscaping and buffering will be utilized as required by the Land Development Code.

4- Changed Conditions

Major recent changed conditions include the continuing expansion of the adjacent Navy Federal Credit Union campus and the four lane expansion of 9 Mile Road.

5- Development Patterns

The changed and changing conditions in the area suggest that the requested

zoning change to Commercial will be logical and orderly for the area. Additional development can be anticipated once the land swap between the County and U.S. Navy is consummated and a commerce park is developed on property adjacent and west of the Navy Federal Credit Union.

6- Effect on the Natural Environment

The site contains the lower reaches of Eight Mile Creek. The creek meanders across the site and likely contains jurisdictional wetlands along its path. A detailed environmental assessment will likely be required as part of any development site plan which would be submitted as part of a future development review by the County.



Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

Navigate Mode
 Account
 Reference
 [Printer Friendly Version](#)

<p>General Information</p> <p>Reference: 101S311401000002</p> <p>Account: 090378200</p> <p>Owners: CRIMSON NINE MILE ROAD HOLDINGS LLC</p> <p>Mail: 4675 MACARTHUR CT SUITE 1550 NEWPORT BEACH, CA 92660</p> <p>Situs: NINE MILE RD 32526</p> <p>Use Code: VACANT COMMERCIAL</p> <p>Taxing Authority: COUNTY MSTU</p> <p>Schools (Elem/Int/High): BEULAH/WOODHAM/PINE FOREST</p> <p>Tax Inquiry: Open Tax Inquiry Window</p> <p><small>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</small></p>	<p>Assessments</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$3,239,125</td> <td>\$0</td> <td>\$3,239,125</td> <td>\$3,239,125</td> </tr> <tr> <td>2015</td> <td>\$3,239,125</td> <td>\$0</td> <td>\$3,239,125</td> <td>\$3,239,125</td> </tr> <tr> <td>2014</td> <td>\$3,239,125</td> <td>\$0</td> <td>\$3,239,125</td> <td>\$3,239,125</td> </tr> </tbody> </table> <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p> <p style="text-align: center;">★ File for New Homestead Exemption Online</p>	Year	Land	Imprv	Total	Cap Val	2016	\$3,239,125	\$0	\$3,239,125	\$3,239,125	2015	\$3,239,125	\$0	\$3,239,125	\$3,239,125	2014	\$3,239,125	\$0	\$3,239,125	\$3,239,125
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<p>Sales Data</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>12/30/2015</td> <td>7456</td> <td>1870</td> <td>\$100</td> <td>CT</td> <td>View Instr</td> </tr> <tr> <td>10/2006</td> <td>6010</td> <td>1026</td> <td>\$9,000,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>03/2004</td> <td>5365</td> <td>1238</td> <td>\$3,000,000</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> <p><small>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</small></p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	12/30/2015	7456	1870	\$100	CT	View Instr	10/2006	6010	1026	\$9,000,000	WD	View Instr	03/2004	5365	1238	\$3,000,000	WD	View Instr	<p>2016 Certified Roll Exemptions</p> <p>None</p> <p>Legal Description</p> <p>BEG AT NE COR OF SEC S 1 DEG 53 MIN 10 SEC W ALG E LI 2644 90/100 FT TO SE COR OF NE 1/4 N 88 DEG 32 MIN 51 SEC W ALG...</p> <p>Extra Features</p> <p>None</p>
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Parcel Information

Section Map Id: [10-1S-31](#)

Approx. Acreage: 174.0000

Zoned: HC/LI

Evacuation & Flood Information
[Open Report](#)

[Launch Interactive Map](#)

[View Florida Department of Environmental Protection\(DEP\) Data](#)

Buildings

Images

None

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL
CIRCUIT OF FLORIDA IN AND FOR ESCAMBIA COUNTY**

CRIMSON PORTFOLIO ALPHA, LLC, a
Delaware limited liability company,

Plaintiff,

Case No. 2015 CA 001081

v.

MOULTON PROPERTIES, INC., a Florida
corporation, PENSACOLA CANDY
COMPANY, INC., a Florida corporation;
MO'TEL, L.L.C., a Florida limited liability
company; JAMES C. MOULTON,
individually; ROBERT W. MOULTON,
individually; SEA SHELL COLLECTIONS,
L.L.C., a Florida limited liability company;
GULF COAST COMMUNITY BANK, a
Florida corporation; and UNITED STATES
OF AMERICA,

Defendants.

CERTIFICATE OF TITLE
(Count I Property)

The undersigned Clerk of the Court certifies that she executed and filed a Certificate of Sale in this action on December 10, 2015, on the property described below and that no objections to the sale have been filed within the time allowed for filing objections. The following described real and personal property located in Escambia County, Florida:

Real Property

See Exhibit A.

Personal Property

See Exhibit B.

was sold to Crimson Portfolio Alpha, LLC, whose address is 4675 MacArthur Ct., Suite 1550, Newport Beach, California 92660, for \$100.00. On December 28, 2015, Crimson Portfolio

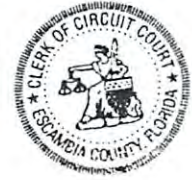
Alpha, LLC assigned its right, title, and interest in and to the Certificate of Sale to Crimson Nine Mile Road Holdings, LLC, 4675 MacArthur Ct., Suite 1550, Newport Beach, California 92660, so that Crimson Nine Mile Road Holdings, LLC takes title to the subject property by this Certificate of Title.

WITNESS my hand and the seal of this Court this 20th day of December 2015.

PAM CHILDERS
Clerk of the Court
Escambia County, Florida

[SEAL OF THE COURT]

By: *Joseph Willean*
Deputy Clerk



Conformed copies:

Judson C. Brandt, Esq.
Richard M. Colbert, Esq.
Corey J. Smith, Esq.
Matthew C. Hoffman, Esq.

A2137619.DOC

EXHIBIT A

Real Property:

Parcel 1:

Commence at the Northeast corner of Section 10, Township 1 South, Range 31 West, Escambia County, Florida; thence run South 01° 53'10" West along the East line of Section 10 for a distance of 2644.90 feet to the Southeast corner of the Northeast Quarter of Section 10; thence run North 88° 32'51" West along the South line of the Northeast Quarter and the South line of the Northwest Quarter of said section for a distance of 4269.80 feet a point hereinafter referred to as Point "A"; thence continue North 88° 32'51" West along the South line of said Northwest Quarter for distance of 7.5 feet, more or less, to the East Bank of Eleven Mile Creek and the point of beginning; thence go South 88° 32'51" East along line last run for a distance of 7.5 feet, more or less to Point "A"; thence continue South 88° 32'51" East along the South line of said Northwest Quarter for a distance of 893.79 feet; thence North 01° 01'02" East for a distance of 825.48 feet; thence go North 82° 56'38" East for a distance of 589.47 feet; thence go South 88° 56'31" East for a distance of 734.10 feet; thence go South 02° 45'40" East for a distance of 854.03 feet; thence go South 88° 32'51" East for a distance of 464.32 feet; thence go South 03° 57'44" East for a distance of 66.30 feet to the South line of the Northeast Quarter of Section 10; thence go South 88° 32'51" East along said South line for a distance of 1498.88 feet to the West R/W line of Klondike Road (66' R/W); thence go North 01° 53'10" East for a distance of 580.82 feet; thence go North 89° 03'21" West for a distance of 662.00 feet; thence go North 01° 53'10" East for a distance of 350.00 feet; thence go North 35° 45'49" West for a distance of 646.09 feet; thence go North 04° 27'08" East for a distance of 381.61 feet; thence go South 88° 54'36" East for a distance of 55.38 feet; thence go North 04° 54'19" East for a distance of 295.54 feet to the South R/W line of the interstate on ramp (R/W Varies); thence go North 51° 54'15" West along said South R/W line for a distance of 97.21 feet; thence go North 76° 21'05" West along said South R/W line for a distance of 1563.67 feet to a point of curvature on a curve concave to the South; thence go along the arc of said curve with a radius of 1357.40 feet a distance of 291.40 feet (delta=12° 18'00", chord=290.84 feet, chord bearing=North 82° 26'18" West); thence go North 01° 24'42" East for a distance of 3.00 feet to the South R/W line of Nine Mile Road (State Highway No. 10, 200' R/W); thence go North 88° 35'18" West along said South R/W line of Nine Mile Road for a distance of 1171.57 feet to a point hereinafter referred to as Point "B"; thence continue North 88° 35'18" West along said South R/W line for a distance of 10 feet, more or less, to the Eastern Bank of Eleven Mile Creek; thence Meander Southerly along the Eastern Bank of Eleven Mile Creek to the point of beginning. With a closing line from Point "B" to Point "A" of South 06° 20'35" West and 2546.62 feet.

Less the legal description contained in Official Records Book 5609, Page 1476, described as follows:

Commence at the Southeast corner of the Northeast Quarter of Section 10, Township 1 South, Range 31 West; thence run North $88^{\circ} 32'51''$ West along the South line of the Northeast Quarter of said section for a distance of 1531.88 feet; thence North $03^{\circ} 57'44''$ West for 66.30 feet to the point of beginning; thence North $88^{\circ} 32'51''$ West for 464.32 feet; thence North $02^{\circ} 45'40''$ West for 6 feet; thence South $88^{\circ} 32'51''$ East for 464.32 feet; thence South $02^{\circ} 45'40''$ East for 6 feet to the point of beginning.

EXHIBIT B

Personal Property:

Mortgaged Property: The Land, Improvements, Collateral, Fixtures, Leases, Rents and Personal Property together with:

- (i) all judgments, awards of damages and settlements hereafter made resulting from condemnation proceedings or the taking of the Mortgaged Property or any part thereof under the power of eminent domain, or by agreement in lieu thereof, or for any damage thereto caused by any governmental action (whether by such taking or otherwise), such as without limitation, any award for change of grade of streets;
- (ii) all judgments, awards and settlements hereafter made, and all insurance proceeds hereafter paid for any damage to the Mortgaged Property, and all unearned insurance premiums on any insurance policies maintained by the Borrower pursuant to this Mortgage;
- (iii) all awards and refunds hereafter made with respect to any Imposition;
- (iv) the estate, right, title, interest, privilege, claim or demand whatsoever of Borrower, now or hereafter, either at law or in equity, in and to the Mortgaged Property; and
- (v) all existing and future appurtenances, privileges, rights-of-way, franchises and tenements of the Land, including all mineral rights, oil, gas, and associated substances and other commercially valuable substances which may be in, under or produced from any part of the Land, all development rights and credits, air rights, water, water rights (whether riparian, littoral, appropriative or otherwise, and whether or not appurtenant) and water stock, and any Land lying in the streets, roads or avenues, open or proposed, in front of or adjoining the Land and Improvements

