

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2014-0143 TO PLANNED UNIT DEVELOPMENT

MAY 22, 2014

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning 2014-0143 to Planned Unit Development.

Location: 91 Trout River Drive; between Sycamore Street and on both sides of Main Street (US 17).

Real Estate Numbers: 032716 0000, 032720 0000, 032720 0000, 032725 0000, and 032865 0000

Current Zoning District: Commercial Community/ General-2 (CCG-2)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

City Council District: The Honorable Dr. Johnny Gaffney, District 7
The Honorable E. Denise Lee, District 8

Applicant/Agent: Lara Hipps, Hipps Group Inc.
1650 Margaret Street, Suite 323
Jacksonville, Florida 32204

Owner: Lonnye Ray Black
CDA Technical Institute
91 Trout River Blvd.
Jacksonville, Florida 32208

Staff Recommendation: APPROVE WITH CONDITIONS

GENERAL INFORMATION

Application for Planned Unit Development 2014-0143 seeks to rezone approximately 3.22± acres of land from CCG-2 to PUD. The rezoning to PUD is being sought for the purpose of creating a unified development plan for the Commercial Diving Academy. Founded in 1995, the school prepares and certifies technically trained divers that specialize in underwater

welding and the installation and repair of petroleum pipelines, in addition to training first responders, paramedics, and emergency medical technicians. The campus which currently utilizes a combination of parcels is located at the terminus of Trout River Drive and on both side of State Route 17 in an area previously used as a marina with boat slips and Jackie's Seafood restaurant.

The proposed PUD combines allowable uses such as office, classrooms, dormitory, supply/storage; cafeteria and parking in a unified build out plan. A previously approved Administrative Deviation, AD-12-23 permitted the reduction for required off street parking from 144 to 5 parking spaces. However, the proposed PUD provides a total of 78 parking spaces, including 27 spaces beneath the US 17 Trout River Bridge overpass. Signage will be consistent with that allowed in the CCG-1 and CCG-2 Zoning Districts. Additional permitted uses within the PUD include fruit, poultry, and fish markets, small scale operations including warehousing, storage, and distributorship, boatyards, personal property storage establishments, and restaurants that include the retail and sale of all alcoholic beverages for on premises consumption. Permissible uses by Zoning Exception include building trades contractors, residential treatment facilities, and schools meeting the performance standards and development criteria set forth in Part 4.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Community/ General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The CGC functional land use category permits commercial developments which include business and professional offices, fast food establishments, small department stores, auto repair and sale, and similar other types of commercial retail and service uses. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

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

Yes. The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

Furthermore, pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district as follows:

(1) Consistency with the 2030 Comprehensive Plan

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code*, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC).

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

FLUE Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.9 Permit commercial infill on commercially designated sites outside nodal areas where the infill development would: 1. Create a more compact land use pattern than development of new commercial nodes in the same area. 2. Incorporate shared access with adjacent commercial sites, and/or direct access to a frontage or parallel road facility rather than a collector or arterial street; or 3. Support the commercial integrity of an historic district.

FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, state and federal regulations.

FLUE Policy 1.1.11 Ensure that mixed and multi-use projects enhance rather than detract from the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs) for all mixed and multi-use projects.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility Management System

Pursuant to the provisions of Chapter 655 *Concurrency and Mobility Management System* of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals. CCAS application number #82519 and City Development number #8446.005 reserves 17,604 enclosed square feet of specialty retail for RE # 032865-0000 only. The owner will need to apply for a Mobility application and also include the other RE #'s within the development. The owner will also be required to apply for additional CCAS/CRC's for the additional RE #'s.

(3) Allocation of residential land use

This proposed Planned Unit Development does not intend to utilize lands for residential use.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The use of existing and proposed landscaping:

The project will be required to meet the minimal standards set forth in Section 656, Part 12 except where limitations exist due to the property's existing configuration and condition. The Applicant requests a relief in the landscape buffer between the VUA along Main Street from ten feet per linear feet of frontage to zero feet of landscaping, and, to reduce the uncomplimentary land use buffer width along the southeast property boundary from ten feet per linear feet of frontage to zero feet of landscaping. Other landscaping and screening will be provided per the attached landscape plans.

The treatment of pedestrian ways:

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

Traffic and pedestrian circulation patterns:

Vehicular access to the Property shall be by way of existing access points as shown in the Site Plan, primarily from both portions of Trout River Drive east and west of the Main Street bisection. A review by the Development Services Division produced the following comment in a memo dated March 10, 2014 (attached):

- 1) All parking design shall comply with Section 656.607 of the current Zoning Code for dimensions of parking spaces, drive aisle/backup and sidewalks.**

The Transportation Section of the Planning and Development Department conducted a traffic assessment of the Commercial Dive Academy PUD to determine if the internal and external road network could accommodate the proposed traffic. The Department's assessment shows

both the internal and external road network (i.e. Main Street, Trout River Drive, and Sycamore Street) have sufficient capacity to accommodate the traffic generated by this development.

The use and variety of building setback lines, separations, and buffering:

Applicant proposes no minimum setbacks except for a ten feet rear yard setback. As a major portion of the PUD is waterfront property, there is no rear yard. Rather, the maximum height of any structure is limited to sixty (60) feet.

The use and variety of building groupings:

The locations of the existing study hall, classrooms building, existing 2 story dormitory, and cafeteria and dive medicine facility will remain. Additions will be made to the dormitory in the form of additional dorms, and to the old Jackie's restaurant in the form of a hyperbaric chamber facility.

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

The proposed site plan shows buildings interspersed with vehicular use areas throughout. There is an existing parking lot on the southernmost parcel that is currently not striped. Parking is haphazard and occurs where there is space adjacent to the nearest parked vehicle. The submitted site plan shows an organized layout with 33 off-street spaces, retention pond, and existing 10 feet high opaque fence. There are approximately 27 spaces located underneath the elevated portion of the Main Street Bridge and 18 spaces located in the old Jackie's restaurant parking lot.

The particular land uses proposed and the conditions and limitations thereon:

The Written Description eliminated several permitted uses (13) and uses permitted by exception (7) in the intense CCG-2 Zoning category.

Signage:

The number, location, size and height of signage to be located upon the property will be in accordance with the Sign Ordinance of the City of Jacksonville for the CCG-1 and CCG-2 Zoning Districts

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon:

The PUD is generally bounded to the north and east by the Trout River, to the west by the CSX Railroad and bridge, to the south by Trout River Drive and a single two-story multi-family building.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	CGC	CCG-2	Trout River
East	CGC	CCG-2/MDR	Trout River, Multi-family
South	LDR	CCG-2/RLD-60	Retail/Single-family
West	CGC	CCG-2/LDR	CSX Railroad, Single-family

(6) Intensity of Development

The PUD is appropriate at this location with specific reference to the following:

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD:

A 10 feet high, 95% opaque fence will be installed on the south property line between the Rec Hall/Study Hall and the adjacent two story multi-family structure. A second 10 feet high fence already is installed on the southerly property line of the stand-alone parking lot.

The availability and location of utility services and public facilities and services:

The site is served by city sewer and water.

Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety:

A review of the Application by the North District CPAC (Citizens Planning Advisory Committee) dated March 14, 2014 recommends the Commercial Diving Academy restrict night operation in consideration of disturbance to neighbors. **Staff recommends that any outdoor events, gatherings or similar activities on the property be prohibited from occurring between the hours of 9:00 pm and 7:00 am.**

(7) Usable open spaces plazas, recreation areas.

