

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2014-143 TO PLANNED UNIT DEVELOPMENT

JUNE 5, 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 2014-143 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 2014-143 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 foot 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:

A10 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.**

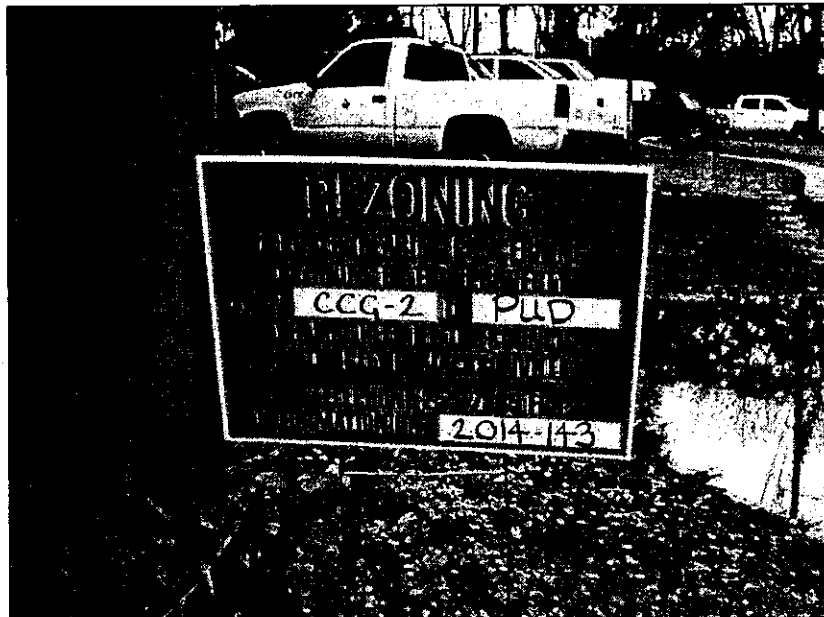
An Administrative Deviation, AD-12-23 was approved to reduce the parking to 5 spaces. However, this Planned Unit Development will supersede the Administrative Deviation.

(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 June 4, 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: One space for every three hundred square feet of gross floor area. The site plan dated June 5, 2014 depicts 78 parking spaces inclusive of leased parking under the US 17 Trout River Bridge. Based on the proposed 31,980 square feet of building (not inclusive of the storage structure between Building 2 and Building 3), the minimum required parking is 107 spaces. Leased parking spaces can be used to provide additional required parking provided that the leased spaces are within 400 feet of the subject property or a shuttle service is implemented.**
8. **If leased parking spaces become unavailable, the owner shall notify the Planning and Development Department immediately and provide documentation indicating the same number of parking spaces lost can be accommodated on a newly leased site. Sufficient parking shall be provided at all times. If lost parking cannot be accommodated, the maximum student count shall be reduced by a ratio of three students per one parking space.**
9. **The Commercial Dive Academy shall provide copies of all current and new leases with the Florida Department of Transportation to the Planning and Development Department.**

- 10. The Commercial Dive Academy PUD (Ord. 2014-143) cannot and does not have the legal right to prevent public access from the closed portion of Trout River Drive under the US 17 Trout River Bridge. The Commercial Dive Academy shall not have a fence prohibiting public pedestrian access via the closed Trout River Drive right-of-way under the Trout River Bridge. The Commercial Dive Academy owner shall construct and maintain a chain link fence on either side of the pedestrian access under the US 17 Trout River Bridge (Parcel 100). Said fence will also follow the Commercial Dive Academy property line on the east side of the US 17 Trout River Bridge to the City of Jacksonville Trout River Drive right-of-way. The Commercial Dive Academy shall remove the wooden privacy fence currently erected adjacent to the embankment along the east side of US 17.**
- 11. If a shuttle service is utilized to transport students and personnel from off-site parking, the shuttle drop-off and loading shall occur on Trout River Drive west of the US 17 Trout River Bridge.**
- 12. The proposed off-street parking lot containing 33 spaces identified on the site plan as being located east of US 17 and south of Trout River Drive shall be completed within six months after the enactment of the legislation approving 2014-143.**
- 13. Within one month of the enactment of this legislation, the Commercial Dive Academy shall request in writing that the Public Works Department reinstall the weight limit signs along Trout River Drive and that "No Parking" signs be installed along the City of Jacksonville right-of-way for Trout River Drive from the eastern cul-de-sac on Trout River Drive to the east side of the US 17 Trout River Bridge.**
- 14. At the time of PUD Verification of Substantial Compliance, a site plan showing pedestrian access on Parcel 100 and on the City of Jacksonville right-of-way shall be submitted for the review and approval of the Planning and Development Department.**



Aerial view of the subject site facing north



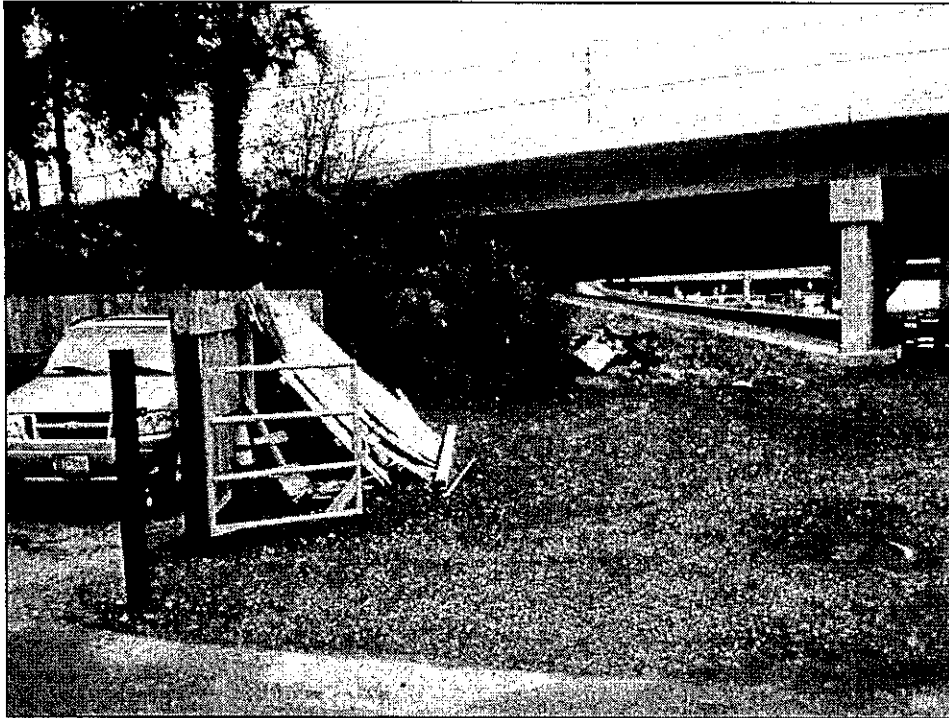
Parking lot parcel to the south. A 10 feet high, 95% opaque fence is already installed.