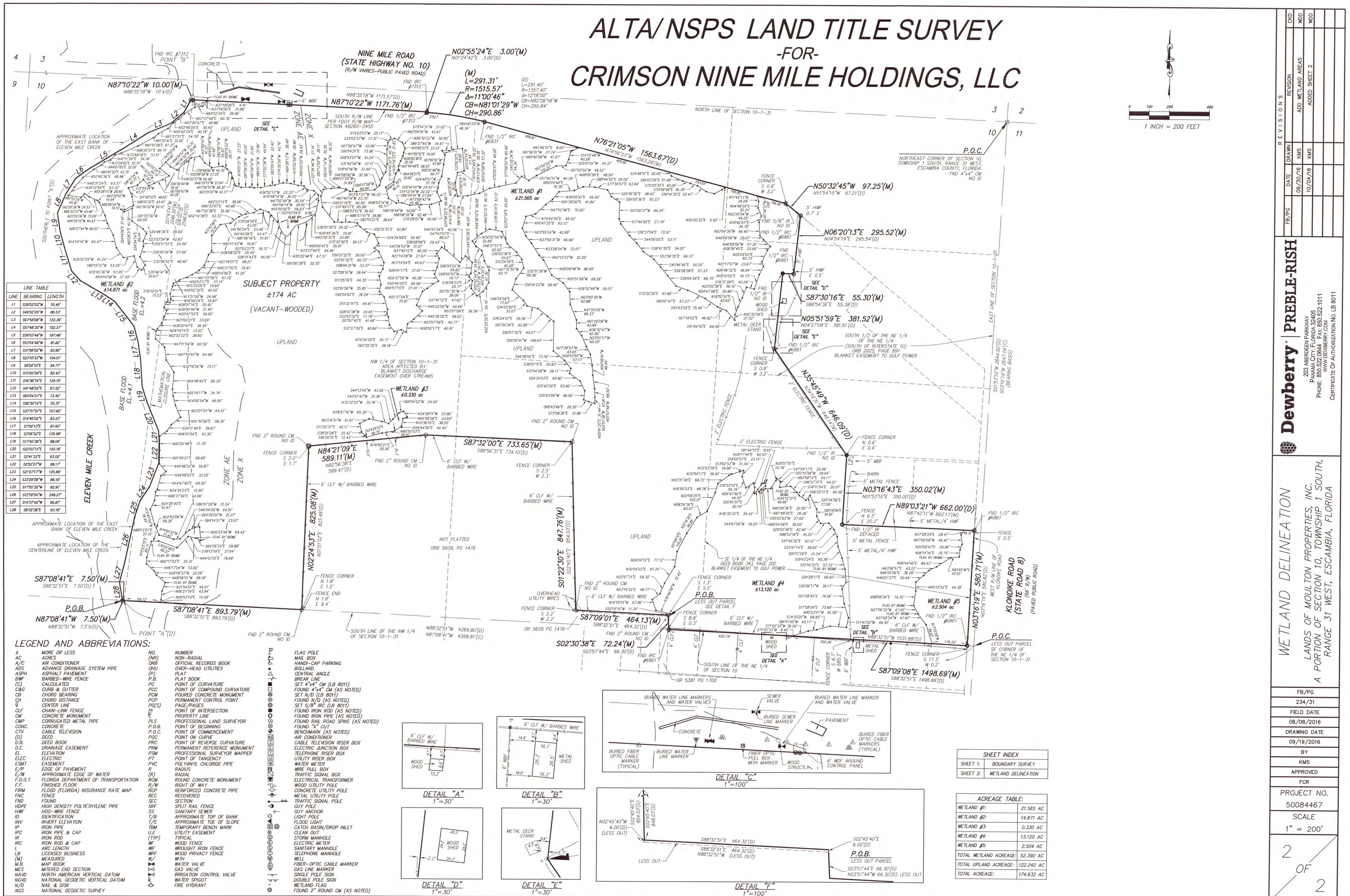
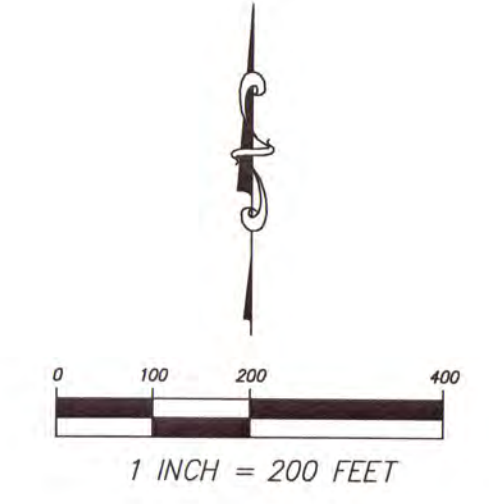
Personal Property: All of the following property of Borrower whether now owned or existing, or hereafter acquired or arising, whether located in, on, pertaining to, used or intended to be used in connection with or resulting or created from the ownership, development, management, or operation of the Land:

- (i) all Improvements (to the extent same are not deemed to be real property) and landscaping;
- (ii) all Fixtures (to the extent same are not deemed to be real property) and goods to become Fixtures;
- (iii) all machinery, pumping plants, engines, pipes, ditches and flumes, equipment, furniture, furnishings, building supplies and materials, appliances, gas, electric, cooking, heating, cooling, air conditioning, lighting, refrigeration, plumbing fixtures and equipment, and all warranties and guarantees for any of the foregoing;
- (iv) all raw materials that are used in connection with construction of the Improvements;
- (v) all corporate or other business records and books pertaining to the Mortgaged Property,

including computer-readable memory and any computer hardware or software necessary to access and process such memory, blueprints, surveys, architectural or engineering drawings, plans and specifications, licenses, governmental approvals, franchises, permits, payment and performance bonds, and agreements with utility companies, together with any deposits, prepaid fees and charges paid thereon;

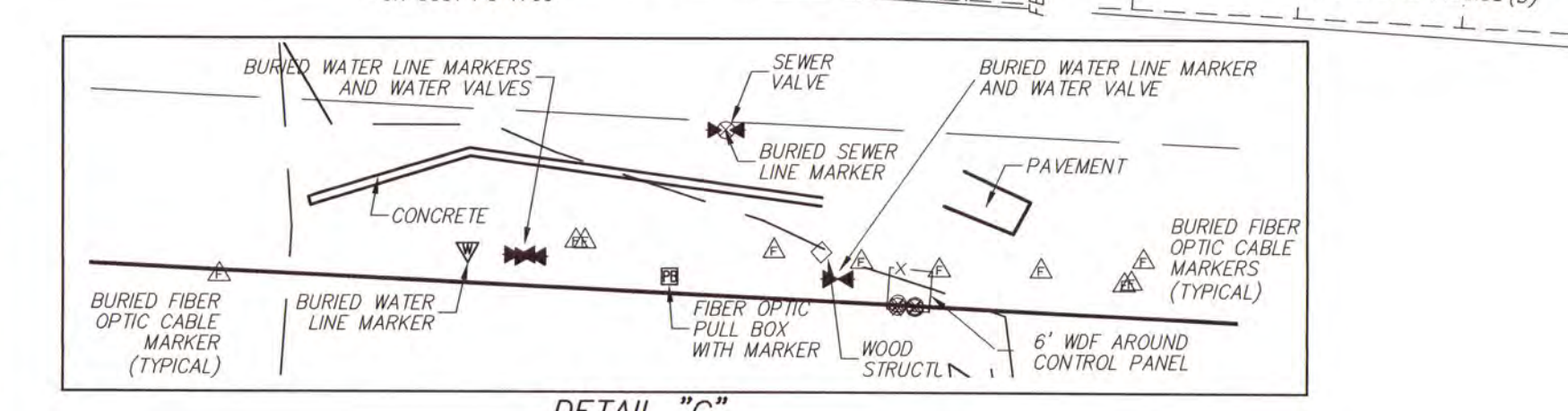
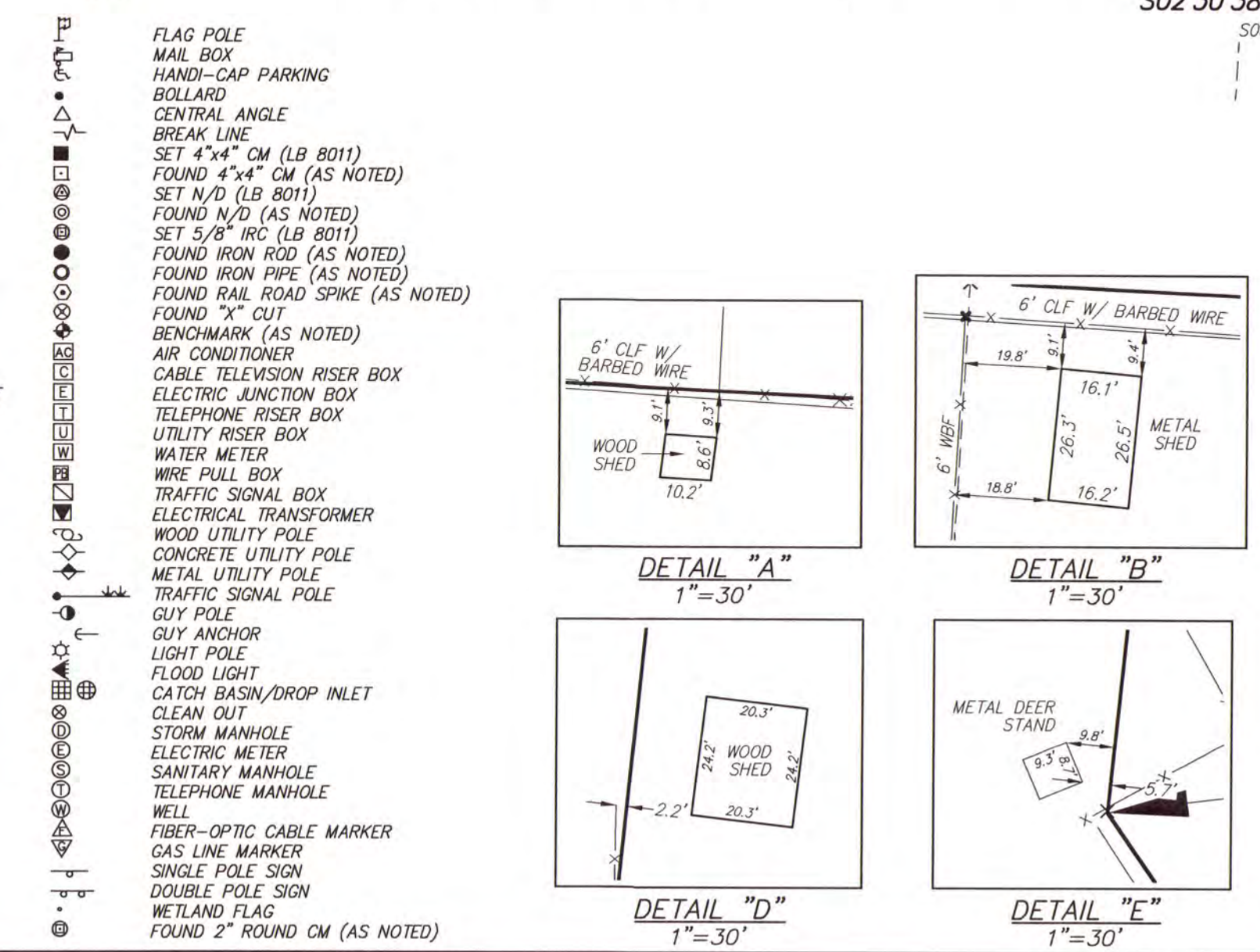
- (vi) all Leases and Rents (to the extent same are not deemed to be real property);
- (vii) all judgments, claims, demands, refunds, deposits, reserves, accounts receivables, cost savings, deposits, rights of action, awards of damages, compensation, and settlements and any other rights to the payment of money hereafter made resulting from or relating to (i) from any condemnation or eminent domain proceedings regarding the Land, the Improvements or any of the Mortgaged Property, (ii) any damage (whether caused by such taking, by casualty or otherwise) to the Land, Improvements or any of the Mortgaged Property;
- (viii) all insurance policies required by this Mortgage, the unearned premiums therefor, replacement reserve deposits, and all loss proceeds thereof;
- (ix) all management contracts, construction contracts, architectural contracts, service contracts, engineering contracts, construction permits, licenses, advertising contracts, purchase orders, equipment leases, monies in escrow accounts, prepaid expenses, deposits and down payments with respect to additional real property for use or development of the Mortgaged Property, all brochures, and advertising materials, condominium documents and prospectuses;
- (x) all of Borrower's interest in and to all operating accounts, the Loan funds, whether disbursed or not, and any other monies on deposit with or for the benefit of Lender, including deposits for the payment of real estate taxes and insurance and any cash collateral account, bank accounts of Borrower;
- (xi) all proceeds, products, replacements, additions, betterments, extensions, improvements, substitutions, renewals and accretions of any and all of the foregoing; and
- (xii) all of the following types of collateral pertaining to any and all of the property described above, as defined in the Uniform Commercial Code as in effect from time to time in the State of Florida (the "Code"): accounts, contract rights, general intangibles, chattel paper, documents, instruments, inventory, goods, equipment, investment property, deposit accounts, letter of credit rights, commercial tort claims, health care receivables and all books and records relating to the foregoing, provided that Borrower turns over "control" as defined in the Code with respect to collateral consisting of deposit accounts, investment property, letter of credit rights and electronic chattel paper, the Remittance Account and the Payment Reserve Account.