There is no residential component to the development. No recreation area is required.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file did not identify any wetlands on-site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

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

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

The owner has submitted a plan which shows 78 parking spaces on the subject property and on land the owner is leasing. The parking requirements for a vocational school are 1 space for each 300 square feet of gross floor area. The owner indicates there is 31,980 square feet for the school. Therefore the minimum number of parking spaces is 107. The site plan is short 29 spaces. On numerous site visits it is apparent there is already a parking shortage for the school. **The Department recommends the development meet the minimum parking requirements of the Zoning Code.**

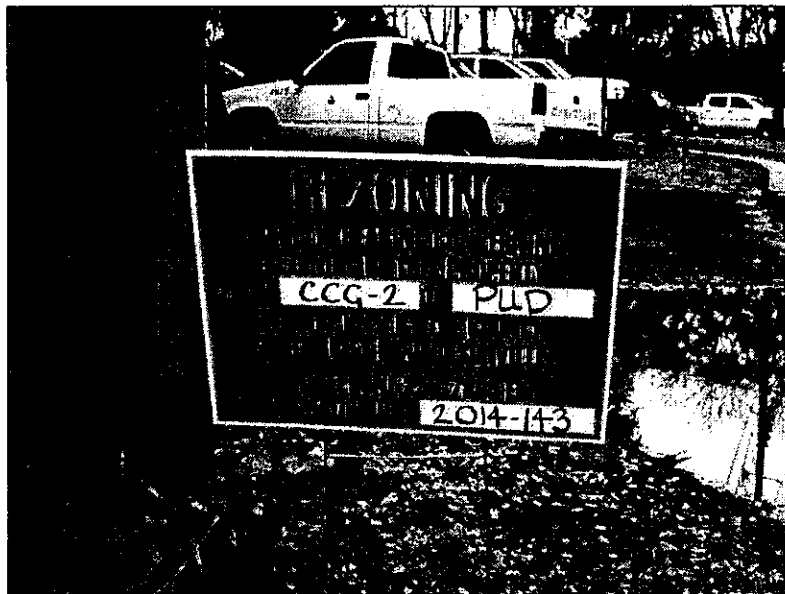
An Administrative Deviation, AD-12-23 was approved to reduce the parking to 5 spaces. However, this Planned Unit Development will supersede the Administrative Deviation.

(11) Sidewalks, trails, and bikeways

The project will contain an internal and external pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on March 18, 2014, the required Notice of Public Hearing sign was posted.

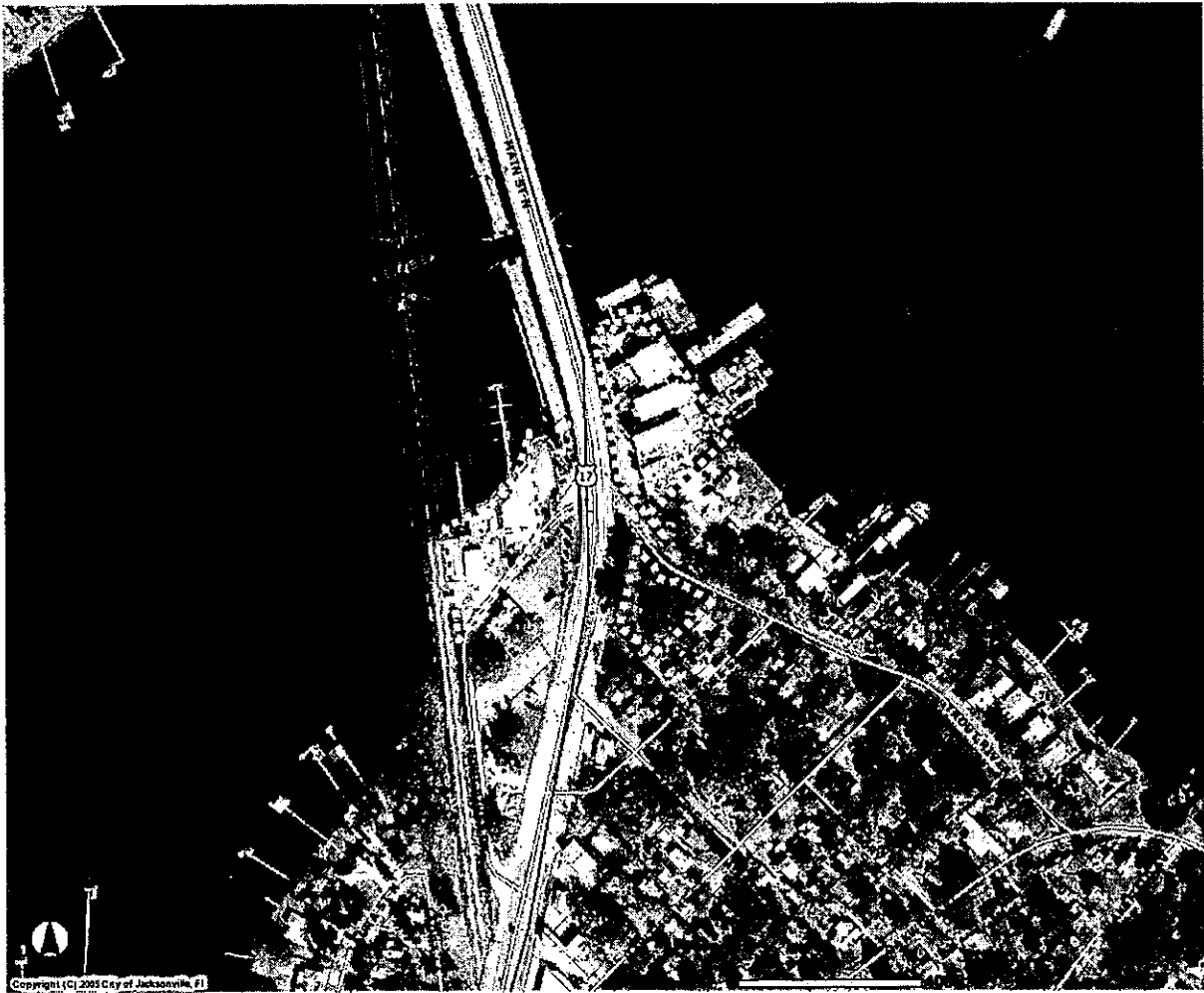


*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-143 be **APPROVED** with the following conditions:

1. **The subject property is legally described in the original legal description dated November 6, 2013.**
2. **The subject property shall be developed in accordance with the revised written description dated May 13, 2014.**
3. **The subject property shall be developed in accordance with the revised site plan dated May 5, 2014.**
4. **The subject property shall be developed in accordance with the Development Services Division Memorandum dated March 10, 2014 or as otherwise approved by the Planning and Development Department.**
5. **Outdoor events, gatherings, or similar activities on the property shall be prohibited from occurring between the hours of 9:00 pm and 7:00 am.**
6. **The maximum number of students shall be set at 250 students.**
7. **The subject property shall be developed with a minimum number of parking spaces pursuant to Section 656.604 (c)(5) Vocational, trade and business schools of the Zoning Code.**
8. **If leased parking spaces are unavailable, the owner shall provide to the Planning & Development Department within 60 days documentation indicating the same number of parking spaces can be accommodated.**



Aerial view of the subject site facing north



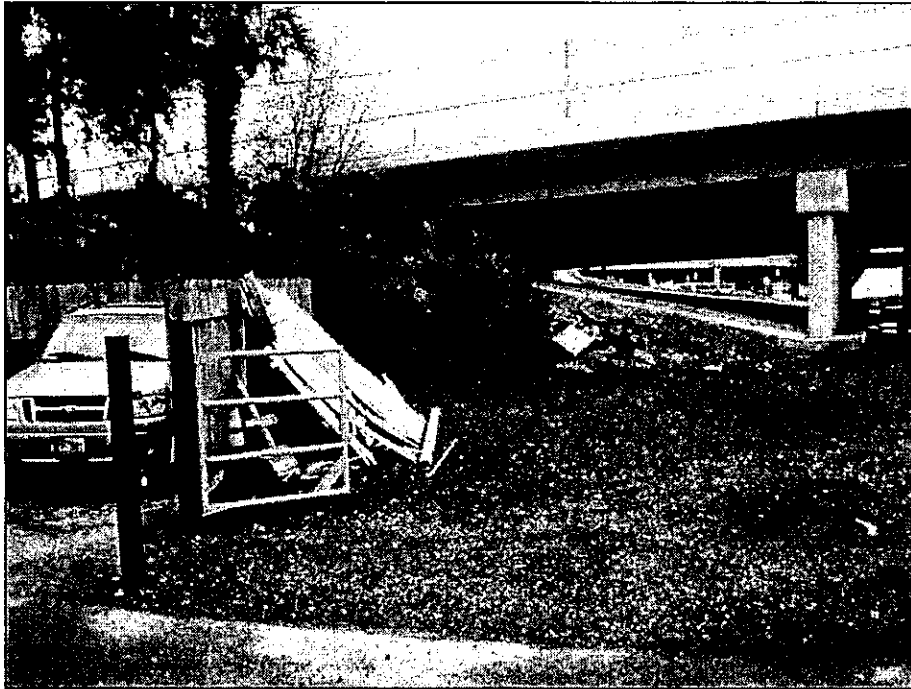
Parking lot parcel to the south. A 10 feet high, 95% opaque fence is already installed.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