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



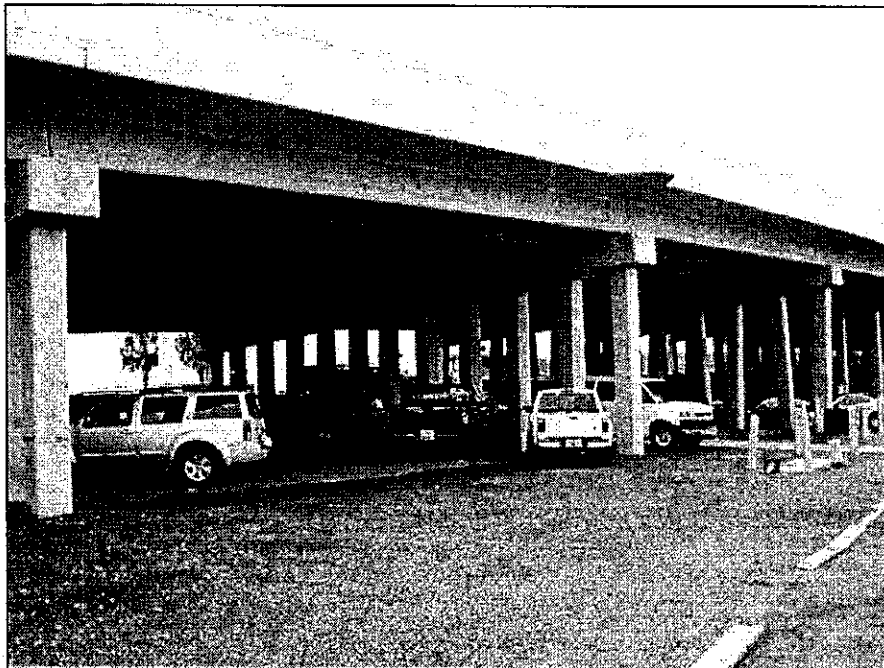
Main Campus and entry from Trout River Drive (east of Main Street Bridge).