ALTA/NSPS LAND TITLE SURVEY -FOR- CRIMSON NINE MILE HOLDINGS, LLC



LINE	BEARING	LENGTH
L1	S82°20'30"W	70.49'
L2	S49°02'29"W	86.53'
L3	S87°50'08"W	122.30'
L4	S57°48'30"W	152.27'
L5	S59°03'49"W	197.48'
L6	S53°54'48"W	81.82'
L7	S31°58'50"W	83.80'
L8	S23°03'33"W	104.01'
L9	S82°01'25"W	94.77'
L10	S15°05'58"W	82.43'
L11	S18°38'34"W	124.19'
L12	S41°48'55"W	67.92'
L13	S80°14'27"E	73.42'
L14	S56°30'07"E	65.51'
L15	S33°37'07"E	157.82'
L16	S14°46'02"E	83.23'
L17	S75°19'37"E	67.83'
L18	S12°58'32"E	135.98'
L19	S17°40'38"E	88.09'
L20	S22°03'15"E	150.18'
L21	S24°13'37"E	63.02'
L22	S05°22'27"E	99.17'
L23	S21°27'17"E	125.89'
L24	S33°29'08"W	88.18'
L25	S17°55'35"W	82.91'
L26	S12°18'54"W	248.27'
L27	S14°37'42"W	90.87'
L28	S83°32'38"E	93.18'

LEGEND AND ABBREVIATIONS:		
± AC	MORE OR LESS ACRES	NO. NON-RADIAL
A/C	AIR CONDITIONER	ORB OFFICIAL RECORDS BOOK
ADS	ADVANCE DRAINAGE SYSTEM PIPE	OHU OVER-HEAD UTILITIES
ASPH	ASPHALT PAVEMENT	P PLAT
BWF	BARBED-WIRE FENCE	P.C. PLAT BOOK
(C)	CALCULATED	P.C. POINT OF CURVATURE
C&G	CURB & GUTTER	P.C.C. POINT OF COMPOUND CURVATURE
CB	CHORD BEARING	PCM Poured Concrete Monument
CH	CHORD DISTANCE	PCP PERMANENT CONTROL POINT
CL	CENTER LINE	PG(S) PAGE/PAGES
CLF	CHAIN-LINK FENCE	P.I. POINT OF INTERSECTION
CM	CONCRETE MONUMENT	PLS PROPERTY LINE SURVEYOR
CMP	CORRUGATED METAL PIPE	PLS PROFESSIONAL LAND SURVEYOR
CONC.	CONCRETE	P.O.B. POINT OF BEGINNING
CIV	CABLE TELEVISION	P.O.C. POINT OF COMMENCEMENT
DEED	DEED	POC POINT ON CURVE
D.B.	DEED BOOK	PRC POINT OF REVERSE CURVATURE
D.E.	DRAINAGE EASEMENT	PRM PERMANENT REFERENCE MONUMENT
ELEV.	ELEVATION	PRP PROFESSIONAL SURVEYOR MAPPER
ELEC	ELECTRIC	PT POINT OF TANGENCY
ESMT	EASEMENT	PVC POLYVINYL CHLORIDE PIPE
E/P	EDGE OF PAVEMENT	R RADIUS
E/W	APPROXIMATE EDGE OF WATER	(R) RADIAL
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	RCM ROUND CONCRETE MONUMENT
F.F.	FINISHED FLOOR	R/W RIGHT OF WAY
F.F.M.	FLOOD (FLORIDA) INSURANCE RATE MAP	RCP REINFORCED CONCRETE PIPE
FNC	FENCE	REC RECOVERED
FND	FOUND	SEC SECTION
HOPE	HIGH DENSITY POLYETHYLENE PIPE	SRV SPLIT RAIL FENCE
HWF	HOG-WIRE FENCE	SS SANITARY SEWER
ID	IDENTIFICATION	T/B APPROXIMATE TOP OF BANK
INV	INVERT ELEVATION	T/S APPROXIMATE TOP OF SLOPE
IP	IRON PIPE	TBM TEMPORARY BENCH MARK
IPC	IRON PIPE & CAP	U/E UTILITY EASEMENT
IR	IRON ROD	(T/P) TYPICAL
IRC	IRON ROD & CAP	W/F WROUGHT IRON FENCE
LB	ARC LENGTH	W/P WOOD PRIVACY FENCE
LB	LICENSED BUSINESS	W/W WITH
MEASURD	MEASURED	W/V WATER VALVE
M.B.	MAP BOOK	W/V GAS VALVE
MES	MITERED END SECTION	W/V IRRIGATION CONTROL VALVE
NAVD	NORTH AMERICAN VERTICAL DATUM	W/V WATER SPOUT
NGVD	NATIONAL GEODETIC VERTICAL DATUM	N/D NAIL & DISK
N/D	NAIL & DISK	NS NATIONAL GEODETIC SURVEY
NS	NATIONAL GEODETIC SURVEY	



SHEET 1:	BOUNDARY SURVEY
SHEET 2:	WETLAND DELINEATION

WETLAND #1:	21.585 AC
WETLAND #2:	14.871 AC
WETLAND #3:	0.330 AC
WETLAND #4:	13.120 AC
WETLAND #5:	2.504 AC
TOTAL WETLAND ACREAGE:	52.304 AC
TOTAL UPLAND ACREAGE:	122.242 AC
TOTAL ACREAGE:	174.632 AC

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/30/16	KMS	ADD WETLAND AREAS
2	10/04/16	KMS	ADDED SHEET 2

Dewberry PREBLE-RISH

203 ABERDEEN PARKWAY
PANAMA CITY, FLORIDA 32405
PHONE: 850.332.0644 FAX: 850.522.1011
CERTIFICATE OF AUTHORIZATION NO. LB 8011

WETLAND DELINEATION

LANDS OF MOULTON PROPERTIES, INC.
A PORTION OF SECTION 10, TOWNSHIP 1 SOUTH,
RANGE 31 WEST, ESCAMBIA, FLORIDA

FB/PG	234/31
FIELD DATE	08/08/2016
DRAWING DATE	09/19/2016
BY	KMS
APPROVED	FOR
PROJECT NO.	50084467
SCALE	1" = 200'

2 OF 2



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: David Forte, Division Manager
Transportation & Traffic Operations Division**

DATE: August 8, 2017

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-14

TTO Staff has reviewed the Rezoning Case (Z)-2017-14, Southwest Corner of I-10 & Nine Mile Road Interchange, Agenda Item for the Planning Board meeting scheduled for September 5th, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program; however there is the existing 4-laning construction project underway by the Florida Department of Transportation (FDOT) within the vicinity of the subject parcel. As of the August 2nd, 2017 Nine Mile Road Project Status Meeting for the segment of CR99 (Beulah Road) to SR297 (Pine Forest Road), FDOT is currently estimating a construction completion date of July 2019 (barring weather, holiday and time extensions).

Per the Florida-Alabama TPO's Congestion Management Process Plan, Nine Mile Road is currently functioning within its allowable capacity for traffic volumes between the segment of Beulah Road to Pine Forest Road. The maximum level-of-service (LOS) for the roadway segment is LOS D (17,700 trips/day), and currently the roadway segment is functioning at a LOS C (14,123 trips/day) and is expected to remain at a LOS C by Year 2024 (15,603 trips/day).

Also, the segment of SR8 (I-10) from Beulah Road to Nine Mile Road has a maximum LOS C (61,500 trips/day), and the roadway segment is functioning at a LOS B (36,519 trips/day) and is expected to remain at a LOS B by Year 2024 (40,319 trips/day).

At this time, TTO has no immediate comments for the proposed rezoning request.

Note: TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director

Planning Board-Rezoning

7. D.

Meeting Date: 09/05/2017
CASE : Z-2017-15
APPLICANT: Wiley C. "Buddy" Page, Agent for The Dawson Company,
 Owner
ADDRESS: 3811 W Nine Mile Road
PROPERTY REF. NO.: 10-1S-31-2100-000-001
FUTURE LAND USE: MU-U, Mixed-Use Urban
DISTRICT: 1
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 10/05/2017

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HDMU, High Density Mixed-use district (25 du /acre)

TO: Com, Commercial district (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses: Residential, retail and services, professional office, light industrial, recreational facilities, public and civic, limited agriculture. The maximum

residential density is 25 dwelling units per acre.

FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

FINDINGS

The proposed amendment to Commercial is **consistent** with the intent and purpose of Future Land Use category MU-U, as stated in CPP FLU 1.3.1. The range of allowable uses under the MU-U FLU category provides for a mixture of commercial and residential development, as described in the application. The property is located in a section along Nine Mile road that has been under expansion and development for the past four years. The project will promote the use of existing public roads, utilities and infrastructure, fulfilling the requirements under CPP FLU 1.5.1.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

Sec. 3-2.9 High Density Mixed-use district (HDMU).

