



May 19, 2016

The Honorable Greg Anderson, President
The Honorable Scott Wilson, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2016-296**

Application for: Kiddie Academy Bartram Park PUD

Dear Honorable Council President Anderson, Honorable Council Member and LUZ Chairperson Wilson and Honorable Members of the City Council:

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

- Recommendation by JPDD: Approve Approve with Conditions Deny
- Recommendation by PC to LUZ: Approve Approve with Conditions Deny

● This rezoning is subject to the following exhibits:

1. The original legal description dated November 30, 2015.
2. The original written description dated March 22, 2016.
3. The original revised site plan dated ~~February 26~~ May 19, 2016.
4. The Development Services Division Memorandum dated or as otherwise approved by the Planning and Development Department.

● Recommended Planning Commission Conditions* to the Ordinance:

*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~strikethrough~~.

● Recommended PC Conditions that can be incorporated into the Written Description: None

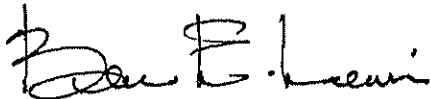
● PC Vote: 5-0

- PC Commentary: There were no speakers in opposition.
 The commission had questions concerning the pedestrian path from parking lot to front door; hours of operation; possibility of stacking problems and vehicular travel directions.
 The agent indicated that parents will be required to walk children to entrance; although hours of operations are not set, it is expected to be 7:30 AM to 6:00 PM; there will be no nightly operation; The site plan shows one way travel lanes to allow stacking on site and reduce vehicle conflicts.

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chris Hagan, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Daniel Blanchard, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abel Harding, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marshall Adkison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Friley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dawn Motes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nicole Padgett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nate Day (Alternate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Sincerely,



Bruce E. Lewis, City Planner Supervisor
 Planning and Development Department



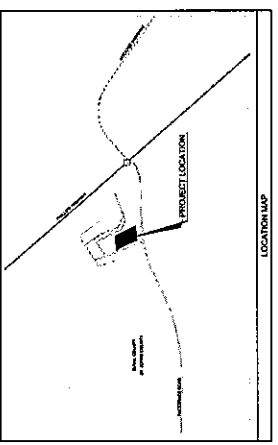
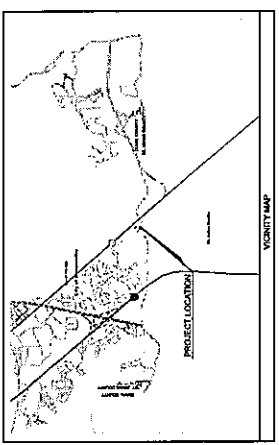
Taylor & White, Inc.
 Civil Engineering & Surveying
 1000 N. University Blvd., Suite 100
 Jacksonville, Florida 32217
 Phone: 904.241.1000
 Fax: 904.241.1001
 www.taylorwhite.com