*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

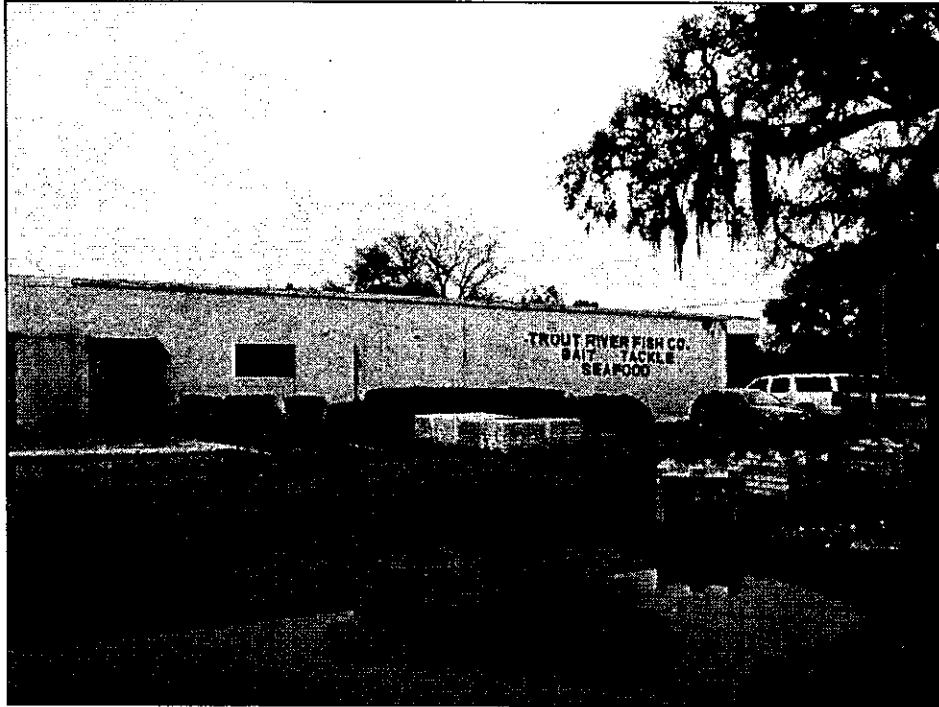
Date: March 18, 2014



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

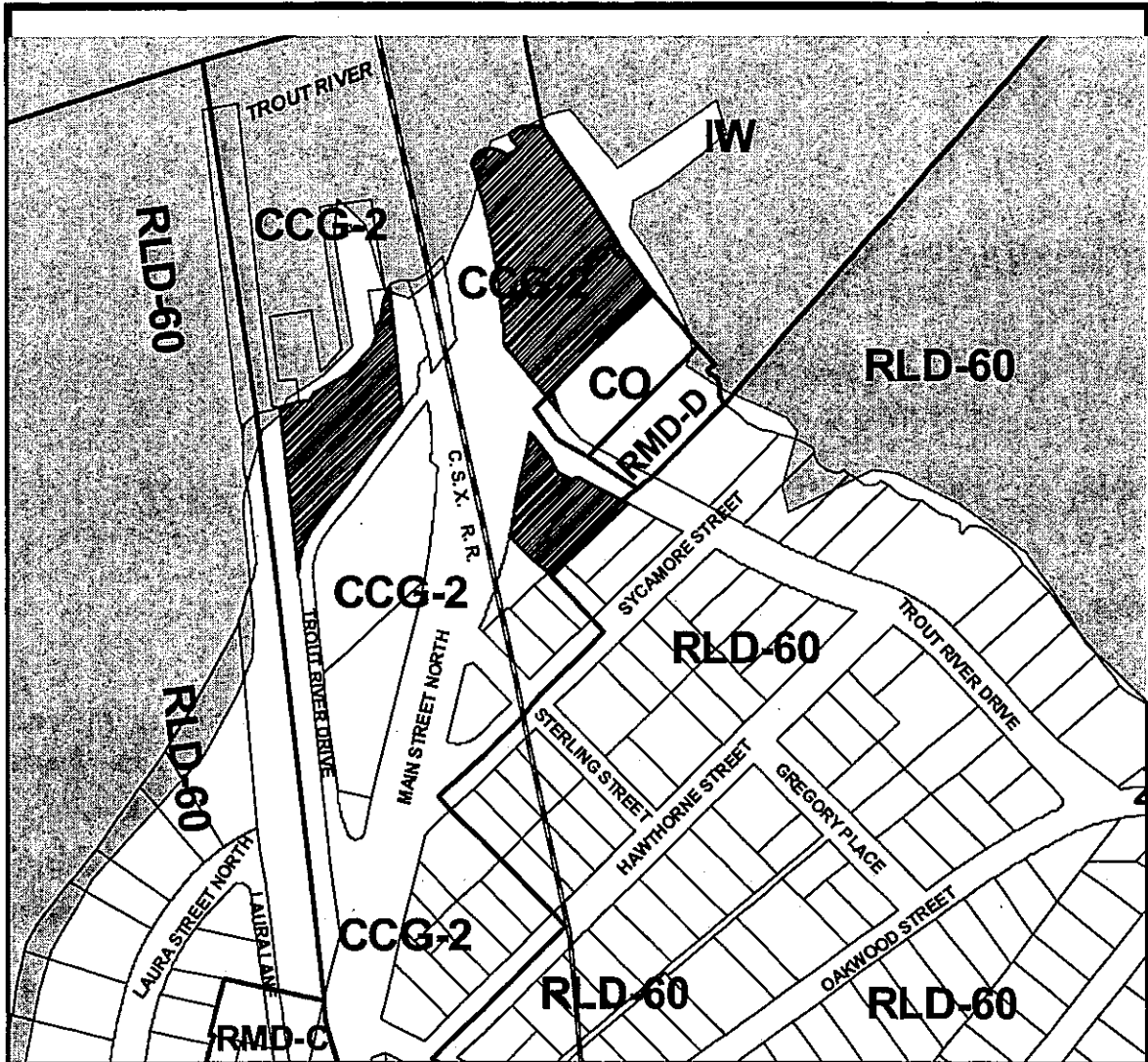
Date: March 18, 2014



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

Source: City of Jacksonville Planning and Development Department

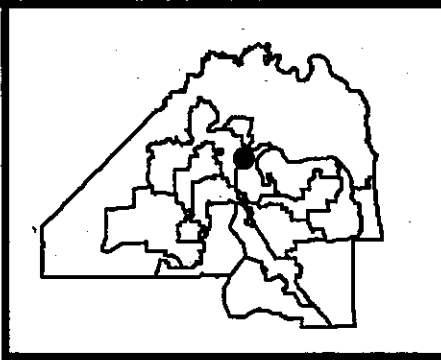
Date: March 18, 2014



REQUEST SOUGHT:

FROM: CCG-2

TO: PUD



0 100 Feet

A horizontal scale bar with a black line and a white space, representing a distance of 100 feet.

COUNCIL DISTRICT:
7 & 8

ORDINANCE_2014_0143

FILE COPY

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.

Legal Description

Main Campus

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.

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 NUMBER 76-341-194, EXCEPTING THEREFROM ANY PART FOR ROAD PURPOSES, RECORDED IN DEED BOOK 638, PAGES 62, OFFICIAL RECORDS VOLUME 373, PAGE 74 AND OFFICIAL RECORDS BOOK 15491, PAGE 595, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

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 SOUTH 45°42'06" EAST, BY AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.70 FEET; THENCE NORTH 15°19'08" WEST, A DISTANCE OF 40.45 FEET; THENCE NORTH 47°28'54" EAST, A DISTANCE OF 240.71 FEET TO THE NORTHEASTERLY FACE OF A TWO FOOT WIDE CONCRETE BULKHEAD AND THE WATERS OF THE TROUT RIVER; THENCE NORTH 34°39'25" WEST, BY AND ALONG THE FACE OF SAID BULKHEAD AND THE WATERS OF TROUT RIVER, A DISTANCE OF 345.97 FEET TO THE NORTHEASTERLY TERMINUS OF SAID BULKHEAD; THENCE SOUTHEASTERLY 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 SOUTH 16°04'11" EAST, 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 (SOUTH 09°26'32" EAST, 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.

Off-Site Parking-The property described below is not being rezoned to PUD.

PART OF LOTS 3 AND 4, TOGETHER WITH A PART OF MAIN STREET, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 53 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Legal Description

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF MAIN STREET (A 100.00 FOOT RIGHT-OF-WAY) WITH THE NORTH LINE OF WEST 48th STREET (A 60.0 FOOT RIGHT-OF-WAY); THENCE NORTH 83°-55'-20" WEST, 5.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 83°-55'-20" WEST, 325.00 FEET ALONG THE NORTH LINE OF SAID WEST 48th STREET; THENCE NORTH 05°-15'-50" EAST, 424.87 FEET, TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 12907, PAGE 480; THENCE SOUTH 84°-46'-30" EAST, 317.68 FEET ALONG THE SOUTH LINE OF SAID LANDS TO THE WEST LINE OF SAID MAIN STREET; THENCE SOUTH 13°-30'-00" WEST, 38.17 FEET, ALONG THE WEST LINE OF SAID MAIN STREET, TO AN ANGLE POINT; THENCE CONTINUE ALONG THE WEST OF SAID MAIN STREET, SOUTH 02°-39'-50 WEST, 387.19 FEET, THENCE SOUTH 49°-22'-15" WEST, 6.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING THE SAME AS THOSE LANDS DESCRIBED IN OFFICIAL RECORDS COLUME 3915, PAGE 975 AND OFFICIAL RECORDS VOLUME 6252, PAGE 424, LESS AND EXCEPT THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 4969, PAGE 610 AND OFFICIAL RECORD BOOK 12907, PAGE 480.

Exhibit D

FOURTH AMENDED WRITTEN DESCRIPTION

Commercial Dive Academy

May 22, 2015

I. PROJECT DESCRIPTION

- A.** 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 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. 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.
- B.** Project Architect/Planner: Doug Snead
- C.** Project Engineer: Eric Almond
- D.** Project Developer: Captain Ray Black
- E.** Current Land Use Category: Community General Commercial (CGC)
- F.** Current Zoning District: Commercial Community General-2 (CCG-2)
- G.** Requested Zoning District: Planned Unit Development (PUD)
- H.** Real Estate Number(s): 032720-0010 (not including the parcel formerly designated 32730-0100), 032716-0000, 032865-0000.

II. USES AND RESTRICTIONS.

A. Permitted uses and structures.

- (1) Commercial Retail Sales and Service Establishments.
- (2) Retail sales of new or used automobiles, trucks and tractors, mobile homes, boats, pawnshops subject to Part 4, automotive vehicle parts (but not automobile wrecking yards, junkyards or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nurseries, lumber and building supplies and similar products.
- (3) Service stations, truck stops, car wash, major automotive repair, car or truck rental, restaurants, laundromat or dry cleaners, veterinarians, animal boarding kennels meeting the performance standards and development criteria set forth in Part 4, pest control, carpenter or cabinet shops, home equipment rentals, job printing or newspapers, radio or television offices and studios, blood donor stations and similar uses.
- (4) Commercial, recreational and entertainment facilities such as carnivals or circuses, theaters (including open-air theaters), skating rinks, athletic complexes, arenas, auditoriums, convention centers, go-cart tracks, driving ranges.
- (5) Fruit, vegetable, poultry or fish markets.
- (6) All types of professional and business offices.
- (7) 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.
- (8) Hotels, motels and dormitories.
- (9) Day care centers and care centers meeting the performance standards and development criteria set forth in Part 4.
- (10) Hospital, nursing homes, assisted living facilities, group care homes, dormitories, student house and housing for the elderly or orphans and similar uses.
- (11) Boatyards.
- (12) Racetracks for animals or vehicles.
- (13) Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.