(a) Purpose. The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

(b) Permitted uses. Permitted uses within the Commercial district are limited to the

following:

(1) Residential. The following residential uses are allowed throughout the district, but if within the Commercial (C) future land

use category they are permitted only if part of a predominantly commercial development:

a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse

treatment, post-incarceration reentry, or similar services.

b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.

c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and

zero lot line subdivisions.

d. Two-family and multi-family dwellings.

See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages and automotive

fuels, but excluding motor vehicle sales and permanent outdoor storage. See also conditional uses in this district.

(3) Retail services. The following retail services, excluding permanent outdoor storage:

a. Car washes, automatic or manual, full service or self-serve.

b. Child care facilities.

c. Hotels, motels and all other public lodging, including boarding and rooming houses.

d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.

e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.

f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.

g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through

service, and brewpubs with the distribution of on-premises produced alcoholic

beverages for off-site sales. The parcel

boundary of any restaurant or brewpub with drive-in or drive through service shall be at least 200 feet from any LDR or

MDR zoning district unless separated by a 50-foot or wider street right-of-way.

See also conditional uses in this district.

(4) Public and civic.

a. Broadcast stations with satellite dishes and antennas, including towers.

b. Cemeteries, including family cemeteries.

c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.

d. Educational facilities, including preschools, K-12, colleges, and vocational schools.

- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Foster care facilities.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.
- l. Warehousing or maintenance facilities for government agencies or for public utilities.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.
- c. Marinas, private and commercial.
- d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related.

- a. Printing, binding, lithography and publishing.
- b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

See also conditional uses in this district.

(7) Agricultural and related.

- a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics.

See also conditional uses in this district.

(8) Other uses.

- a. Billboard structures.
- b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.
- c. Parking garages and lots, commercial.
- d. Self-storage facilities, excluding vehicle rental.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The Commercial district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations

within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. The proposed amendment does meet the location criteria requirements, as stated in Sec. 3-10(e)(2), proximity to a traffic generator. The parcel is located near the Navy Federal Credit Union Urban Service Area.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius, staff observed properties with zoning districts HC/LI, MDR and LDR. Thirty single-family residences, four vacant residential, two conservation properties, one retention pond, one timber land, one Navy Federal Credit Union, one commercial office and one FDOT parcel. The buffering requirements between more intense commercial and residential uses will be identified during the Site Plan Review process. Based on the applicant's documentation, the proposed use will be for commercial and residential mixed-use development, which would be similar in intensity to other development within the surrounding area.

Criterion d., LDC Sec. 2-7.2(b)(4)

Changed conditions

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

FINDINGS

Staff found **changed conditions** that would impact the amendment or property. Development of the area on the north side of Nine Mile Road, under the Navy Federal Credit Union Urban Service Area, has created an increase demand for residential and commercial support services in the surrounding area; likewise, the convenience of access to I-10 has made this area a prime focus for increased development. The commercial zoning request would maintain the residential density, as provided under the current zoning, but would increase the commercial allowances for the parcel.

Criterion e., LDC Sec. 2-7.2(b)(4)

Development patterns

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern.

Based on the current development trends observed on area parcels adjacent to Nine Mile road and the I-10 intersection, this area of the County is currently undergoing major changes in the nature and characteristics of development; taking into account the accessibility to existing transportation corridors and available infrastructure, it appears that the requested amendment would contribute to an orderly development pattern.

Criterion (f) Effect on natural environment LDC Sec. 2-7.2(b)(4)

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

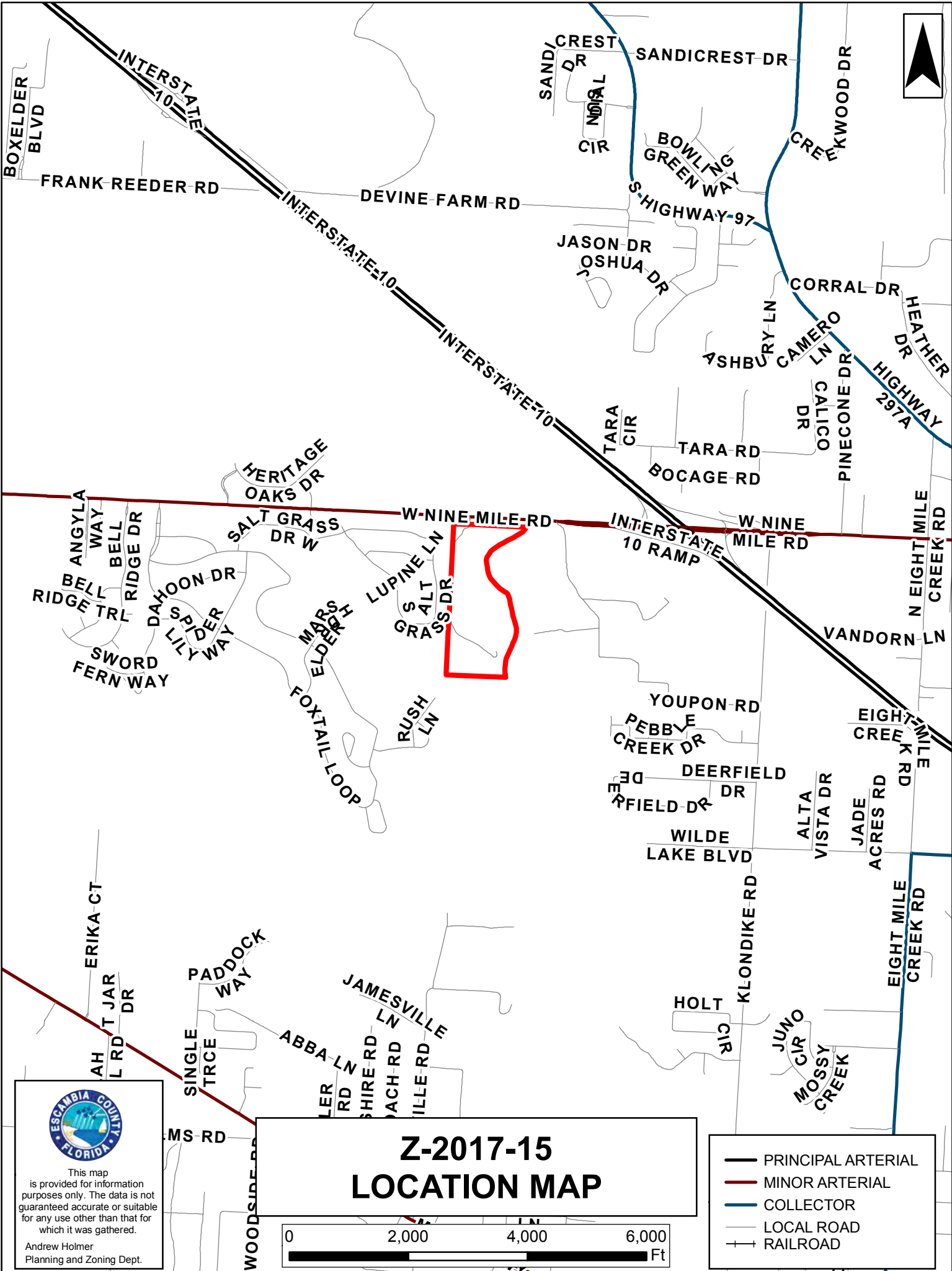
FINDINGS


According to the National Wetland Inventory, wetlands and hydric soils **were indicated** on the subject property. The parcel is also located in a FEMA designated Special Flood Hazard Area (SFHA). When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

Attachments

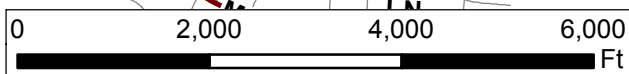
Working Case File






Z-2017-15




 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

Z-2017-15 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD



MDR

W-NINE-MILE-RD

W-NINE MILE RD

SALT GRASS DR

LOBELIA LN

LUPINE LN

HDMU

HC/LI

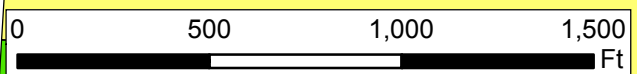
LDR



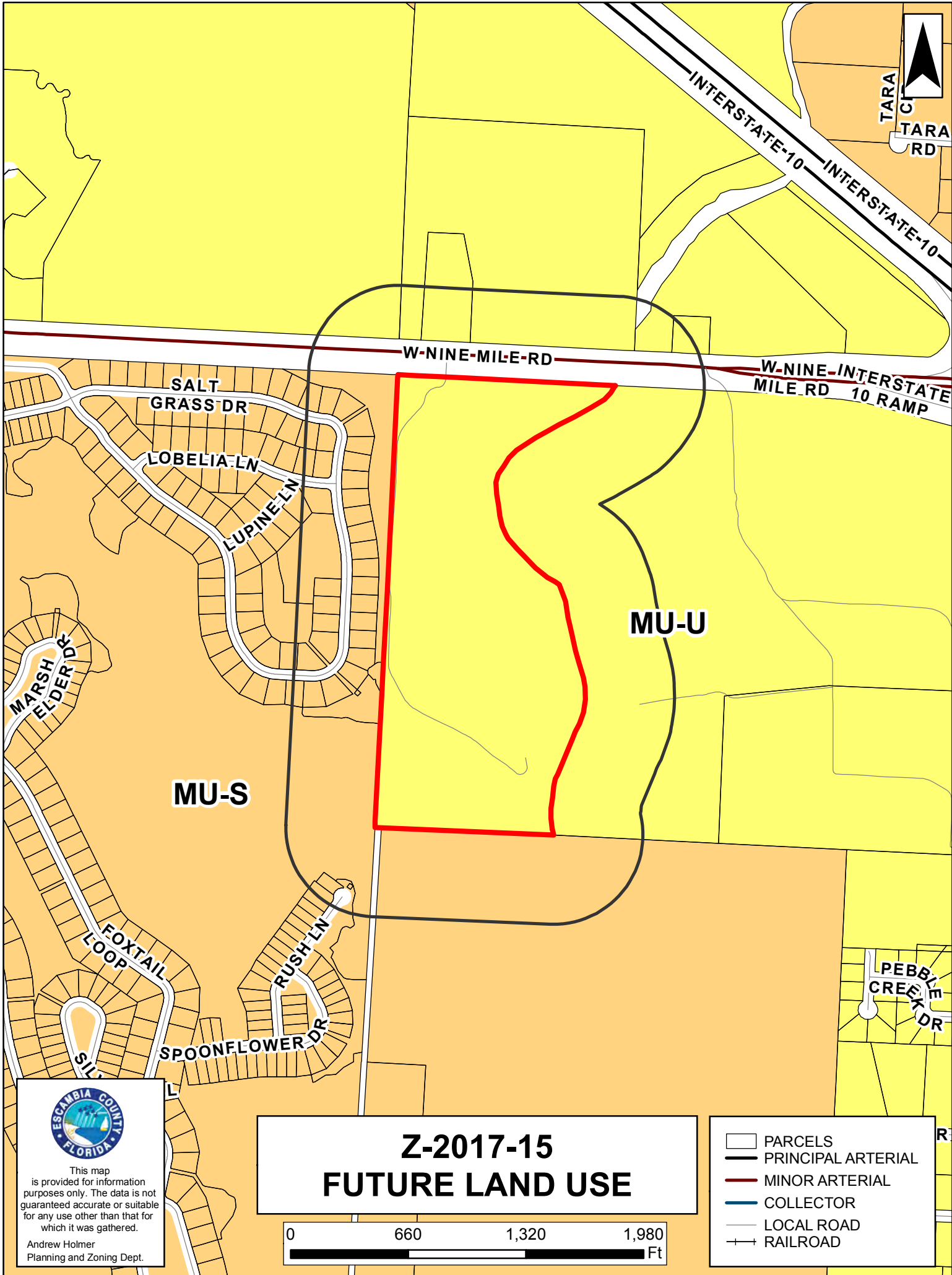
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Andrew Holmer
Planning and Zoning Dept.