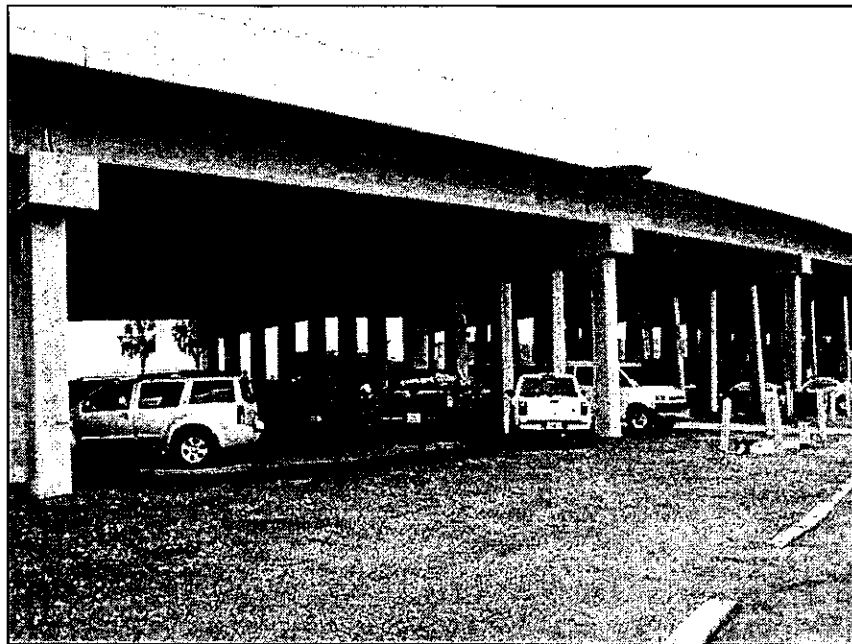
Main Campus and entry from Trout River Drive (east of Main Street Bridge).

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



Gate for pedestrian entry and access across the property, under the bridge, and to City pier. A fence and barricades will be installed to ensure pedestrian access across the CDA property to the City of Jacksonville Park located west of the bridge.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



Existing parking underneath the Main Street Bridge.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



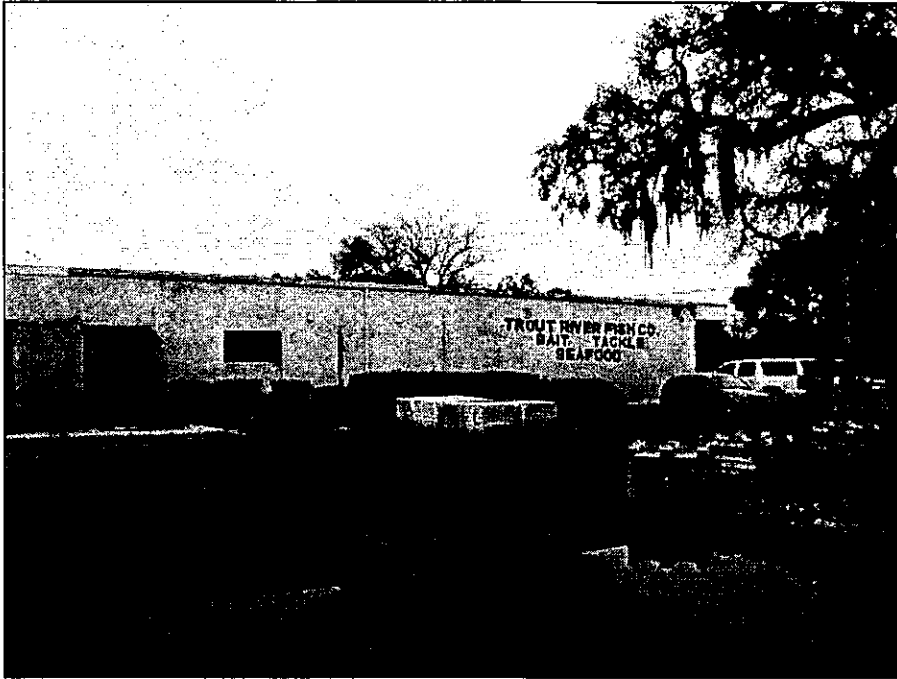
West side of Main Street Bridge and City owned pier and old bridge.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



Old Jackie's restaurant, proposed cafeteria and hyperbaric chamber facility.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



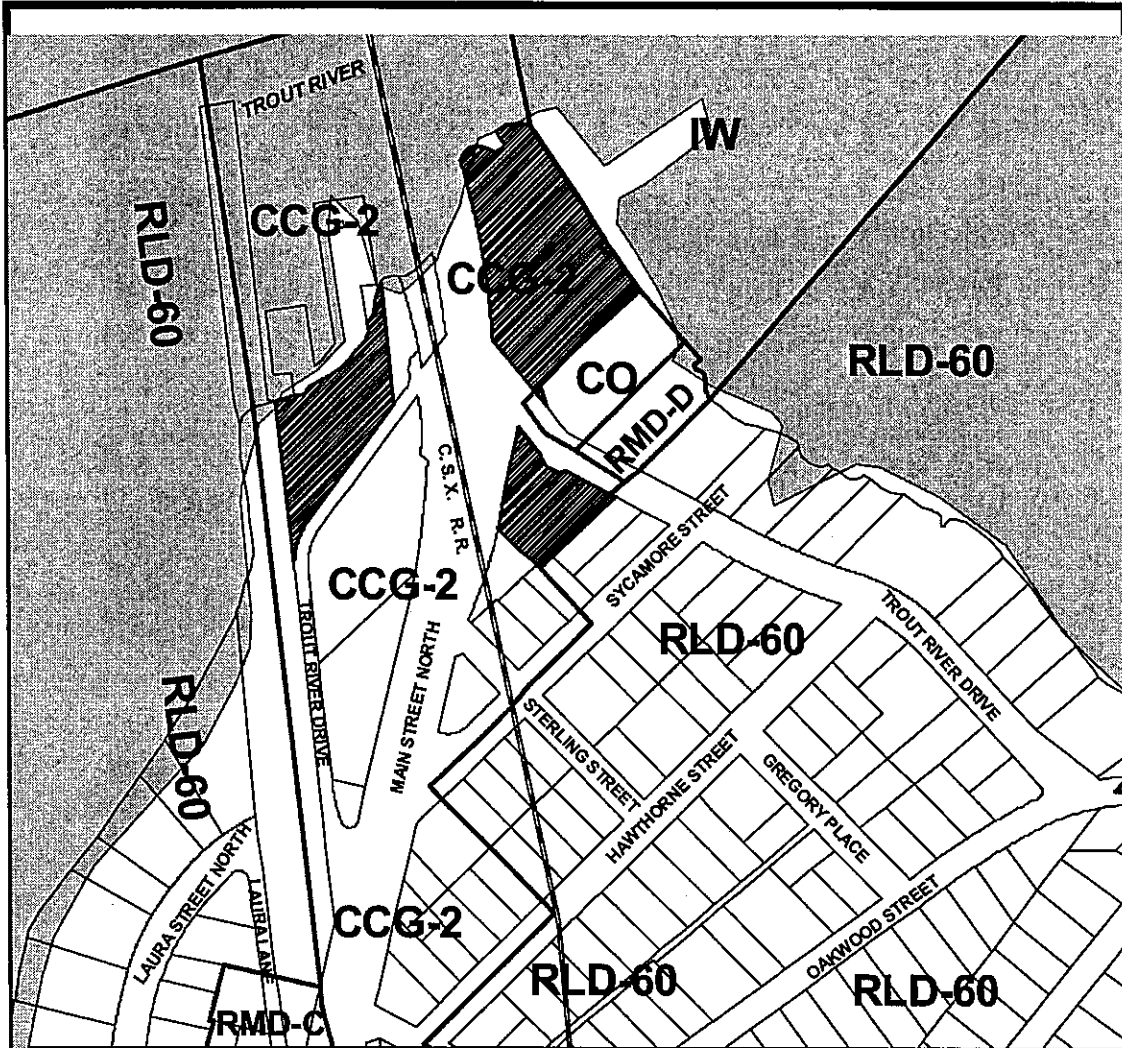
Business to the southwest of the property across Trout River Drive

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



Multi-family building directly south of the main campus, Trout River Drive.