- (14) Off-street commercial parking lots meeting the performance standards and development criteria set forth in Part 4.
- (15) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishing and appliances, furniture and similar uses.
- (16) Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
- (17) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (18) Private clubs.
- (19) Churches, including a rectory or similar use.
- (20) Personal property storage establishments meeting the performance standards and development criteria set forth in Part 4.
- (21) Vocational, trade and business schools. The maximum number of students living on the Main Campus by the site plan shall be set at 250 students, excluding off-site parking.
- (22) Banks, including drive-thru tellers.
- (23) Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.
- (24) A restaurant which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
- (25) An establishment or facility which includes the retail sale of all alcoholic beverages including liquor, beer or wine for off-premises consumption.
- (26) Outdoor events on Lot A as shown on the site plan shall be prohibited between 9:00 p.m. and 6:00 a.m.

B. Permitted accessory uses. See Section 656.403, Ordinance Code

C. Permissible uses by exception.

- (1) Residential treatment facilities or emergency shelter.
- (2) Rescue missions.
- (3) Day labor pools.
- (4) Crematories.
- (5) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
- (6) Building trades contractors with outside storage yards meeting the performance standards and development criteria set forth in Part 4.
- (7) Travel trailer parks meeting the performance standards and development criteria set forth in Part 4.
- (8) Automobile storage yards.
- (9) Bus, semi-tractor (but not trailer) or truck parking and/or storage.
- (10) Schools meeting the performance standards and development criteria set forth in Part 4.
- (11) Dancing entertainment establishments serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.
- (12) Nightclubs.
- (13) 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.

D. Lot Requirements.

- (1) *Minimum lot requirements (width and area).* None, except as otherwise required for certain uses.
- (2) *Maximum lot coverage by all buildings.* None, except as otherwise required for certain uses.
- (3) *Minimum yard requirements.*
 - (i) Front—None.
 - (ii) Side—None,

(iii) Rear—Ten feet.

(4) *Maximum height of structures.* Sixty feet.

E. Ingress, Egress and Circulation.

(1) *Parking Requirements.* Due to the property's existing condition, configuration and extensive planned renovation, this site shall have 100 on-site parking spaces. According to the calculations by the Planning Department, the current and planned uses of the property require 262 parking spaces, per the attached parking space calculations. The applicant will therefore provide parking spaces in the nearby off-site parking lot as shown on the attached site plan of the off-site parking lot. A survey of the off-site parking lot is also attached.

(2) *Vehicular Access.*

Vehicular access to the property shall be by way of existing access points as shown in the Site Plan. Vehicular access for shuttle service use by CDA to drop off students from the off-site parking shall be only on the west side of Main Street at a location near the CDA hyperbaric medical training center.

(3) *Pedestrian Access.*

A CDA private pedestrian pathway from the onsite parking space shall be provided per the Site Plan of CDA's property. Additionally, the public pedestrian path identified on the site plan providing pedestrian access to the public area shall not be blocked. The Commercial Diving Academy PUD does not have the legal right to prevent access to the closed road portions of Trout River Drive under U.S. 17 Trout River Bridge.

F. Signs.

The number, location, size and height of signage to be located upon the property shall be in accordance with the Sign Ordinance for the CGC-2 Zoning District.

G. Landscaping.

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

H. Recreation and Open Space.

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

I. Utilities.

Water will be provided by JEA.
Sanitary sewer will be provided by JEA.
Electric will be provided by JEA.

J. Wetlands.

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

K. 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.

III. STATEMENTS

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

The PUD allows for a reduction in on-site parking but allows for off-site parking which greatly exceeds the code requirements.

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

All lands will be operated and maintained by a fee title owner.

C. Justification for the rezoning.

The PUD is consistent with Future Land Use Element Policy 1.1.0 that promotes use of PUDs for innovative and smart growth techniques in all commercial, industrial and residential categories. Buffering has been provided as an integral part of the site plan.

The PUD is consistent with the Future Land Use Element Objective 3.2 which requires the continued promotion and sustaining of existing commercial corridors to support services needed for commercial, business intense areas of the City.

The PUD prevents the applicant from having to acquire and/or convert existing open space into parking and instead allows the applicant the use of a nearby parking lot.

CONDITIONS

1. The Commercial Diving Academy shall provide copies of leases, licenses or agreements with the Florida Department of Transportation to the Planning and Development Department. The Commercial Diving Academy PUD does not have the legal right to prevent access to the closed road portion of Trout Drive under U.S. 17 Trout River Bridge.

Huxford, Folks

From: Lewis, Bruce
Sent: Tuesday, October 21, 2014 12:26 PM
To: Huxford, Folks; Burney, Calvin
Subject: RE: CDA parking formula and other info

Below are my revised parking calculations. I subtracted the square footage of the dorms and the bathrooms from the overall square footage. Using the vocational school ratio CDA needs 196 spaces. Using the blended ratio 262 spaces is required.

Building 1 Dorm		
238 beds - 1 space/2 beds		119 spaces
Building 1 - porch	1,464	
Building 2	12,572	
Building 3	11,425	
Building 4	15,764	
Building 5	1,625	
Required parking: 1 space/300 sq.ft.	42,850	143 spaces
		262 spaces

Bruce E. Lewis
City Planner Supervisor
Current Planning Division
Planning & Development Department
214 North Hogan Street, Suite 300
Jacksonville, Florida 32202
904.255.7820 | direct
904.255.7884 | fax

From: Huxford, Folks
Sent: Monday, October 20, 2014 6:14 PM
To: Burney, Calvin
Cc: Lewis, Bruce
Subject: CDA parking formula and other info

The parking formula for a vocational school is straightforward – One space per 300 square feet of gross floor area.