Z-2017-15 500' RADIUS ZONING









- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



Z-2017-15

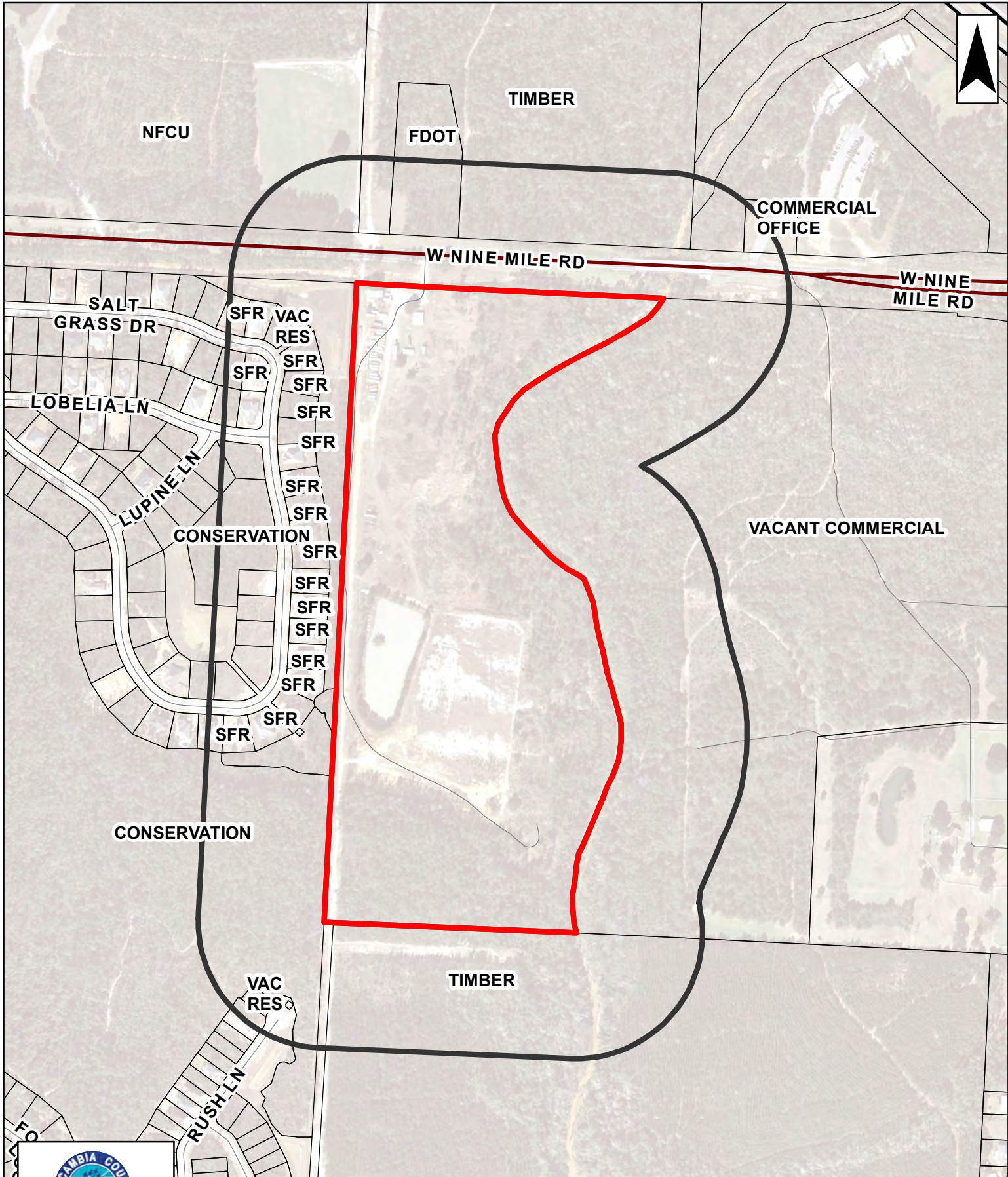
FUTURE LAND USE

-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD









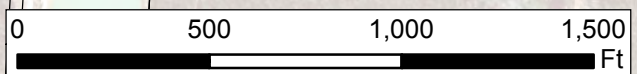
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Andrew Holmer
Planning and Zoning Dept.