*Source: City of Jacksonville Planning and Development Department
Date: March 18, 2014*



<p>REQUEST SOUGHT:</p>		
<p>FROM: CCG-2</p> <p>TO: PUD</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 7 & 8</p>
<p>ORDINANCE _2014_0143</p>		<p>FILE COPY</p>

DEVELOPMENT SERVICES



March 10, 2014

MEMORANDUM

TO: Aaron Glick, City Planner II
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Commercial Diving Academy PUD
R-2014-143**

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

1. All parking design shall comply with Section 656.607 of the current Zoning Code for dimensions of parking spaces, drive aisle/backup and sidewalks.

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

Application For Rezoning To PUD



Planning and Development Department Info

Ordinance # 2014-0143 **Staff Sign-Off/Date** AAG / 01/21/2014

Filing Date 02/25/2014 **Number of Signs to Post** 4

Hearing Dates:

1st City Council 03/25/2014 **Planning Commission** 03/27/2014

Land Use & Zoning 04/01/2014 **2nd City Council** 04/08/2014

Neighborhood Association PANAMA WATCHERS ASSOCIATION, METRO NORTH CDC

Neighborhood Action Plan/Corridor Study METRO NORTH

Application Info

Tracking # 509 **Application Status** PENDING
Date Started 11/06/2013 **Date Submitted** 12/11/2013

General Information On Applicant

Last Name	First Name	Middle Name
HIPPS	LARA	DIANE

Company Name
 HIPPS GROUP INC.

Mailing Address
 1650 MARGARET STREET #323

City	State	Zip Code
JACKSONVILLE	FL	32204

Phone	Fax	Email
904	904	LARA@HIPPSGROUPINC.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
BLACK	LONNYE	RAY

Company/Trust Name
 CDA TECHNICAL INSTITUTE

Mailing Address
 91 TROUT RIVER BLVD.

City	State	Zip Code
JACKSONVILLE	FL	32208

Phone	Fax	Email
9048388284		

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning From Zoning District	To Zoning District
Map			

	032720 0000	7	5	CCG-2	PUD
Map	032865 0000	8	5	CCG-2	PUD
Map	032716 0000	7	5	CCG-2	PUD
Map	032725 0000	7	5	CCG-2	PUD

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

Land Use Category Proposed?

If Yes, State Land Use Application # Land Use Category

	CGC
--	-----

Total Land Area (Nearest 1/100th of an Acre) 3.22

Development Number

Proposed PUD Name CDA PUD

Justification For Rezoning Application

A. IS MORE EFFICIENT THAN WOULD BE POSSIBLE THROUGH STRICT APPLICATION OF THE ZONING CODE; B. IS CONSISTENT WITH THE FUTURE LAND USE ELEMENT POLICY 1.1.0 THAT PROMOTES USE OF THE PLANNED UNIT DEVELOPMENT (PUD) FOR INNOVATIVE AND SMART GROWTH TECHNIQUES IN ALL COMMERCIAL, INDUSTRIAL AND RESIDENTIAL CATEGORIES. BUFFERING OF ADJACENT PROPERTY HAS BEEN PROVIDED AS AN INTEGRAL PART OF THE SITE PLAN. C. IS NOT AS INTENSE AS PERMITTED USES THAT COULD BE PLACED ON PROPERTY BY RIGHT. D. CONSISTENT

Location Of Property

General Location

TROUT RIVER DRIVE

House #	Street Name, Type and Direction	Zip Code
91	TROUT RIVER DR	32208

Between Streets

SYCAMORE ST and US 17

Required Attachments For Formal, Complete application

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

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

provision for dual page numbering by the JP&DD staff.

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

Exhibit F Land Use Table

Exhibit G Copy of the deed to indicate proof of property ownership.

Supplemental Information

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

Exhibit H Aerial Photograph.

Exhibit I Listed Species Survey (If the proposed site is greater than fifty acres).

Exhibit J Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).

Exhibit K Site Location Map.

Public Hearings And Posting Of Signs

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

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

Application Certification

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

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
3.22 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee
37 Notifications @ \$7.00 /each: \$259.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,299.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

Legal Description

032865-0000

Lots 6, 7, 8, 9, 10 and 11, Block 18, PANAMA INVESTMENT COMPANY'S SUBDIVISION OF PANAMA PARK, according to the plat thereof, recorded in Plat Book 6, pages 81 and 82, of the current public records of Duval County, Florida.

032720-0000 and 032725-0000

LOTS 1 AND 2, BLOCK 3, AND LOTS 3 AND 4, BLOCK 2, PANAMA INVESTMENT COMPANY'S SUBDIVISION OF PANAMA PARK, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGES 81 AND 82, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND THAT PART OF JUNIPER STREET CLOSED BY ORDINANCE NO. 76-341-194, EXCEPTING THEREFROM ANY PART FOR ROAD PURPOSES, RECORDED IN DEED BOOK 639, PAGES 62 AND OFFICIAL RECORDS VOLUME 373, PAGE 74, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ORDINANCE

Legal Description

032716-0000

THAT CERTAIN PIECE, PARCEL, OR TRACT OF LAND, LYING IN AND BEING PART OF LOT 1, LOT 2, LOT 3, LOT 4, AND LOT 5, BLOCK 1, PANAMA INVESTMENT COMPANY'S SUBDIVISION OF PANAMA PARK, AS RECORDED IN PLAT BOOK 6, PAGES 81 AND 82, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH A PORTION OF FORMER NORTH MAIN STREET AND THOSE CERTAIN FILLED LANDS LYING NORTHWESTERLY AND NORTHEASTERLY OF SAID LOTS, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF MAIN STREET AND/OR U.S. HIGHWAY NO. 17, AN 80-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED, WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF TROUT RIVER DRIVE, A 60-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE, S.45°42'06"E., BY AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.70 FEET; THENCE, N.15°19'06"W., A DISTANCE OF 40.45 FEET; THENCE, N.47°28'54"E., A DISTANCE OF 240.71 FEET TO THE NORTHEASTERLY FACE OF A 2-FOOT WIDE CONCRETE BULKHEAD AND THE WATERS OF THE TROUT RIVER; THENCE, N.34°39'25"W., BY AND ALONG THE FACE OF SAID BULKHEAD AND THE WATERS OF THE TROUT RIVER, A DISTANCE OF 345.97 FEET TO THE NORTHWESTERLY TERMINUS OF SAID BULKHEAD; THENCE, SOUTHWESTERLY, BY AND ALONG THE WATERS OF THE TROUT RIVER, AND FOLLOWING THE MEANDERINGS THEREOF, A DISTANCE OF 185 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID MAIN STREET AND/OR U.S. HIGHWAY NO. 17; THENCE, S.16°04'11"E., BY AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 69 FEET, MORE OR LESS, TO A POINT OF CURVATURE; THENCE, BY AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, AROUND AND ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1185.92 FEET AND A DELTA OF 13°15'18", AN ARC DISTANCE OF 274.35 FEET (S.09°28'32"E., 273.74 FEET, CHORD BEARING AND DISTANCE) TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID TROUT RIVER DRIVE, AND THE POINT OF BEGINNING, CONTAINING 1.787 ACRES, MORE OR LESS.