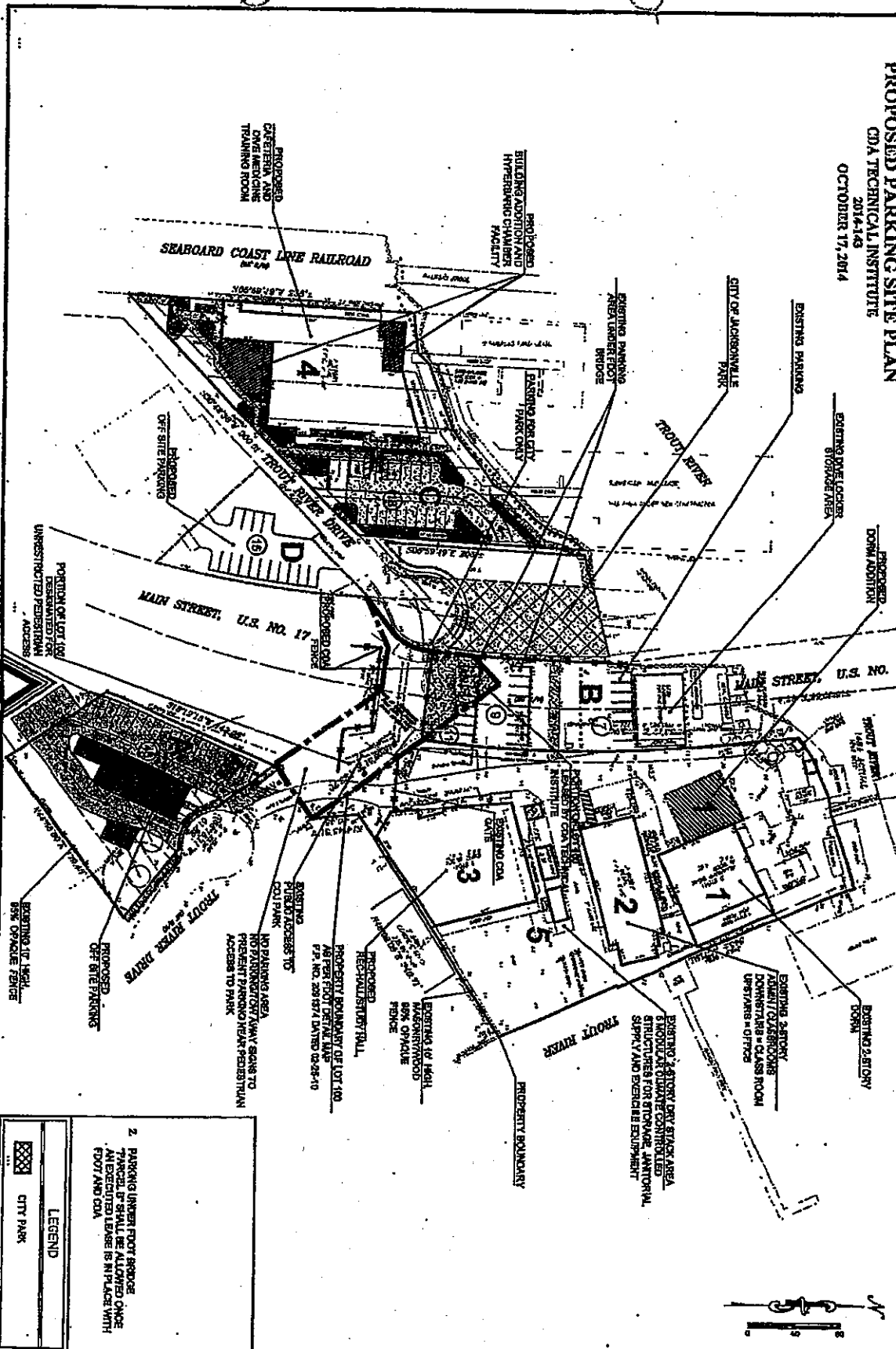
The Zoning Code doesn't have a parking formula for a dormitory. Compounding this is that most dormitories are separate buildings apart from classroom space. In checking various zoning codes, the prevailing dormitory formula is one space for every two beds or students. My suggestion is that we use the vocational calculation for all parts of CDA except that portion used for dormitory space, and that we use the one space per two beds formula for the dormitory.

Per 656.607, parking lots shall either be on-site or shall comply with the Part 4 requirements for an off-street parking lot:

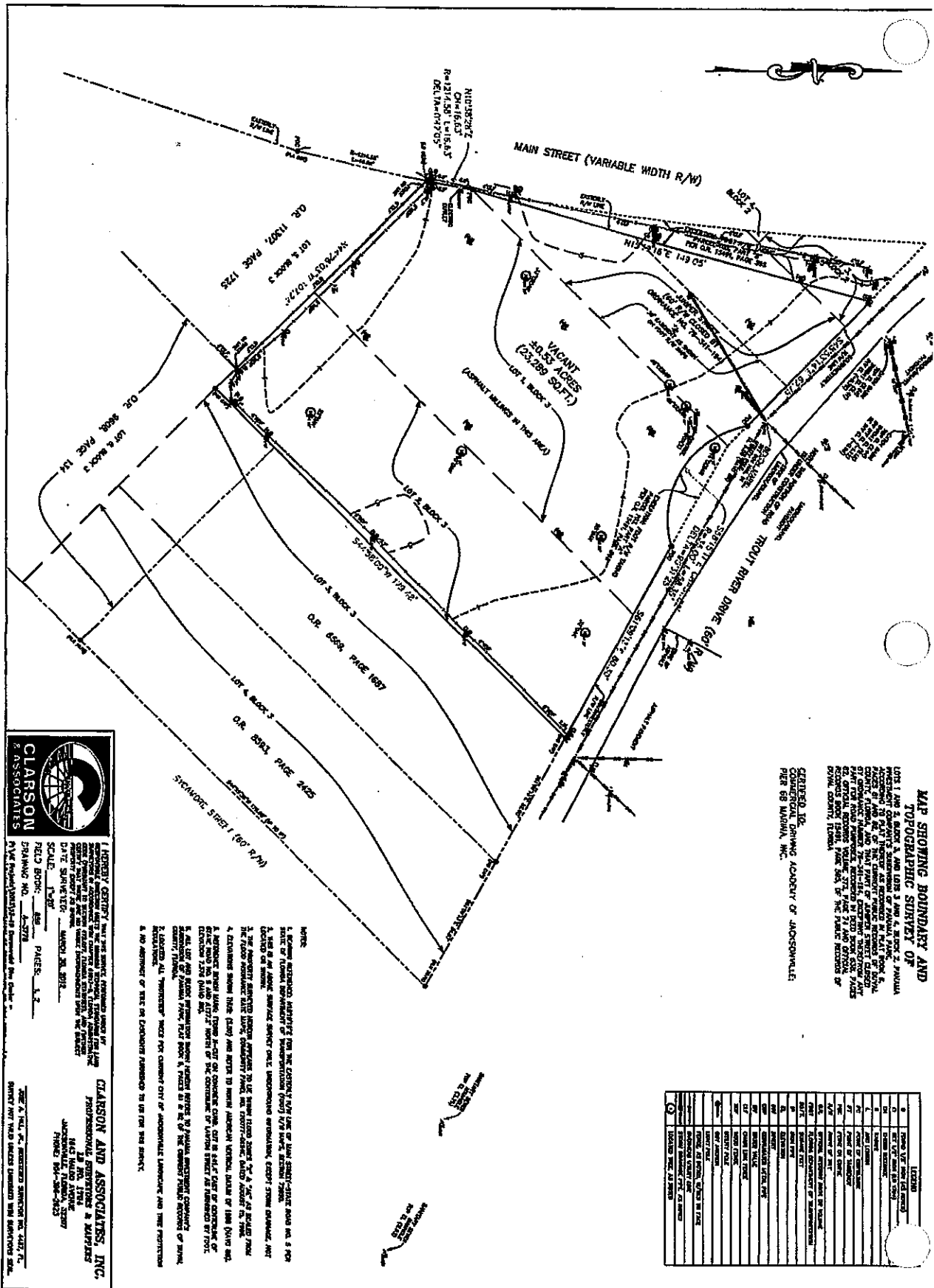
Off-street parking lots in the CCG-1, CCG-2, IBP-1, IBP-2, IL, IH and PBF-3 zoning districts shall be limited to the following:

- (i) The hours of use shall be limited to the hours of 7:00 a.m. to 11:00 p.m.
- (ii) There shall be no storage, sales or service activity of any kind on these lots.