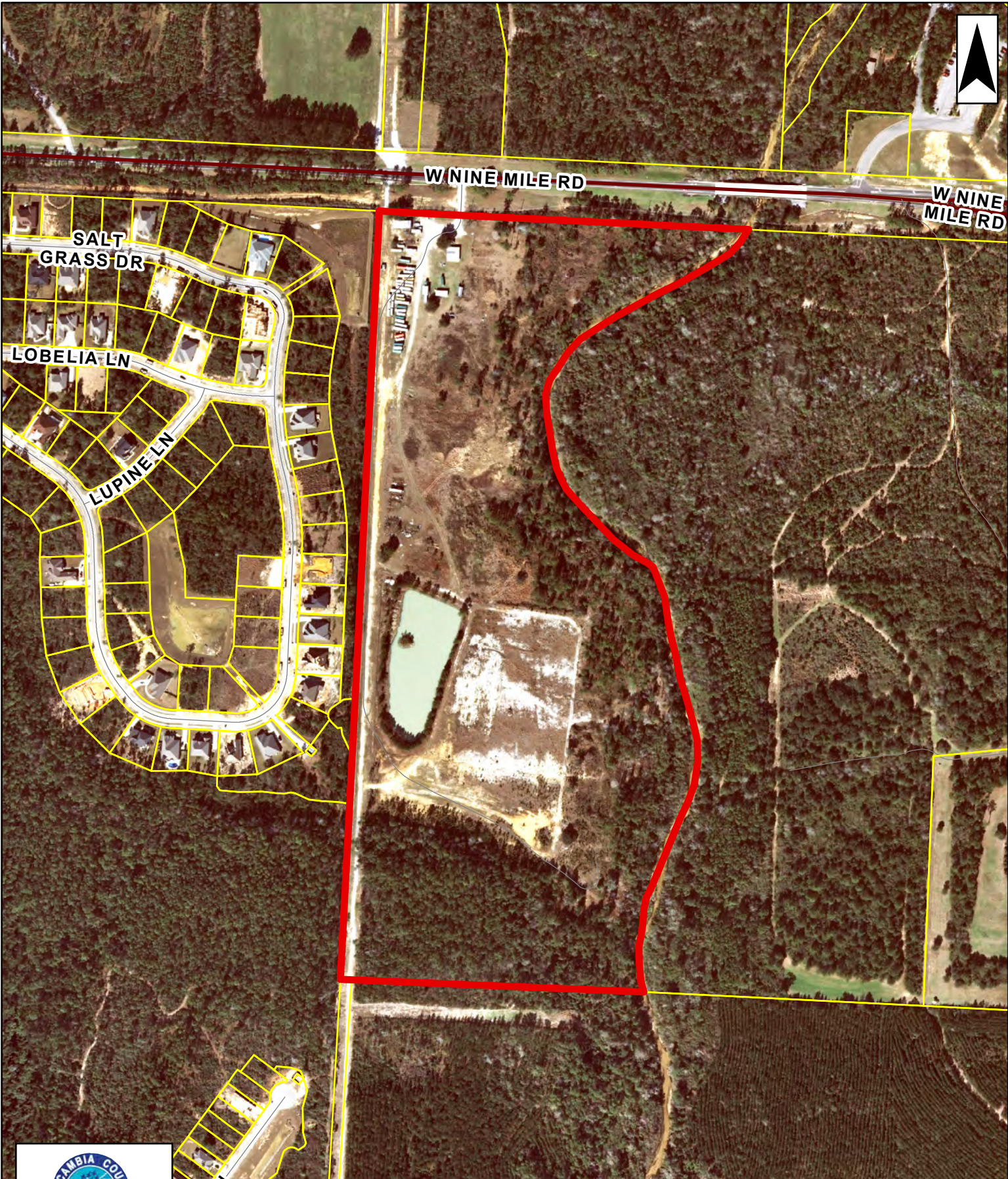
Z-2017-15 EXISTING LAND USE

-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



W NINE MILE RD

W NINE MILE RD

SALT GRASS DR

LOBELIA LN

LUPINE LN

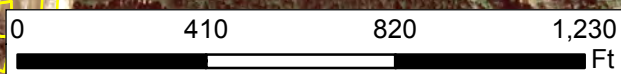
RUSH LN
OONFLOWER DR



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

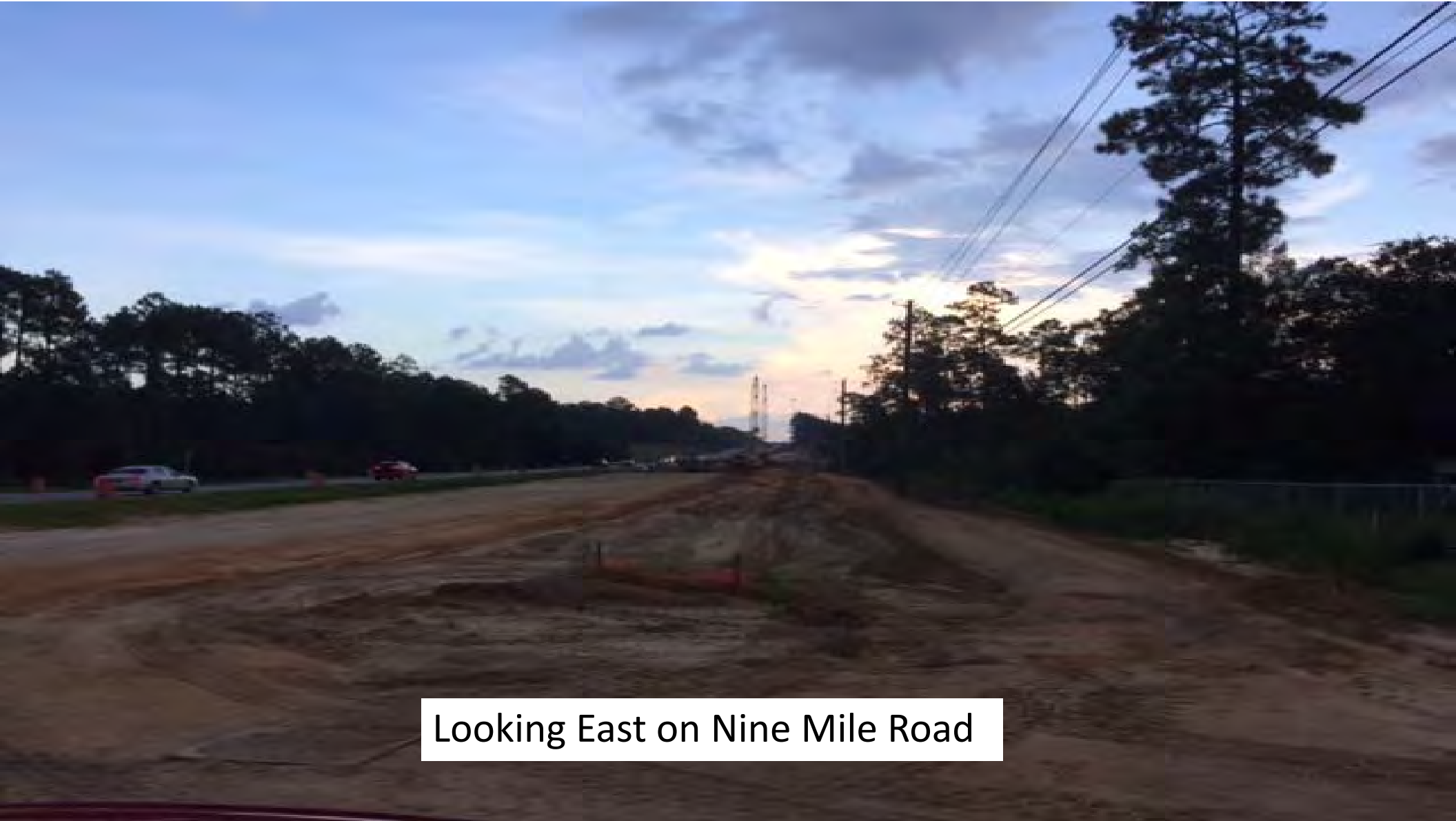
Z-2017-15 AERIAL MAP



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



Public Hearing
Sign



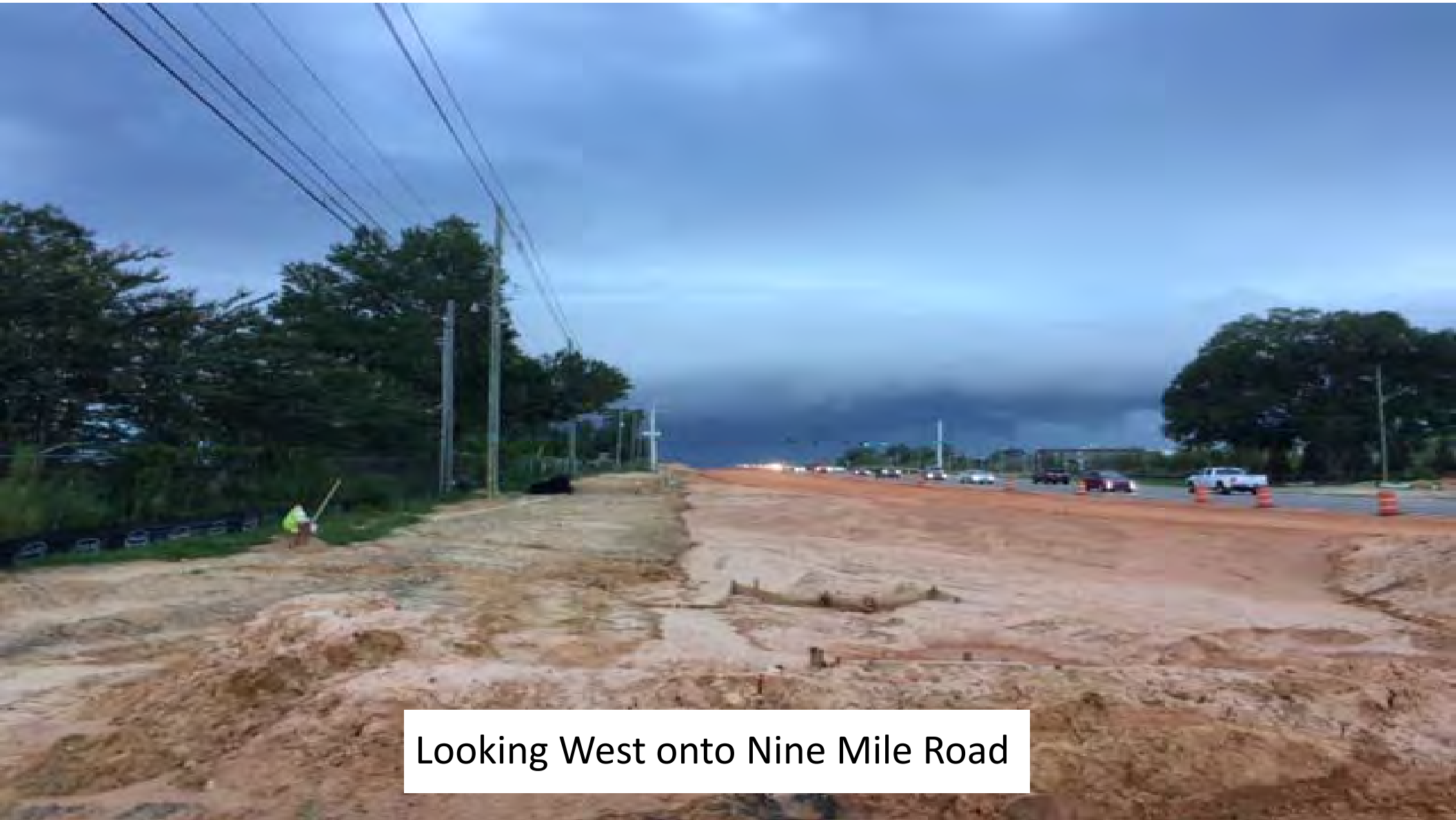
Looking East on Nine Mile Road



Looking North from the Parcel



Looking South onto Parcel



Looking West onto Nine Mile Road

PR2170700023



Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 22017-15 Accepted by: ACan PB Meeting: 9/15/17

1. Contact Information:

A. Property Owner/Applicant: The Dawson Company

Mailing Address: 191 Peachtree Tower NE Suite 805 Atlanta, GA 30303

Business Phone: 404-347-8030 Cell: _____

Email: bpope@thedawsoncompany.com

B. Authorized Agent (if applicable): Wiley C. "Buddy" Page

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: 850-232-9853 Cell: _____

Email: budpage1@att.net

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information:

A. Existing Street Address: 3811 West Nine Mile Road Pensacola, FL 32526

Parcel ID (s): 10-1S-31-2100-000-001

B. Total acreage of the subject property: 52+-

C. Existing Zoning: HD/MU & LDP

Proposed Zoning: Commercial

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): Vacant

E. Sanitary Sewer: Septic:

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 10-1S-31-2100-000-001

Property Address: 3811 West Nine Mile Road Pensacola, FL 32526

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 19th DAY OF July, YEAR OF 2017


Signature of Property Owner

BAILEY T POPE
Printed Name of Property Owner

7/19/17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY
(if applicable)

As owner of the property located at 3811 West Nine Mile Road
, Florida, property reference number(s) 10-1S-31-2100-000-001
 I hereby designate Wiley C."Buddy" Page
 for the sole purpose of completing this application and making
a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on
the above referenced property. This Limited Power of Attorney is granted on this 19 day of July
the year of, 2017, and is effective until the Board of County Commissioners or the Board of
Adjustment has rendered a decision on this request and any appeal period has expired. The owner
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice
to the Development Services Bureau.

Agent Name: Wiley C."Buddy" Page Email: budpage1@att.net
Address: 5337 Hamilton Lane Pace, Florida 32571 Phone: 850-232-9853

Buddy Page
Signature of Property Owner

BAILEY T POPE
Printed Name of Property Owner

7/19/17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida COUNTY OF Escambia

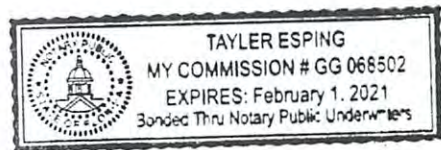
The foregoing instrument was acknowledged before me this 19 day of July 20 17,
by Bailey Pope.

Personally Known OR Produced Identification . Type of Identification Produced: Georgia Drivers License

Taylor Esping
Signature of Notary

Taylor Esping
Printed Name of Notary

(Notary Seal)



5. Submittal Requirements

- A. Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.
 - B. Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547
- Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).**
- C. Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
 - D. Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)
 - E. Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrence Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

[Signature]
Signature of Owner/Agent

[Signature]
Signature of Owner

W.C. POPE
Printed Name Owner/Agent

BAILEY T POPE
Printed Name of Owner

7-21-17
Date

7/19/17
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 19 day of July 20 17, by Bailey Pope.

Personally Known OR Produced Identification . Type of Identification Produced: Georgia Drivers License

[Signature]
Signature of Notary

Taylor Esping
Printed Name of Notary



Application Overview
Proposed Project Development
3811 West Nine Mile Road
Parcel 10-1S-31-2100-000-001

This proposed development will be located on a 54 acre parcel of property generally located on the south side on Nine Mile Road across from the Navy Federal Credit Union campus. The owners anticipate construction of a multi-retail/commercial/residential development mix that would not otherwise be constructed as designed under the existing HC/MU zoning classification. After reviewing the other zoning categories, the owners determined that the Commercial category provided uses best suited for their proposed development plan.

Required responses to approval conditions:

1- Consistent with the Comprehensive Plan.

The Comprehensive Plan Future Land Use classification for the property is Mixed Use-Urban. This classification contains allowed uses, one of which is Commercial, indicating that the Commercial use is consistent with the Comprehensive Plan.

2- Consistent with the Land Development Code

The request is consistent with the stated purpose and intent of the Land Development Code found at *LDC3-2.10(a) Purpose*.

3- Compatibility

The Commercial zoning category will be compatible with surrounding conforming uses. The site is bounded with 9 Mile Road/Navy Federal to the north, a 174 acre vacant parcel to the east, vacant land to the south and residential to the west. Highest and best use of the site was found to be commercial activities along the 9 Mile Road frontage, with some possible residential development within its southerly portion.. Appropriate landscaping and buffering will be utilized as required by the Land Development Code.

4- Changed Conditions

Major recent changed conditions include the continuing expansion of the adjacent Navy Federal Credit Union campus and the four lane expansion of 9 Mile Road.

5- Development Patterns

The changed and changing conditions in the area suggest that the requested zoning change to Commercial will be logical and orderly for the area. Additional development can be anticipated once the land swap between the County and U.S. Navy is consummated and a commerce park is developed on property adjacent and west of the Navy Federal Credit Union.