EXHIBIT A

Property Ownership Affidavit

Date: 10/8/13

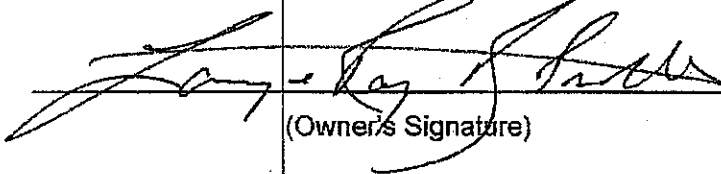
City of Jacksonville

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

Re: Ownership Certification

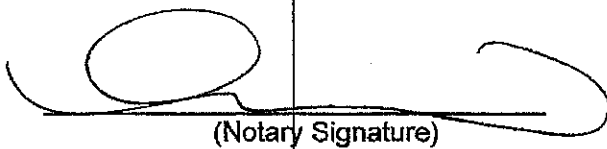
Gentleman:

I, Lonnaye Ray Black hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for Rezoning,
submitted to the Jacksonville Planning and Development Department.


(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8th day of
October (month), 2013 (year) by Lonnaye Ray Black
who is personally known to me or has produced _____
as identification.


(Notary Signature)



AMBER JAXON
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF021706
Expires 9/16/2017

EXHIBIT B

Agent Authorization

Date: 10/8/13

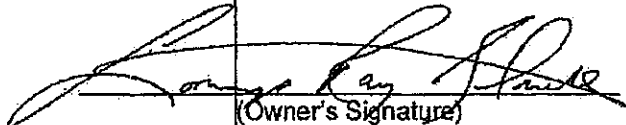
City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

032716-0000, 032865-0000, 032720-0000 032725-0000

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Hipps Group Inc. to act as agent to file application(s) for Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.


(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8th day of October (month), 2013 (year) by Lonnye Ray Black who is personally known to me or has produced _____ as identification.


(Notary Signature)



AMBER JAXON
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF021708
Expires 9/16/2017

EXHIBIT C

Binding Letter

Date: 10/8/13

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: 032716-0000, 032865-0000, 032720-0000, 032725-0000
PUD

Ladies and Gentlemen:

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

Sincerely,

By: 
(Owner's Signature)

Its: PRESIDENT

EXHIBIT D

PUD Written Description

5-13-14

Commercial Diving Academy

Date: December 10, 2013

91 Trout River Drive Jacksonville, Florida 32208

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land use Category: CGC
- B. Current Zoning District: CCG-2
- C. Requested Zoning District: PUD
- D. Requested Land Use Category: CGC
- E. Real Estate Parcel Numbers: 032716-0000, 032720-0000, 032725-0000 & 032865-0000

II. SUMMARY OF THE PUD

This Planned Unit Development application is submitted for a Commercial Diving Academy Founded in 1995 to educate, prepare and certify world class divers to meet the growing demand for commercial highly technically trained divers specializing in underwater welding and the installation and repair of petroleum pipelines. The Academy is nationally and internationally recognized for training divers and providing them the skills needed and sought after in various industries. Approximately 40% of the students at the academy are veterans. The academy also trains first responders such as fire and police departments, paramedics and emergency medical technicians. The campus is located on the Trout River in an area previously used as a marina with boat slips and a popular seafood restaurant (Jackie's Seafood). The campus is located just off Main Street and the property being used is a combination of parcels as indicated in the site plan to make best use of the site for this commercial infill project. This PUD application combines allowable uses of offices, classrooms, dormitory, supply/storage; cafeteria and parking to utilize the properties in a unified development build out site plan. This will provide the campus the intensity and density needed to not only be compatible with the surrounding uses but to continue to serve the need for this highly specialized and growing demand for the divers and medical assistant training for hyperbaric chamber associated with the diving industry.

This PUD has combined the need for this campus to operate on the river and sustain the viability of this successful economic impact project for Jacksonville. The site is approximately 3.22 +/- acres. To the north, east and west is the Trout River and to the south is a single family home. In the current Land Use and Zoning categories vocational, trade and business school are allowed as well as hotels and motels. With this PUD all properties and all structures currently in place will be allowed to be used as indicated and codified to support these uses going forward.

III. PUD DEVELOPMENT CRITERIA

A. Permitted Uses:

1. Commercial Retail Sales and Service Establishments
2. Fruit, vegetable, poultry or fish markets.
3. All types of professional and business offices.
4. Small scale operations including wholesaling, warehousing, storage, distributorship business where the total operation does not require more than 10,000 square feet of floor space, no vehicle is used in excess of one and one-half ton capacity, all merchandise is stored within an enclosed building and no heavy machinery or manufacturing is located on the premises.
5. Hospital, nursing homes, assisted living facilities, group care homes, housing for the elderly or orphans and similar uses.
6. Boatyards
7. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
8. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
9. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
10. Churches, including a rectory or similar use.
11. Personal property storage establishments meeting the performance standards and development criteria set forth in Part 4.
12. Vocational, trade and business schools along with said ancillary uses such as dormitories, cafeterias and book stores.
13. A restaurant which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
14. An establishment or facility which includes the retail sale of all alcoholic beverages including liquor, beer or wine for off-premises consumption.

B. Permitted Uses by exception.

1. Residential treatment facilities or emergency shelter.
2. Crematories.
3. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
4. Building trades contractors with outside storage yards meeting the performance standards and development criteria set forth in Part 4.
5. Schools meeting the performance standards and development criteria set forth in Part 4.
6. An establishment or facility which includes the retail sale of all alcoholic beverages, not in conjunction with a restaurant, including liquor, beer or wine for on-premises consumption.

C. Accessory Structures:

- a. Accessory uses and structures are allowed as defined in Section 656.403 of the zoning code

D. Limitations on Uses:

This PUD written description eliminates several permitted uses in the CGC-2 zoning category.

IV. DESIGN GUIDELINES

A. Lot Requirements: per 656.313 A (V) d,e,f & g

- (1) *Minimum lot area:* None, except as otherwise required for certain uses.
- (2) *Minimum lot width:* None, except as otherwise required for certain uses
- (3) *Maximum lot coverage:* None, except as otherwise required for certain uses
- (4) *Minimum front yard:* None/*Minimum set back from waterfront:* None
- (5) *Minimum side yard:* None.
- (6) *Minimum rear yard:* 10 ft.
- (7) *Maximum height of structures:* 60 feet

B. Ingress, Egress and Circulation:

(1) Parking Requirements.

Due to the property's existing condition, configuration and extensive planned renovation, this site was previously approved for Administrative Deviation # 12-23 for parking requirements from 144 spaces to 5 spaces. However, this Planned Unit Development provides for 78 spaces. Copy of Administrative Deviation # 12- 23 final order is attached.

(2) Vehicular Access.

- a. Vehicular access to the Property shall be by way of existing access points as shown in the Site Plan. The final location of all access points is subject to the review and approval of the City's Traffic Engineer.

(3) Pedestrian Access.

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

C. Signs:

The number, location, size and height of signage to be located upon the property shall be in accordance with the Sign Ordinance of the City of Jacksonville for the CGC I and II zoning districts.

D. Landscaping:

Landscaping shall be consistent with the requirements of Part 12 of the Zoning Code, except as stated herein. Notwithstanding the provisions of Part 12, the location of landscaping may vary from the strict requirements of such standards and be relocated to alternative placement to provide for improved site design and function. Due to the property's existing condition, configuration and extensive planned renovation, this PUD asks for the following relief from Part 12:

Section 656.1215(a) (1) Reduce the landscape buffer between vehicle use area along Main Street from ten feet per linear feet of frontage/ five feet minimum width zero feet with no landscaping.

Section 656.1213(a) Reduce the uncomplimentary land use buffer width along the southeast property boundary from ten feet wide required to one – foot wide for real estate # 032716-0000.

Other landscaping and screening will be provided per the attached landscape plans.

E. Recreation and Open Space:

This PUD is a commercial use and does not require recreation space.

F. Utilities

Electric, water sanitary sewer will be provided by JEA.

G. Wetlands

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

H. DEVELOPMENT PLAN APPROVAL

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

I. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

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

- A. Is more efficient than would be possible through strict application of the Zoning Code;
- B. Is consistent with the Future Land Use Element Policy 1.1.0 that promotes use of the Planned Unit Development (PUD) for innovative and smart growth techniques

in all commercial, industrial and residential categories. Buffering of adjacent property has been provided as an integral part of the site plan.