PROPOSED PARKING SITE PLAN
CDA TECHNICAL INSTITUTE
 2014-149
 OCTOBER 17, 2014



<p>ALMOND ENGINEERING CONSULTING CIVIL ENGINEERS 3409 HENDRIX AVENUE JACKSONVILLE, FL 32207 (904) 306-0162 Phone (904) 306-3188 Fax</p>	<p>CDA TECHNICAL INSTITUTE 91 TROUT RIVER DRIVE JACKSONVILLE, FL 32206</p>	<p>MASTER CAMPUS PROPOSED PARKING SITE PLAN</p>	<table border="1"> <tr><th>NO.</th><th>DATE</th><th>REVISION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	REVISION																														
	NO.	DATE	REVISION																																	
<p>EX-1</p>	<p>DATE: MAY 22, 2015 SHEET NO. 3 OF 8</p>																																			



MAP SHOWING BOUNDARY AND TOPOGRAPHIC SURVEY OF

LOT 1 AND 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

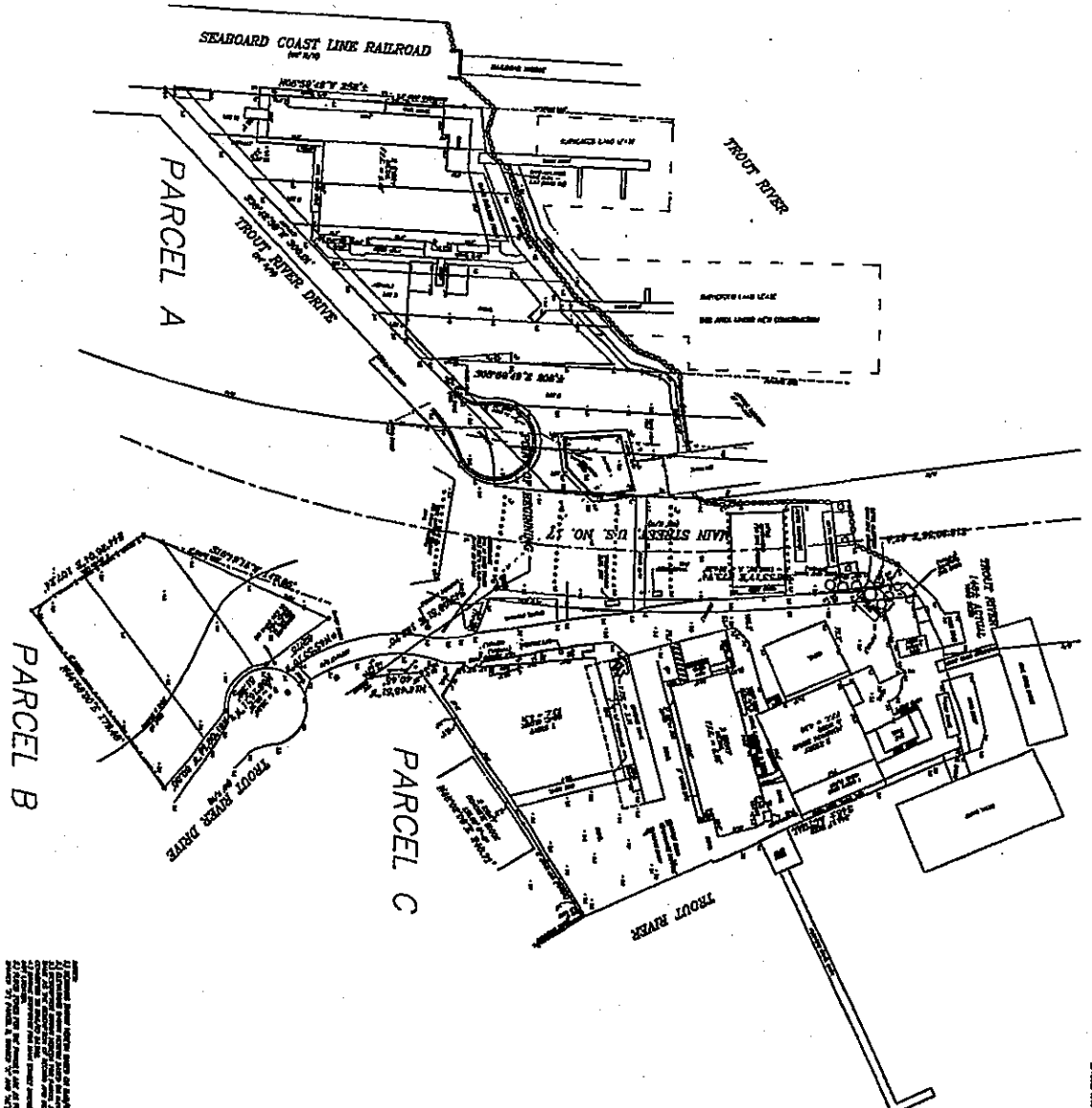
PREPARED BY: CLARSON & ASSOCIATES, INC.
 688 N. W. 10th St., Ft. Lauderdale, FL 33304
 PHONE: (954) 561-1111
 FAX: (954) 561-1112
 E-MAIL: info@clarson.com



CLARSON & ASSOCIATES, INC.
 PROFESSIONAL ENGINEERS & SURVEYORS
 688 N. W. 10th St., Ft. Lauderdale, FL 33304
 PHONE: (954) 561-1111
 FAX: (954) 561-1112
 E-MAIL: info@clarson.com