6- Effect on the Natural Environment

The site contains the narrow passage of Eleven Mile Creek. The creek meanders across the easterly boundary of the site and likely contains jurisdictional wetlands along its path. A detailed environmental assessment will likely be required as part of any development site plan which would be submitted as part of a future development review by the County.

Prepared by:
GREENBERG TRAUIG, P.A.
401 East Las Olas Boulevard, Suite 2000
Fort Lauderdale, Florida 33301
Attention: Brian J. Sherr, Esq.

After Recording Return to:

Tax Identification No.: 10-1S-31-2100-000-001

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and entered into as of this 9th day of June, 2017, by **9 MILE-NF JOINT VENTURE, LLC**, a Florida limited liability company, whose address is 380 Lurton Street, Pensacola, Florida 32505 (hereinafter referred to as "Grantor"), to **HAD LAND DEVELOPMENT PARTNERS I, LLC**, a Delaware limited liability company, whose address is 191 Peachtree Street, N.E., Suite 805, Atlanta, Georgia 30303 (hereinafter referred to as "Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, to it in hand paid, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns forever, all right, title and interest in and to that certain parcel of land lying, situate and being in the County of Escambia, State of Florida, as more particularly described on Exhibit A attached hereto and by this reference made a part hereof (the "Property").

SUBJECT TO (i) real estate taxes and assessments for the year 2017 and subsequent years not yet due and payable, (ii) those matters of record set forth on Exhibit B attached hereto, which reference shall not operate to reimpose the same and (iii) zoning ordinances and other land use regulations affecting the Property, if any.

TOGETHER WITH all the right, title and interest of Grantor in and to the improvements, tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining and together with all rights and easements of record.

TO HAVE AND TO HOLD the Property, with the appurtenances, unto Grantee, its successors and assigns, in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, has good right, full power, and lawful authority to sell and convey the Property, and hereby fully warrants title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has executed and delivered this Special Warranty Deed as of the date first stated above.

Signed, sealed and delivered in the presence of:

9 MILE-NF JOINT VENTURE, LLC, a Florida limited liability company

[Signature]
Print Name: Chester J. Stefan

By: [Signature]
Name: Chester J. Stefan
Title: Co-Manager

[Signature]
Print Name: Linda Mullins

[Signature]
Print Name: Richard M. Colbert

By: [Signature]
Name: Mary E. Moulton
Title: Co-Manager

[Signature]
Print Name: Linda Mullins

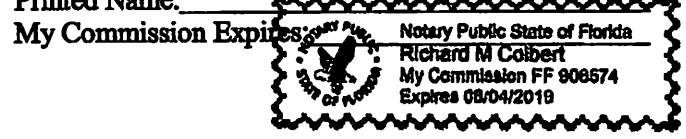
STATE OF FLORIDA)
COUNTY OF Santa Rosa) ss:

The foregoing instrument was acknowledged before me this 7th day of June, 2017, by Chester J. Stefan, as Co-Manager of 9 MILE-NF JOINT VENTURE, LLC, a Florida limited liability company, on behalf said entity. He is personally known to me or has produced _____ as identification.

Witness my hand and official seal, this 7th day of June, 2017.

[Signature]
Notary Public - State of Florida
Printed Name: _____

(Notary Seal)



STATE OF FLORIDA)
COUNTY OF Santa Rosa) ss:

The foregoing instrument was acknowledged before me this 7th day of June, 2017, by Mary E. Moulton, as Co-Manager of 9 MILE-NF JOINT VENTURE, LLC, a Florida limited liability company, on behalf said entity. She is personally known to me or has produced _____ as identification.

Witness my hand and official seal, this 7th day of June, 2017.

[Signature]
Notary Public - State of Florida
Printed Name: _____

(Notary Seal)



EXHIBIT A

LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Escambia, State of Florida, and is described as follows:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE SOUTH 01°25'51" WEST ALONG THE WEST LINE OF SAID SECTION FOR A DISTANCE OF 94.74 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NINE MILE ROAD (STATE HIGHWAY NO. 10, 200' R/W) TO A POINT HEREINAFTER CALLED POINT "A"; THENCE SOUTH 88°35'18" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1113.00 FEET, MORE OR LESS, TO THE WEST BANK OF ELEVEN MILE CREEK, ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 88°35'18" WEST RETRACING LINE LAST RUN FOR A DISTANCE OF 1113.00 FEET, MORE OR LESS, TO THE AFORESAID POINT "A"; THENCE SOUTH 01°25'51" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 2536.07 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 88°32'35" EAST FOR A DISTANCE OF 970.7 FEET, MORE OR LESS, TO THE WEST BANK OF SAID ELEVEN MILE CREEK; THENCE MEANDER NORTHERLY ALONG SAID WEST BANK FOR A DISTANCE OF 2650 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXHIBIT B

PERMITTED EXCEPTIONS

- 1) Easement contained in instrument recorded March 21, 2001 in Official Records Book 4677, Page 722, together with Authority Capacity Flowage Easement Agreement recorded January 21, 2011 in Official Records Book 6681, Page 1607.



Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

[←](#)
Navigate Mode
 Account
 Reference
[→](#)
Printer Friendly Version

<p>General Information</p> <p>Reference: 1015312100000001</p> <p>Account: 090379050</p> <p>Owners: CRIMSON 9 MILE LLC</p> <p>Mail: C/O 9 MILE NF JOINT VENTURE LLC 380 LURTON ST PENSACOLA, FL 32505</p> <p>Situs: 3811 W NINE MILE RD 32526</p> <p>Use Code: REPAIR SERVICE 🔍</p> <p>Taxing Authority: COUNTY MSTU</p> <p>Schools (Elem/Int/High): BEULAH/WOODHAM/PINE FOREST</p> <p>Tax Inquiry: Open Tax Inquiry Window</p> <p><small>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</small></p>	<p>Assessments</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$818,380</td> <td>\$20,669</td> <td>\$839,049</td> <td>\$839,049</td> </tr> <tr> <td>2015</td> <td>\$818,380</td> <td>\$19,312</td> <td>\$837,692</td> <td>\$837,692</td> </tr> <tr> <td>2014</td> <td>\$818,380</td> <td>\$17,797</td> <td>\$836,177</td> <td>\$836,177</td> </tr> </tbody> </table> <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p> <p style="text-align: center;">★ File for New Homestead Exemption Online</p>	Year	Land	Imprv	Total	Cap Val	2016	\$818,380	\$20,669	\$839,049	\$839,049	2015	\$818,380	\$19,312	\$837,692	\$837,692	2014	\$818,380	\$17,797	\$836,177	\$836,177
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<p>Sales Data</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>12/30/2014</td> <td>7281</td> <td>541</td> <td>\$975,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>12/10/2012</td> <td>6995</td> <td>1928</td> <td>\$436,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>11/26/2012</td> <td>6940</td> <td>1917</td> <td>\$100</td> <td>SM</td> <td>View Instr</td> </tr> <tr> <td>07/2004</td> <td>5461</td> <td>651</td> <td>\$1,518,500</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>03/1992</td> <td>3144</td> <td>425</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>09/1983</td> <td>1856</td> <td>750</td> <td>\$143,800</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> <p><small>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</small></p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	12/30/2014	7281	541	\$975,000	WD	View Instr	12/10/2012	6995	1928	\$436,000	WD	View Instr	11/26/2012	6940	1917	\$100	SM	View Instr	07/2004	5461	651	\$1,518,500	WD	View Instr	03/1992	3144	425	\$100	WD	View Instr	09/1983	1856	750	\$143,800	WD	View Instr	<p>2016 Certified Roll Exemptions None</p> <p>Legal Description NW 1/4 W OF ELEVEN MILE CREEK OR 6995 P 1928 LESS RD R/W</p> <p>Extra Features CANOPY CHAINLINK FENCE CONCRETE PAVING FRAME BUILDING FRAME SHED</p>
Sale Date	Book	Page	Value	Type	Official Records (New Window)																																						
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Parcel Information

Section Map Id: [10-1S-31](#)

Approx. Acreage: 52.1400

Zoned: [🔍](#)
HDMU
LDR

Evacuation & Flood Information
[Open Report](#)

[Launch Interactive Map](#)

[View Florida Department of Environmental Protection\(DEP\) Data](#)