- C. Is not as intense as permitted uses that could be placed on property by right.
- D. Consistent with the Future Land Use Element Objective 3.2. This project continues to promote and sustain the viability of existing commercial corridors to support the services needed in this commercial, business intense area of the City.
- E. Consistent with Future Land Use Element Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.
- F. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.

J. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.*
The uses proposed are consistent with the Comprehensive Plan.
- B. *Consistency with the Concurrency and Mobility Management System.* The Property will be developed in accordance with the rules of the City of Jacksonville Concurrency and Mobility Management System Office (CMMSO).
- C. *Allocation of Residential Land Use.*
There is no residential development proposed.
- D. *Internal Compatibility/Vehicular Access.*
Vehicular access is provided from Trout River Drive.
- E. *External Compatibility/Intensity of Development.*
The project description describes the surrounding Zoning designations and will be subject to review by the City of Jacksonville Planning and Development Department.
- F. *Recreation/Open Space.*
This PUD is a commercial use and does not require recreation space.
- G. *Impact on Wetlands.*
Any impact on wetlands will be permitted in accordance with local, state and federal requirements.
- H. *Listed Species Regulations.*
The property is less than fifty (50) acres. As such, a formal survey of the property is not required by the Planning and Development Department.
- I. *Off-Street Parking & Loading Requirements.*
The site plan provides integrated parking and loading facilities to support the uses.

J. *Sidewalks, Trails, and Bikeways.*

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

K. *Stormwater Retention.*

Retention shall meet the requirements of the City of Jacksonville and all other state or local agencies with jurisdiction including the ST. Johns River Water Management District (SJRWMD). Stormwater retention areas may be located on or off-site and may be shared with other parcels provided the stormwater design for the entire PUD meets the standards and requirements of the City of Jacksonville and the SJRWMD. Underground detention vaults may be utilized.

L. *Utilities.*

Electric power and water and sewer services are available to the site and will be provided for by JEA.

M. *Modifications.*

Amendments to this approved PUD may be accomplished through an administrative deviation, administrative modification, minor modification, or by filing an application for rezoning as allowed by Section 656.341 of the Zoning Code.

K. ADDITIONAL DATA

- A. Existing site characteristics: The site is currently a commercial dive academy.
- B. How the PUD differs from the Zoning Code: The PUD zoning will more appropriately define restrictions on the uses and development so as to more appropriately coexist with the changing uses in the immediate area. This PUD written description eliminates 13 of the 27 permitted uses per 656.313(a) and 7 of the 13 Permissible uses by Exception. Due to the property's existing condition, configuration and extensive planned renovation, this PUD asks for relief from some sections of Part 12 of the Landscaping code as noted in part IV (D) of this PUD written description.
- C. Schedule indicating phases, commencement/completion dates: The project may be completed in phases. Commencement of some aspects of the development has begun; the estimated completion date is April 2014.
- D. Statement of intent for operation: The property owner intends to expand his current commercial dive academy along with the addition of medical assistant training.
- E. Operation and Maintenance of property: Applicant plans to retain ownership of the property and will maintain the property at applicant's expense.
- F. Name of developer, Architect Engineer, Planner:
 - 1. Developer: Captain Ray Black
 - 2. Architect: Doug Snead
 - 3. Engineer: Eric Almond
 - 4. Contractor: Wes Westmoreland
 - 5. Landscape consultant: Janet Whitmill
 - 6. Planner: n/a

G. Acreage Table:

1. Gross acreage: 3.22 +/-
 2. Number of dwelling units by each type: Current : 0 Proposed: 60
dormitories
 3. Land use by acreage: Current: CGC, 3.22 Proposed: CGC, 3.22
 4. Active recreation: n/a
 5. Passive open space (ponds, conservation, wetlands: 0
 6. Public or private right-of-way: None
- H. Land coverage of buildings/structures: 34.15 %
- I. Total square footage of non residential buildings: 31,979.86 sq ft
- J. Copy of land lease from FDOT

Exhibit F

CDA PUD

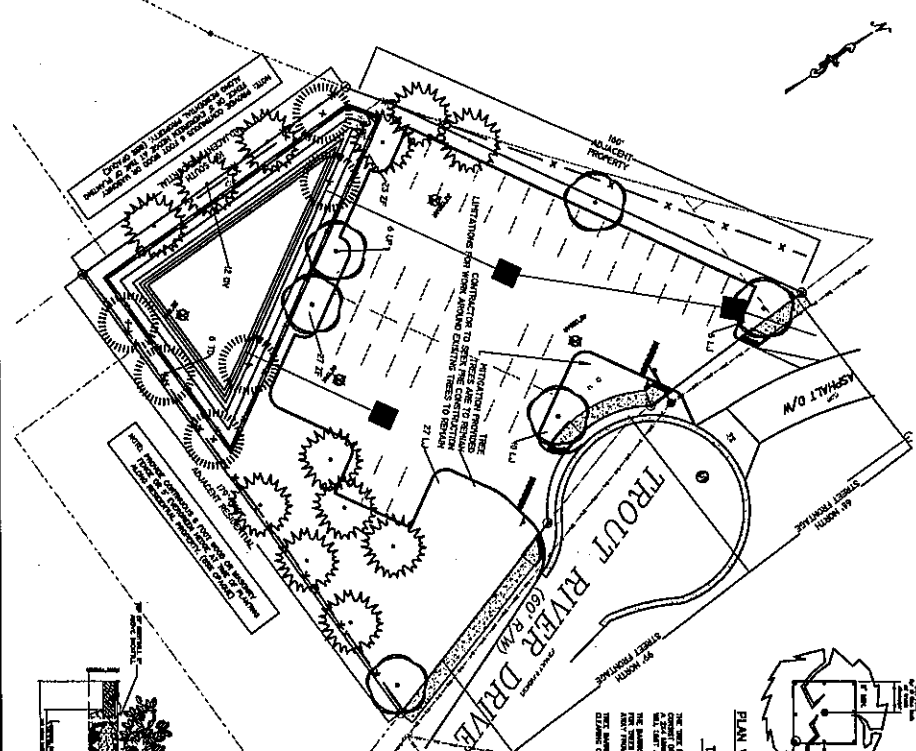
Land Use Table

1. Gross acreage: 3.22 +/-
2. Number of dwelling units by each type:
Current: 0 Proposed: 60 dormitories
3. Land use by acreage:
Current: CGC- 3.22 +/- Proposed: CGC - 3.22 +/-
4. Active recreation: n/a
5. Passive open space (ponds, conservation, wetlands): n/a
6. Public or private right-of-way: None
7. Land coverage of buildings/structures: 34.15 %
8. Total square footage of non residential buildings: 31,980 sq ft

LANDSCAPE CALCULATIONS

LANDSCAPE CALCULATIONS, INTERIOR VIVA
 PUBLIC VIVA, 14,028 SF.
 PROVIDED: 2,262 SF.
 TREES: 4 TREES (2 SHADED)
 SHRUBS: 1,607 X 25% = 407 SF/9 SF/9 SHRUB = 41 SHRUBS
 EAST REQUIRED LANDSCAPE, STREET FRONTAGE
 VIA FRONTAGE: 179 FT
 PROVIDED: 1,790 SF
 TREES: 7 TREES (2 SHADED)
 WEST REQUIRED LANDSCAPE, ADJACENT PROPERTY
 VIA FRONTAGE: 50 FT
 PROVIDED: 528 SF
 TREES: 3 TREES (2 SHADED)
 TOTAL GREEN AREA REQUIRED: 6,797 SF
 TOTAL GREEN AREA PROVIDED: 6,197 SF