KIDDIE'S ACADEMY
 Educational Child Care
 Jacksonville, Florida - Racetrack Road

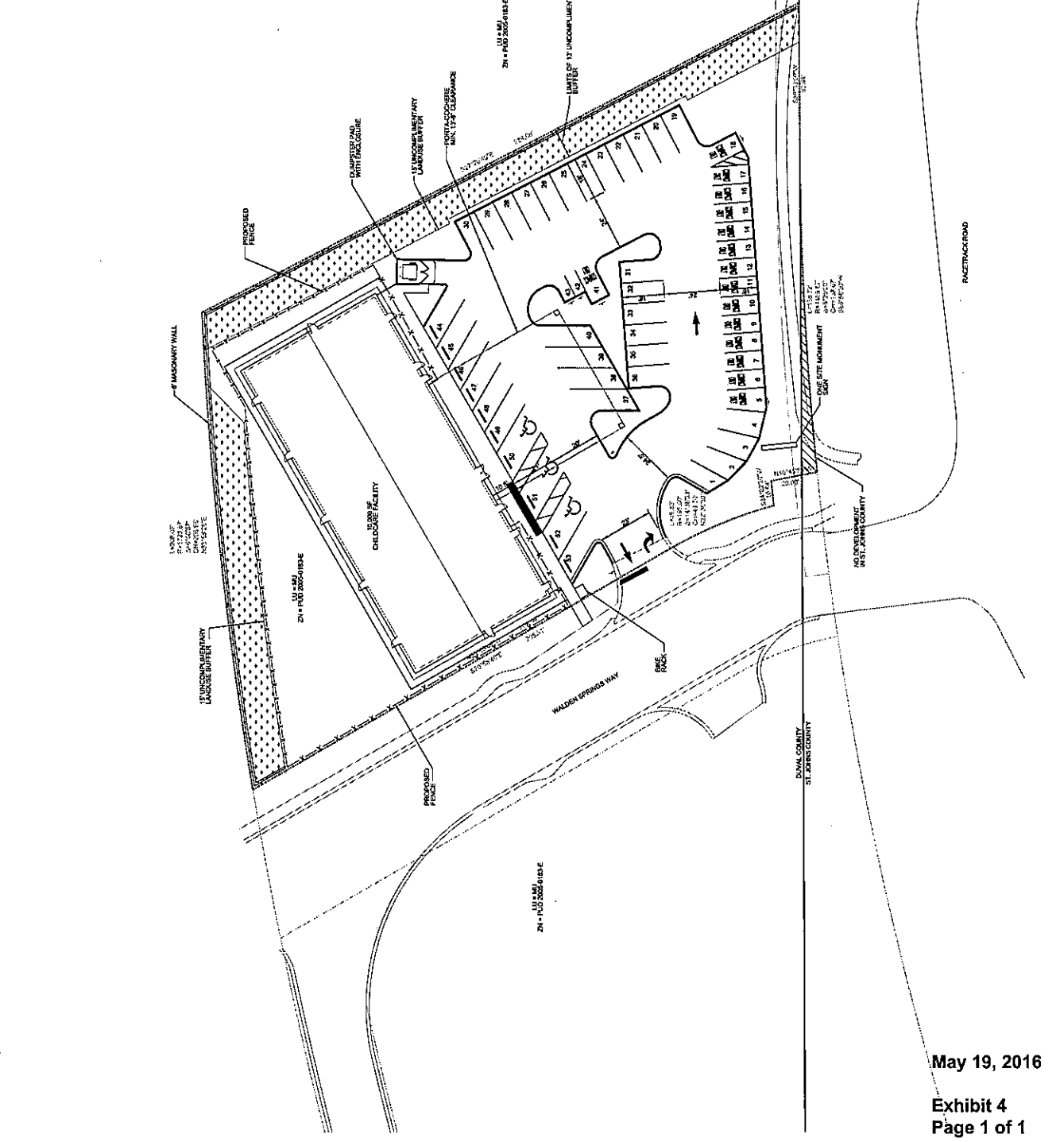
**EXHIBIT #1
 PUD SITE PLAN**

REVISIONS

No.	Desc.	Date



Project Name: Kiddie's Academy
 Owner: Kiddie's Academy, LLC
 Designer: Taylor & White, Inc.
 Surveyor: Taylor & White, Inc.
 Date: 1/20/16
 Drawing No.: 15000
 Scale: 1" = 100' (Site Plan)
 Drawing Date: 1/20/16



REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-296 TO

PLANNED UNIT DEVELOPMENT

MAY 19, 2016

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2016-296 to Planned Unit Development.

Location: North side of Racetrack Road between Philips Highway and Bartram Park Boulevard

Real Estate Number(s): 168144-0005

Current Zoning District: Planned Unit Development (PUD 05-183)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Mixed Use (MU)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Danny Becton, District 11

Applicant/Agent: Brad Wester
Driver, McAfee, Peek & Hawthorne, P.L.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Paul C. Porter
Paul Crosson Porter, LLC
192 Martinque Circle
Ponte Vedra Beach, Florida 32082

Owner: Peter Lewin
Racetrack Investors, LLC
340 Ponte Vedra Boulevard
Ponte Vedra Beach, Florida 32082

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development 2016-296 seeks to rezone approximately 1.2 acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning to PUD is being sought to increase the number of children for a day care from 50 to 200 children. The proposed building will be a maximum of 10,000 square feet in area.

The parcel is within the Office Commercial Residential Hotel (OCRH) designation of Bartram Park PUD. The OCRH District allows day care centers with the following criteria.

- Child or adult care centers shall be limited to a maximum of 50 children.
- Be located on a site of not less than 2 acres in size
- Contiguous to a collector or higher street.
- Provide adequate off-site parking and stacking.
- Provide a six foot high, 95% opaque visual barrier adjacent to residential uses.
- Provide a fenced outdoor play area which meets minimum licensing agency requirements.