- NOTES:**
1. ALL DIMENSIONS SHOWN ARE THE CENTER LINE OF ROAD UNLESS OTHERWISE NOTED.
 2. THE PROPERTY BOUNDARY SHOWN IS BASED UPON THE SURVEY RECORDS OF THE COUNTY OF PALM BEACH, FLORIDA.
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NO.	DESCRIPTION	DATE	BY
1	TOPOGRAPHIC SURVEY	02/12/2015	JACOBSON
2	BOUNDARY SURVEY	02/12/2015	JACOBSON
3	AS-BUILT SURVEY	02/12/2015	JACOBSON
4	CONSTRUCTION SURVEY	02/12/2015	JACOBSON
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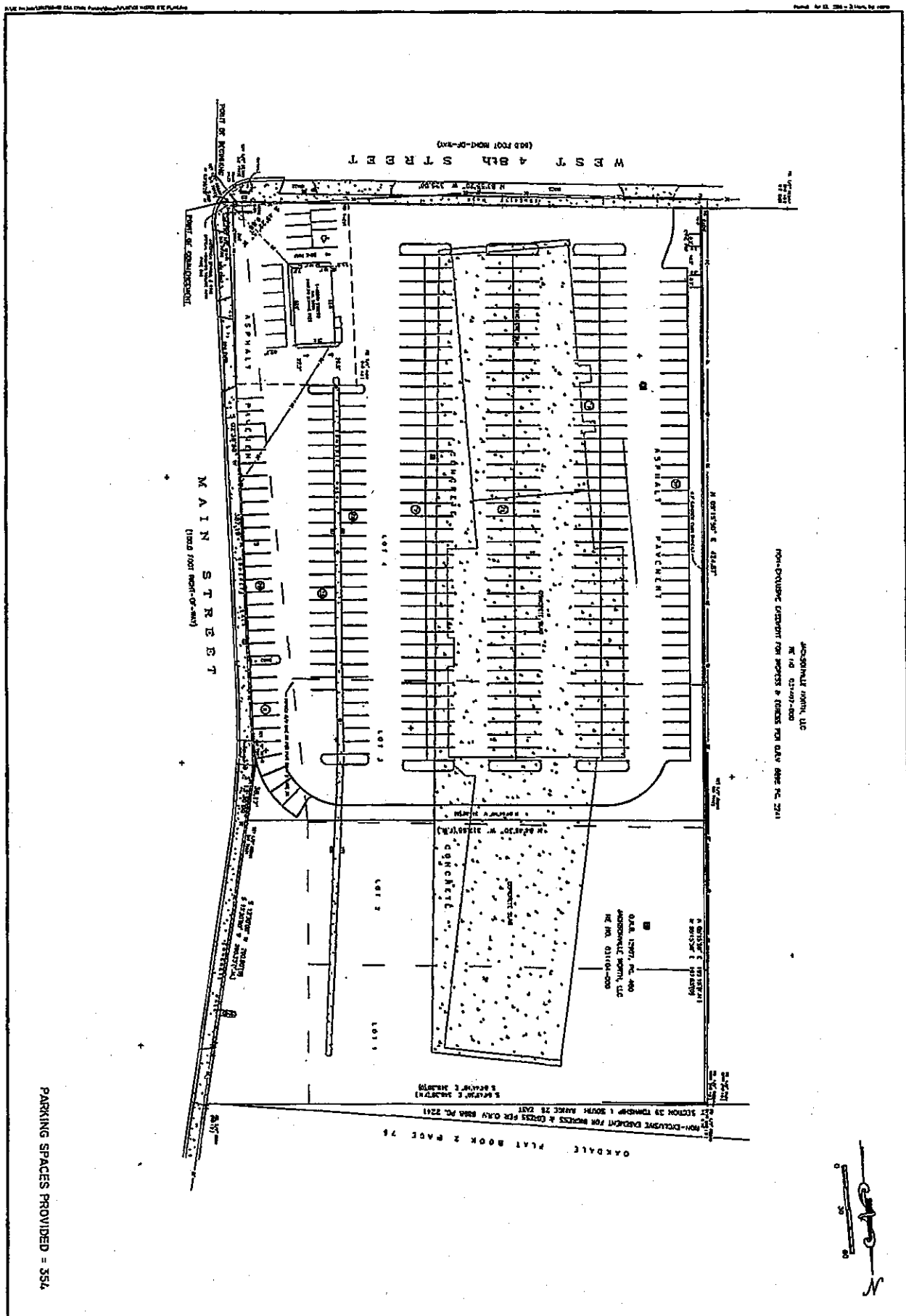


MAP SHOWING BOUNDARY SURVEY OF

THESE PARCELS ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE USED AS A BASIS FOR ANY LEGAL ACTION OR AS EVIDENCE IN ANY COURT OF LAW. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THESE PARCELS OTHER THAN THOSE SHOWN ON THIS MAP. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THESE PARCELS OTHER THAN THOSE SHOWN ON THIS MAP. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THESE PARCELS OTHER THAN THOSE SHOWN ON THIS MAP.

THIS SURVEY WAS MADE FROM AERIAL PHOTOGRAPHS TAKEN IN 1958 AND 1965. THE BOUNDARIES OF THESE PARCELS ARE SHOWN AS THEY APPEARED IN THESE PHOTOGRAPHS. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THESE PARCELS OTHER THAN THOSE SHOWN ON THIS MAP.

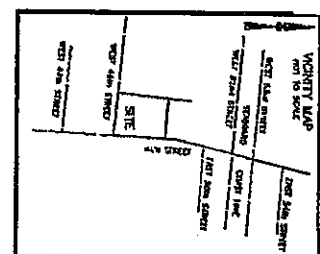
SURVEY DATA	
DATE OF SURVEY	12/15/13
PROJECT	PAVE PROJECTS
SURVEYOR'S CERTIFICATE OF QUALITY	
I, the undersigned, being a duly qualified and licensed professional surveyor, do hereby certify that this is a true and correct copy of the original survey as shown to me by the client.	
I further certify that I am a duly qualified and licensed professional surveyor in the State of North Carolina.	
I am not providing this survey for the purpose of advertising or for any other purpose not intended by the client.	
I am not providing this survey for the purpose of advertising or for any other purpose not intended by the client.	