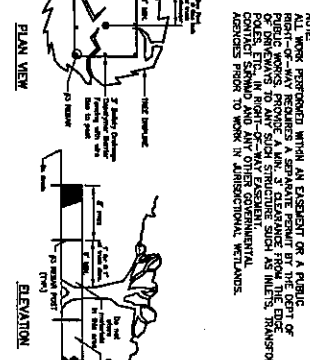
NORTH REQUIRED LANDSCAPE, STREET FRONTAGE
 PUBLIC VIVA, 14,028 SF.
 PROVIDED: 1,670 SF.
 TREES: 3 TREES (2 SHADED)
 SHRUBS: 1,671 X 25% = 418 SF/9 SF/9 SHRUB = 42 SHRUBS
 SOUTH REQUIRED LANDSCAPE, ADJACENT RESIDENTIAL
 VIA FRONTAGE: 107 FT
 PROVIDED: 1,070 SF.
 TREES: 4 TREES (2 SHADED)
 TOTAL TREES REQUIRED: 21 TREES (12 SHADED)
 TOTAL TREES PROVIDED: 24 TREES (14 SHADED)
 TOTAL SHRUBS REQUIRED: 83 SHRUBS
 TOTAL SHRUBS PROVIDED: 93 SHRUBS
 *SEE PLAN FOR TREE PLACEMENT



PLANT LIST

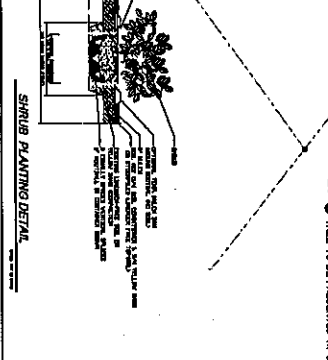
QTY	SYM	DESCRIPTION
12	Q	BERGHS VIBURNUM, CATHEDRAL LIVE OAK*
6	Q	TAKOJUI DISCHIDIA, BALD CYPRUS*
6	Q	LI-UIS PAMPYFOLA, BRAKE ELM*
43	Q	LIGSTRUM JAPONICA, LIGSTRUM*
50	Q	ZAVIA FLORIDANA, FLORIDA CORYMBE*
50	Q	PASPALUM NOTATA, YAGENTINE BAHIA - TSA FREE (NEED TREE)
50	Q	SOO ALL 4 1/2 STAGES OR GREATER, 10' TRUN EOP AND ALL DISTURBED ROW, COORDINATE FURTHER GRASSING WITH GENERAL CONTRACTOR.
50	Q	SELECTED SOO SPECIES MEETS ALL CURRENT LANDSCAPE AND IRRIGATION REQUIREMENTS, ANY VARIABLE FULL REQUIRE GOVERNMENT APPROVAL.

***PLANT LIST LEGEND:**
 Q = MAINT. FVN, FLORIDA VIBES & NEIGHBORHOODS 2004, FF, FLORIDA FRIENDLY, WW - WATER WISE 2004.
 Q* = SA OVERHEAD ELECTRIC (ACCEPTABLE PLANT LIST)



MITIGATION CALCULATIONS
 PROTECTED LIVE OAK TREES REMOVED: 40 INCHES
 REQUIRED REPLACEMENT: 40 INCHES
 PROTECTED 1 1/2" DB TREES REMOVED: 22 INCHES
 REQUIRED REPLACEMENT: 70 INCHES
 PROTECTED 2 1/2" DB TREES REMOVED: 70 INCHES
 REQUIRED REPLACEMENT: 70 INCHES
 TOTAL REQUIRED REPLACEMENT: 180 INCHES
 TREE PLANT CONTRIBUTION FOR POSSIBLE TREE IMPACTS: 76 INCHES
 76 INCHES X 99.00/INCH = \$7,524.00

LEGEND
 Q* = TREE TO BE REMOVED
 Q = TREE TO BE PRESERVED W/ BARRIAGE



SIZE	DESCRIPTION	SPACING	NOTES	INCHES
14-16" x 7-9" x 4" C.M.	6' CT, MATCHED	AS SHOWN	N, FVN, FF, WW	48
14-16" x 7-9" x 8" C.M.	6' CT, MATCHED	AS SHOWN	N, FVN, FF, WW, CHE	48
14-16" x 7-9" x 4" C.M.	6' CT, MATCHED	AS SHOWN	FVN, FF, WW, CHE	24
18" x 18" x 18"	FULL, MATCHED	36" OC. (36" ST)	FVN, FF, WW	120(TOTAL)
18" x 18" x 18"	FULL, MATCHED	36" OC. (42" ST)	N, FVN, FF, WW	36

NOTE: ALL TREES SHALL HAVE GATORBAGS INSTALLED AT TIME OF PLANTING

PLANTING NOTES:
 1. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXISTING UTILITIES AND THE LOCATION OF ALL UTILITIES PRIOR TO PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF JACKSONVILLE AND ANY OTHER GOVERNMENTAL AGENCIES PRIOR TO WORK IN JURISDICTIONAL WATERSHEDS.

MITIGATION CALCULATIONS
 PROTECTED LIVE OAK TREES REMOVED: 40 INCHES
 REQUIRED REPLACEMENT: 40 INCHES
 PROTECTED 1 1/2" DB TREES REMOVED: 22 INCHES
 REQUIRED REPLACEMENT: 70 INCHES
 PROTECTED 2 1/2" DB TREES REMOVED: 70 INCHES
 REQUIRED REPLACEMENT: 70 INCHES
 TOTAL REQUIRED REPLACEMENT: 180 INCHES
 TREE PLANT CONTRIBUTION FOR POSSIBLE TREE IMPACTS: 76 INCHES
 76 INCHES X 99.00/INCH = \$7,524.00

COMMERCIAL DIVE ACADEMY
 NEW PARKING
 JACKSONVILLE, FLORIDA

JANET O. WHITMILL, R.L.A., INC.
 LANDSCAPE ARCHITECTURE • PLANNING
 P.O. BOX 2212, JACKSONVILLE, FL 32217

03.11.13

DATE: 1:20

H08000118153 3

ARTICLES OF MERGER
OF
TROUT RIVER MARINA, INC.,
a Florida corporation,
into
COMMERCIAL DIVING ACADEMY OF JACKSONVILLE, INC.,
a Florida corporation ("Surviving Corporation")

SECRETARY OF STATE
ALLAHASSEEE, FLORIDA

08 MAY 21 PM 2:09

FILED

Pursuant to the provisions of Sections 607.1101 and 607.1105 of the Florida Business Corporation Act, the undersigned corporations adopt the following articles of merger for the purpose of merging them into one of such corporations:

First: The following plan of merger (the "Plan of Merger") was approved by the shareholders of each of the undersigned corporations in the manner prescribed by the Florida Business Corporation Act: See Exhibit "A" attached hereto

Second: The Surviving Corporation is Commercial Diving Academy of Jacksonville, Inc.

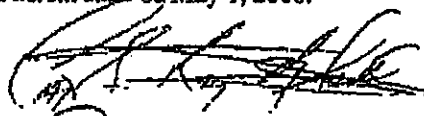
Third: As to each of the undersigned corporations, the number of shares outstanding, and the designation and number of outstanding shares entitled to vote on such plan, are as follows:

Name of Corporation	Number of Shares Outstanding		Number of Shares Entitled to Vote
	Voting	Non Voting	
Trout River Marina, Inc.	90	10	90
Commercial Diving Academy of Jacksonville, Inc.	90	10	90

Fourth: The Shareholders of each of the undersigned corporations unanimously adopted the Plan of Merger on April 21, 2008.

Fifth: The Effective Date of the merger described herein shall be May 1, 2008.

Dated: April 21, 2008.