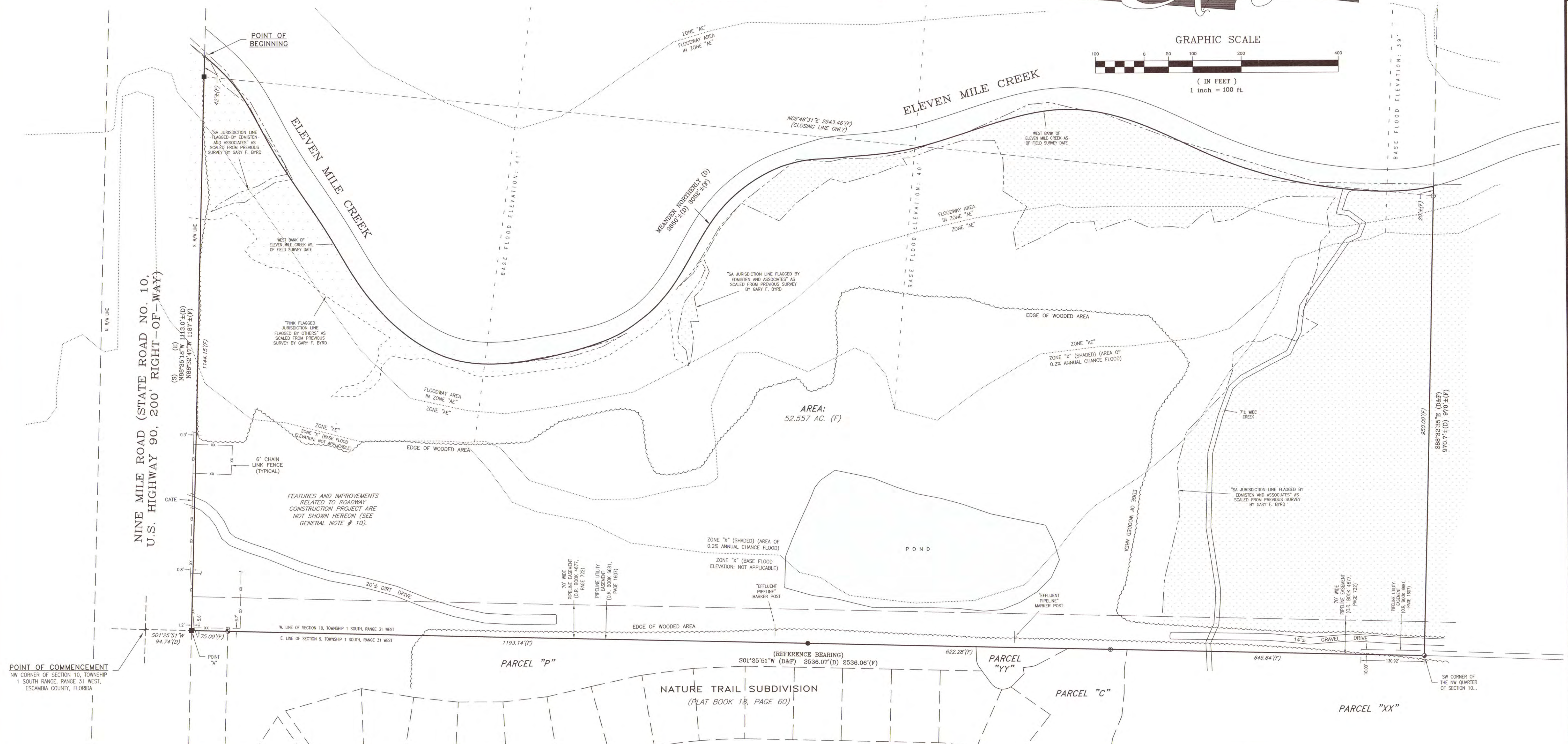
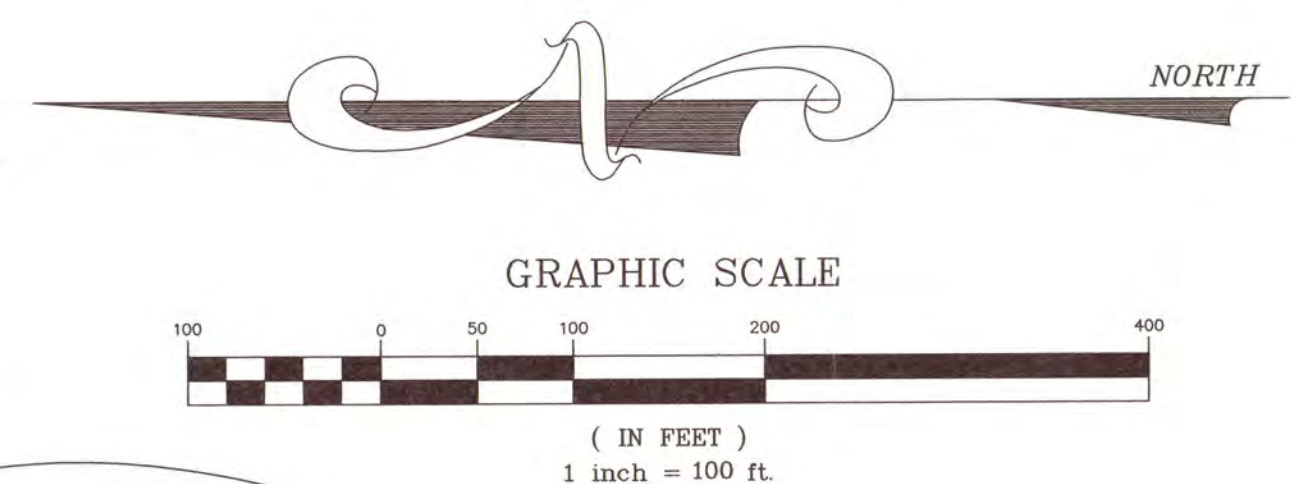
Buildings

Address: 3811 W NINE MILE RD, Year Built: 1980, Effective Year: 1980

Structural Elements	
DECOR/MILLWORK-MINIMUM	

BOUNDARY SURVEY

© COPYRIGHT 2017 BY RONALD E. RUBEN II, P.S.M.



LEGAL DESCRIPTION

FROM SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 7281, AT PAGE 541, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA

COMMENCE AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE SOUTH 01 DEGREE 25 MINUTES 51 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION FOR A DISTANCE OF 94.74 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NINE MILE ROAD (STATE HIGHWAY NO. 10, 200 FOOT RIGHT OF WAY) TO A POINT HEREAFTER CALLED POINT "A"; THENCE SOUTH 88 DEGREES 35 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1113.0 FEET, MORE OR LESS, TO THE WEST BANK OF ELEVEN MILE CREEK ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 35 MINUTES 18 SECONDS WEST RETRACING LINE LAST RUN FOR A DISTANCE OF 1113.0 FEET, MORE OR LESS, TO THE AFORESAID POINT "A"; THENCE SOUTH 01 DEGREE 25 MINUTES 51 SECONDS WEST ALONG SAID WEST LINE FOR A DISTANCE OF 2536.07 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 88 DEGREES 32 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 970.7 FEET, MORE OR LESS, TO THE WEST BANK OF SAID ELEVEN MILE CREEK; THENCE MEANDER NORTHERLY ALONG SAID WEST BANK FOR A DISTANCE OF 2650 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

GENERAL NOTES:

1. NORTH AND THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE BEARING OF SOUTH 01 DEGREES 25 MINUTES 51 SECONDS WEST ALONG THE WEST LINE OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.
2. THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED.
3. A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF MAY 18, 2017 AT 8:00 A.M. WAS PROVIDED TO THIS FIRM FOR THE SUBJECT PARCEL REGARDING SCHEDULE B(1) OF THE TITLE COMMITMENT.
ITEMS 1-2, 4-7, AND 9-12: THESE ITEMS ARE NOT ADDRESSED.
ITEM 3: POSSIBLE ENCROACHMENTS ARE SHOWN HEREON.
ITEM 8: THE EASEMENTS DESCRIBED IN INSTRUMENTS RECORDED O.R. BOOK 4677, AT PAGE 722, AND IN O.R. BOOK 6681, AT PAGE 1607, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA ARE SHOWN HEREON.

GENERAL NOTES (CONTINUED):

4. THE SURVEY DATUM SHOWN HEREON IS REFERENCED TO THE SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 7281, AT PAGE 541, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THE PLAT OF NATURE TRAIL SUBDIVISION, AS RECORDED IN PLAT BOOK 18, AT PAGE 60, OF THE PUBLIC RECORDS OF SAID COUNTY. A PREVIOUS SURVEY GARY F. BYRD, DATED 3-29-2015; A PREVIOUS SURVEY BY THIS FIRM; AND TO EXISTING FIELD MONUMENTATION.
5. STATE AND FEDERAL COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED EITHER IN WHOLE OR IN PART, OR TO BE USED FOR ANY OTHER FINANCIAL TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER.
6. IN ACCORDANCE WITH STATE OF FLORIDA ADMINISTRATIVE CODE, ANY ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED WITHOUT PRIOR WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER.
7. THE STRUCTURE DIMENSIONS IF ANY DO NOT INCLUDE THE EAVES OR OVERHANG OR THE FOUNDATION FOOTINGS.
8. IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR AND MAPPER THAT THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X", BASE FLOOD ELEVATION NOT APPLICABLE; ZONE "X" (SHADED), AREA OF 0.2% ANNUAL CHANCE FLOOD; ZONE "AE", BASE FLOOD ELEVATIONS RANGING FROM 38.9' TO 41.8'; AND FLOODWAY AREA IN ZONE "AE", BASE FLOOD ELEVATIONS RANGING FROM 38.9' TO 41.8', AS DETERMINED BY SCALE FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA NUMBERED 12033C0290G G, DATED SEPTEMBER 29, 2006.
9. THE LOCATION OF THE 70' WIDE PIPELINE EASEMENT SHOWN HEREON IS REFERENCED TO A PREVIOUS SURVEY GARY F. BYRD, DATED 3-29-2015.
10. THE SUBJECT PARCEL IS CURRENTLY BEING USED AS A STORAGE AND STAGING AREA FOR CONSTRUCTION MATERIALS AND EXCAVATED MATERIALS FOR AN ACTIVE ROADWAY CONSTRUCTION PROJECT AT STATE ROAD NO. 10. FEATURES AND IMPROVEMENTS RELATED TO THESE ACTIVITIES ARE NOT SHOWN HEREON.

LEGEND:

R/W	---	RIGHT OF WAY
D	---	DESCRIPTION
F	---	FIELD
B.S.L.	---	BUILDING SETBACK LINE
LDC	---	ESCAMBIA COUNTY LAND DEVELOPMENT CODE
LS	---	LICENSED SURVEYOR
LB	---	LICENSED BUSINESS
⊙	---	1/2" CAPPED IRON ROD LS #5791 (SET)
⊙	---	1/2" CAPPED IRON ROD LS #5791 (FOUND)
●	---	1/2" CAPPED IRON ROD LS #4400 (FOUND)
●	---	2" ALLOY CAP LS #4400 (FOUND)
●	---	2" ALLOY CAP LB #3293 (FOUND)
■	---	4" x 4" CONCRETE MONUMENT, NO IDENTIFICATION (FOUND)

SURVEYOR'S CERTIFICATE:

TO FIRST AMERICAN TITLE INSURANCE COMPANY; HAD LAND DEVELOPMENT PARTNERS I, LLC, A DELEWARE LIMITED LIABILITY COMPANY:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTERS 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Ronald E. Ruben II
RONALD E. RUBEN II, P.S.M. # 5791

6/7/17
DATE

JOB NO: 18437-17	FIELD DATE: 5/01/17	FIELD BOOK: 570/581/577	PAGE: 74/01/52	REVISIONS:	APPROVED BY:
PROPERTY ADDRESS: 3811 WEST NINE MILE ROAD, PENSACOLA, FL 32526	FIELD DATE: 5/01/17	FIELD BOOK: 570/581/577	PAGE: 74/01/52	DATE:	DATE:
SCALE: 1" = 100'	DRAWN BY: JWC	PARTY CHIEF: AJM/ABT	APPROVED: RER	INDL:	INDL:
BOUNDARY SURVEY	ENCROACHMENTS: AS SHOWN		SHEET 1 OF 1		

NOT VALID WITHOUT SIGNATURE AND SEAL OF LICENSED SURVEYOR AND MAPPER



A PORTION OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

2-2017-15



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: David Forte, Division Manager
Transportation & Traffic Operations Division**

DATE: August 8, 2017

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-15

TTO Staff has reviewed the Rezoning Case (Z)-2017-15, 3811Nine Mile Road, Agenda Item for the Planning Board meeting scheduled for September 5th, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program; however there is the existing 4-laning construction project underway by the Florida Department of Transportation (FDOT) within the vicinity of the subject parcel. As of the August 2nd, 2017 Nine Mile Road Project Status Meeting for the segment of CR99 (Beulah Road) to SR297 (Pine Forest Road), FDOT is currently estimating a construction completion date of July 2019 (barring weather, holiday and time extensions).

Per the Florida-Alabama TPO's Congestion Management Process Plan, Nine Mile Road is currently functioning within its allowable capacity for traffic volumes between the segment of Beulah Road to Pine Forest Road. The maximum level-of-service (LOS) for the roadway segment is LOS D (17,700 trips/day), and currently the roadway segment is functioning at a LOS C (14,123 trips/day) and is expected to remain at a LOS C by Year 2024 (15,603 trips/day).

Also, the segment of SR8 (I-10) from Beulah Road to Nine Mile Road has a maximum LOS C (61,500 trips/day), and the roadway segment is functioning at a LOS B (36,519 trips/day) and is expected to remain at a LOS B by Year 2024 (40,319 trips/day).

At this time, TTO has no immediate comments for the proposed rezoning request.

Note: TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director