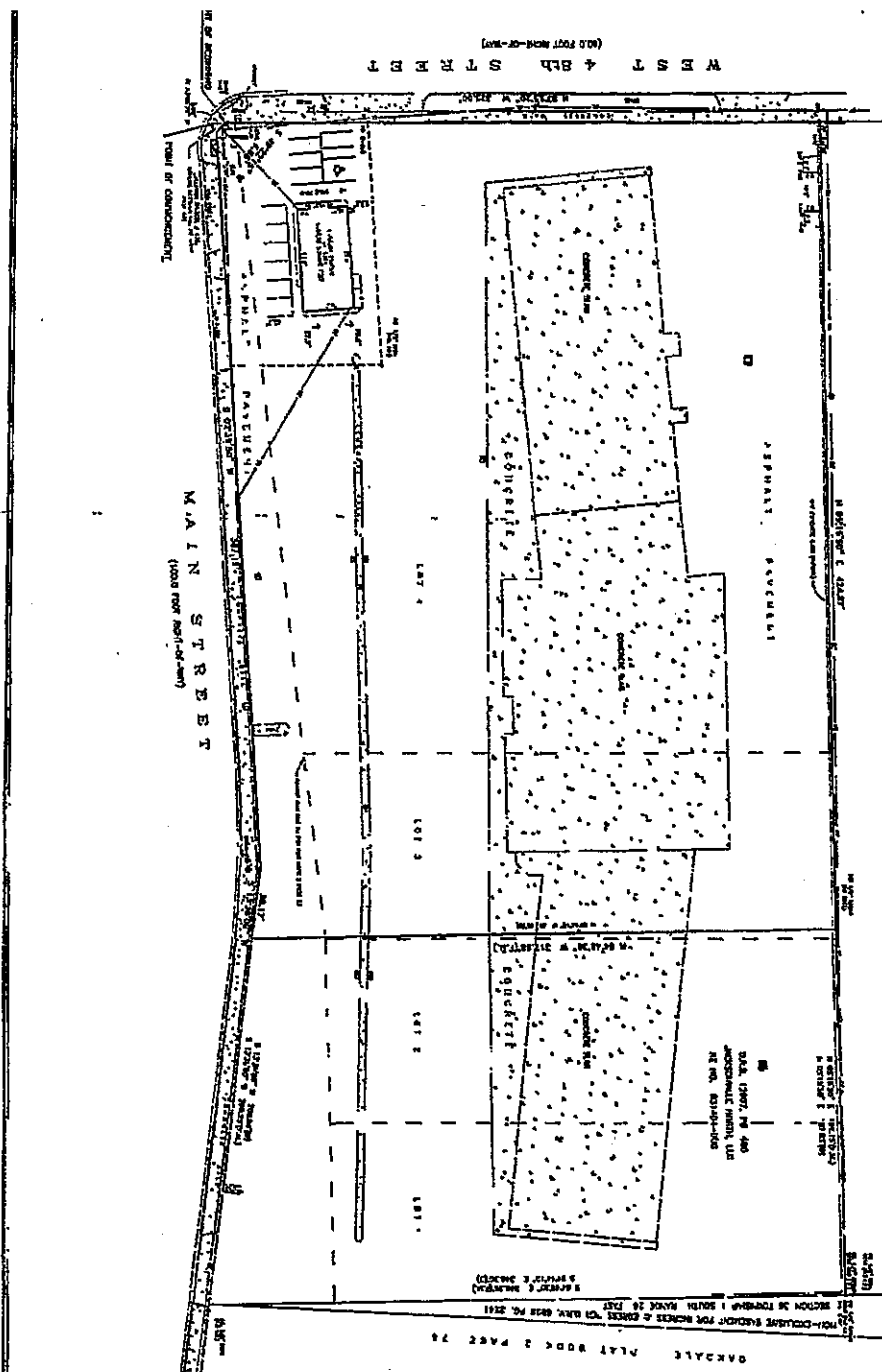
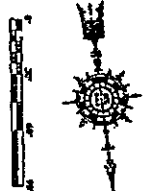
PARKING SPACES PROVIDED = 354.



<p>###</p>	<p>ALMOND ENGINEERING CONSULTING CIVIL ENGINEERS 6277 DUPONT STATION COURT S., SUITE 1 JACKSONVILLE, FL 32207 (904) 300-0123 PHONE (904) 300-2105 FAX</p>	<p>COMMERCIAL DIVE ACADEMY</p>	<p>PRELIMINARY PARKING PLAN</p>	<p>DATE: 12/20/11</p> <p>PROJECT: COMMERCIAL DIVE ACADEMY</p> <p>START DATE: 12-11-11</p> <p>LOT DATE: 12-20-11</p>	<p>DATE: 12/20/11</p> <p>PROJECT: COMMERCIAL DIVE ACADEMY</p> <p>START DATE: 12-11-11</p> <p>LOT DATE: 12-20-11</p>
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JACOBUS & JACOBUS
 REAL ESTATE SERVICES, LLC
 1001 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202



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JACOBUS & JACOBUS REAL ESTATE SERVICES, LLC

1001 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

CONTRACT NO. 2015-001

DATE: 05/22/15

PROJECT: 1001 WEST 10TH AVENUE, DENVER, COLORADO

Main Campus

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.

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 NUMBER 76-341-194, EXCEPTING THEREFROM ANY PART FOR ROAD PURPOSES, RECORDED IN DEED BOOK 638, PAGES 62, OFFICIAL RECORDS VOLUME 373, PAGE 74 AND OFFICIAL RECORDS BOOK 15491, PAGE 595, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

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 SOUTH 45°42'06" EAST, BY AND ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.70 FEET; THENCE NORTH 15°19'08" WEST, A DISTANCE OF 40.45 FEET; THENCE NORTH 47°28'54" EAST, A DISTANCE OF 240.71 FEET TO THE NORTHEASTERLY FACE OF A TWO FOOT WIDE CONCRETE BULKHEAD AND THE WATERS OF THE TROUT RIVER; THENCE NORTH 34°39'25" WEST, BY AND ALONG THE FACE OF SAID BULKHEAD AND THE WATERS OF TROUT RIVER, A DISTANCE OF 345.97 FEET TO THE NORTHEASTERLY TERMINUS OF SAID BULKHEAD; THENCE SOUTHEASTERLY 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 SOUTH 16°04'11" EAST, 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 (SOUTH 09°26'32" EAST, 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.

Off-Site Parking-The property described below is not being rezoned to PUD.

PART OF LOTS 3 AND 4, TOGETHER WITH A PART OF MAIN STREET, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 53 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF MAIN STREET (A 100.00 FOOT RIGHT-OF-WAY) WITH THE NORTH LINE OF WEST 48th STREET (A 60.0 FOOT RIGHT-OF-WAY); THENCE NORTH 83°-55'-20" WEST, 5.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 83°-55'-20" WEST, 325.00 FEET ALONG THE NORTH LINE OF SAID WEST 48th STREET; THENCE NORTH 05°-15'-50" EAST, 424.87 FEET, TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 12907, PAGE 480; THENCE SOUTH 84°-46'-30" EAST, 317.68 FEET ALONG THE SOUTH LINE OF SAID LANDS TO THE WEST LINE OF SAID MAIN STREET; THENCE SOUTH 13°-30'-00" WEST, 38.17 FEET, ALONG THE WEST LINE OF SAID MAIN STREET, TO AN ANGLE POINT; THENCE CONTINUE ALONG THE WEST OF SAID MAIN STREET, SOUTH 02°-39'-50 WEST, 387.19 FEET, THENCE SOUTH 49°-22'-15" WEST, 6.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING THE SAME AS THOSE LANDS DESCRIBED IN OFFICIAL RECORDS COLUME 3915, PAGE 975 AND OFFICIAL RECORDS VOLUME 6252, PAGE 424, LESS AND EXCEPT THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 4969, PAGE 610 AND OFFICIAL RECORD BOOK 12907, PAGE 480.