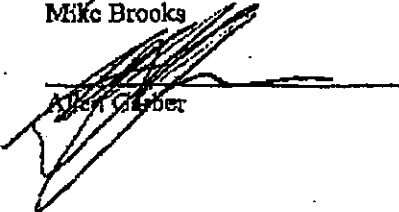
Lomye R. Black



David H. Weisman



Mike Brooks



Allen G. Guber

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EXHIBIT "A"

PLAN OF MERGER

THIS PLAN OF MERGER, dated as of April 21, 2008 (this "Agreement"), is entered into by and between Commercial Diving Academy of Jacksonville, Inc., a Florida corporation ("Commercial Diving Academy") and Trout River Marina, Inc., a Florida corporation ("Marina")

WHEREAS, Commercial Diving Academy has authorized capital stock of 10,000 shares of common stock, \$.05 par value, of which 100 shares were issued and outstanding on April 21, 2008;

WHEREAS, Marina has authorized capital stock consisting of 10,000 shares of common stock, \$.05 par value, ("Marina Common Stock") of which 100 shares are issued and outstanding on April 21, 2008;

WHEREAS, the Board of Directors and Shareholders of Commercial Diving Academy and the Board of Directors and Shareholders of Marina have approved a reorganization and merger (the "Merger") pursuant to which Marina will be merged with and into Commercial Diving Academy, with Commercial Diving Academy being the surviving corporation and acquiring substantially all the assets of Marina; and

NOW, THEREFORE, in consideration of the mutual agreements and covenants set forth herein, Commercial Diving Academy and Marina hereby agree as follows:

1. Merger. Subject to the terms and conditions hereinafter set forth, Marina shall be merged with and into Commercial Diving Academy, with Commercial Diving Academy being the surviving corporation. The Merger shall be effective when this properly executed plan of merger consistent, together with any other documents required by law to be filed to effectuate the Merger, shall be effective on May 1, 2008 (the "Effective Time" of the Merger).
2. Governing Documents. Commercial Diving Academy shall be the surviving corporation in the Merger, and shall continue its existence under the laws of the State of Florida. The Articles of Incorporation of Commercial Diving Academy, as in effect immediately prior to the Effective Time, without change or amendment until thereafter amended, and the By-laws of Commercial Diving Academy, as in effect immediately prior to the Effective Time, without change or amendment until thereafter amended.
3. Directors and Officers. At the Effective Time, the directors of Commercial Diving Academy and the officers of Commercial Diving Academy, in each case immediately prior to the Effective Time, shall be the directors and officers, respectively.
4. Succession. At the Effective Time, the separate corporate existence of Marina shall cease, and Commercial Diving Academy shall succeed Marina in the manner set forth in Section 607.1106 of the Florida Business Corporation Act and shall acquire substantially all the assets of Marina

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- 5. Effect on Shares. At the Effective Time, by virtue of the Merger in exchange for their shares of Marina stock issued and outstanding immediately prior to the Effective Time, each of the Marina shareholders (i) holding voting stock shall be entitled to receive one share of voting common stock of Commercial Diving Academy, and (ii) each of the Marina shareholders holding non-voting stock shall be entitled to receive one share of nonvoting shares of Commercial Diving Academy.
- 6. Further Assurances. From time to time, as and when required by Commercial Diving Academy, or by its successors or assigns, there shall be executed and delivered on behalf of Marina such deeds and other instruments, and there shall be taken or caused to be taken by it all such further and other action as shall be appropriate or necessary to vest, perfect, or confirm, of record or otherwise, in Commercial Diving Academy the title to and possession of all property, interests, assets, rights, privileges, immunities, powers, franchises and authority of Marina, and otherwise carry out the purposes of this Agreement; and the officers and directors of Commercial Diving Academy are fully authorized, in the name and on behalf of Marina or otherwise, to take any and all such action and to execute and deliver any and all such deeds and instruments.
- 7. Qualification of Merger as a Tax-Free Reorganization. It is the intention of the parties to the Merger that the Merger will be treated for federal income tax purposes as a reorganization within the meaning of Section 368(a) of the Internal Revenue Code of 1986, as amended, and that accordingly (a) no gain or loss will be recognized by Commercial Diving Academy or Marina as a result of the Merger, (b) no gain or loss will be recognized by the stockholders of Marina upon conversion of their shares to shares of common stock of Commercial Diving Academy pursuant to the merger, and (c) the tax basis of Commercial Diving Academy common stock issuable pursuant to the merger will be the same as the Marina converted therefor.
- 8. Amendments: Abandonment. Subject to applicable law, this Agreement may be amended, modified or supplemented by written agreement of the parties hereto at any time prior to the Effective Time with respect to any of the terms contained herein.
- 9. Counterparts. In order to facilitate the filing and recording of this Agreement, this Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original and such counterparts shall together constitute one and the same instrument.

IN WITNESS WHEREOF, Commercial Diving Academy and Marina have caused this Agreement to be executed by their respective duly authorized officers as of the date first above-written.

"COMPANY"

COMMERCIAL DIVING ACADEMY OF JACKSONVILLE, INC.

By: [Signature]
 Name: DAVID WEISSMAN
 Title: VIC PRESIDENT

HD80001181553

"MARINA"

TROUT RIVER MARINA, INC.

By: [Signature]
Name: DAVID W. FUSCO
Title: PRESIDENT

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HD80001181553

**UNANIMOUS WRITTEN CONSENT TO RESOLUTIONS
IN LIEU OF MEETING OF BOARD OF DIRECTORS AND SHAREHOLDERS OF
COMMERCIAL DIVING ACADEMY OF JACKSONVILLE, INC.
NOW KNOWN AS CDA TECHNICAL INSTITUTE, INC.**

Pursuant to the authority contained in Section 607.0704, Florida Statutes, the adoption of the following resolutions is consented to by the undersigned, who are all of the directors and shareholders of this Corporation.

RESOLVED, that all the acts and proceedings of the officers and directors of this Corporation, for and on behalf of this Corporation, be and hereby are approved, ratified and confirmed in every respect;

FURTHER RESOLVED, that Articles of Amendment to Articles of Incorporation changing the Corporation's name from Commercial Diving Academy of Jacksonville, Inc. to CDA Technical Institute, Inc. were accepted and filed with the Florida Department of State effective December 19, 2011 as set forth in Exhibit A attached hereto.

FURTHER RESOLVED, that the Corporation purchased the shares of Mike Brooks and Lonnye Ray Black purchased the stock of David H. Weisman.

FURTHER RESOLVED, that the Corporation and Shareholders desire to have one hundred (100) outstanding shares for ease of presentation.

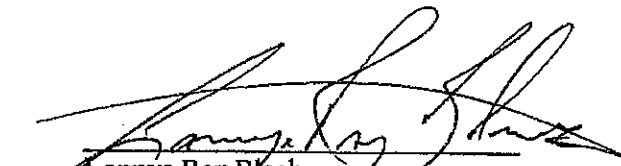
FURTHER RESOLVED, that the stock certificates in the previous name of Commercial Diving Academy of Jacksonville, Inc. shall be and hereby are cancelled and new stock certificates have been issued under the new name of CDA Technical Institute, Inc. as follows:

Lonnye Ray Black, 94.75 shares of common voting stock
dated March 1, 2013

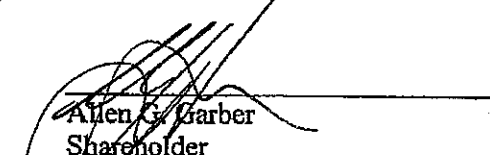
Allen G. Garber, 5.25 shares of non-voting stock
dated March 1, 2013

FURTHER RESOLVED, that Bylaws in the name of CDA Technical Institute, Inc. have been prepared and executed by the President of the Corporation effective March 1, 2013.

FURTHER RESOLVED, that this Unanimous Written Consent shall be effective as of
March 1, 2013



Lonnye Ray Black
Director and Shareholder



Allen G. Garber
Shareholder



FLORIDA DEPARTMENT OF STATE
Division of Corporations

December 20, 2011

DAVID WEISMAN
COMMERICAL DIVING ACADEMY
8137 NORTH MAIN STREET
JACKSONVILLE, FL 32208

Re: Document Number P01000097885

The Articles of Amendment to the Articles of Incorporation of COMMERCIAL DIVING ACADEMY OF JACKSONVILLE, INC. which changed its name to CDA TECHNICAL INSTITUTE, INC., a Florida corporation, were filed on December 19, 2011.

Should you have any questions regarding this matter, please telephone (850) 245-6050, the Amendment Filing Section.

Thelma Lewis
Document Specialist Supervisor
Division of Corporations

Letter Number: 211A00028257

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314



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Events

TROUT RIVER MARINA, INC.

Document Number S04712
Date Filed 10/09/1990
Effective Date None
Status Inactive

Event Type	Filed Date	Effective Date	Description
NAME CHANGE AMENDMENT	03/01/1999		OLD NAME WAS : PIER 68 MARINA, INC.
NAME CHANGE AMENDMENT	12/09/1991		OLD NAME WAS : PIER 66 MARINA, INC.

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