The PUD application is consistent with the Bartram Park Development of Regional Impact (DRI).

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 Multi-Use 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 Multi-Use land use category is intended to accommodate, in a more innovating fashion, development or redevelopment of areas in a larger size and scale. Areas which are appropriate for the Multi-Use designation include development which meets or exceeds the thresholds for a Development of Regional Impact (DRI), Florida Quality Development (FQD), or Regional Activity Centers (RAC) under Chapter 380, Florida Statutes, or a former military base closed pursuant to the Defense Base Closure and Realignment Act of 1990 and under Florida Statute 228 or subsequent Federal/local action or areas which have been approved as a Transportation Management Area with a Chapter 163 Agreement (TMA), and for those developments that comprise of at least 250 acres and provide for master planned communities which include energy efficient development patterns and other features designed

to maximize the preservation of natural areas. 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. A description of the category is noted below.

Development within the MU Category may include permitted uses mixed within the same building (vertical) or in separate buildings on the same site or in the same block (horizontal). Multi-use development allows for a high quality mix of compatible uses. To facilitate integration of land uses, the placement of an interconnected system of streets is required to the greatest extent feasible and the use of cul-de-sacs is discouraged. Development within an MU land use designation shall be permitted only by a Planned Unit Development – Multi Use (PUD-MU) zoning district.

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

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?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

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:

(1) Consistency with the 2030 Comprehensive Plan

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 category as identified in the Future Land Use Map series (FLUMs): Mixed Use (MU). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

FLUE Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

FLUE Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, 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 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

(2) Consistency with the Concurrency Mobility and 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 and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a commercial development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

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

The streetscape: The streetscape will be similar to other development in the area.

The use of existing and proposed landscaping: The site is undeveloped and heavily treed. The proposed development will comply with the landscape regulations in Part 12 of the Zoning Code.

Traffic and pedestrian circulation patterns: The property will access Race Track Road via Walden Springs Way.

The use and variety of building setback lines, separations, and buffering: The proposed building will meet the setbacks in the PUD. There will be a 15 foot wide uncomplementary buffer and 6 foot high masonry wall along the common property line with the multi-family residential use.

The particular land uses proposed and the conditions and limitations thereon: The proposed PUD does provide protection for the adjacent multi-family residential use through a 15 foot wide uncomplementary buffer and 6 foot high masonry wall.

(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:

The type, number and location of surrounding external uses: The proposed development is located in an area where residential, office, commercial and institutional uses are to function as a mixed-use development. A commercial day care use at this location complements the existing multi-family and potential office uses in the immediate area.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MU	PUD (05-183)	Multi-family dwellings
South	Racetrack Road	Saint Johns County	Undeveloped
East	MU	PUD (05-183)	Undeveloped
West	MU	PUD (05-183)	Multi-family dwellings

(6) Intensity of Development

The proposed development is consistent with the MU functional land use category as a commercial development. The PUD is appropriate at this location because it will support the existing residential, offices and service establishments in this growing area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site has direct access to Racetrack Road and Philips Highway.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. The recreation area for the children required by the Florida Department of Children and Families will be located behind the building.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, 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.

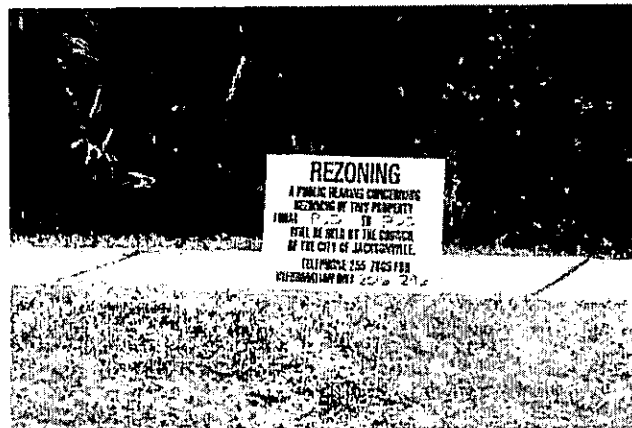
The site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on May 9, 2016, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2016-296 be **APPROVED** with the following exhibits:

1. The original legal description dated November 30, 2015.
2. The original written description dated March 22, 2016.
3. The original site plan dated February 26, 2016.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated April 28, 2016 or as otherwise approved by the Planning and Development Department.



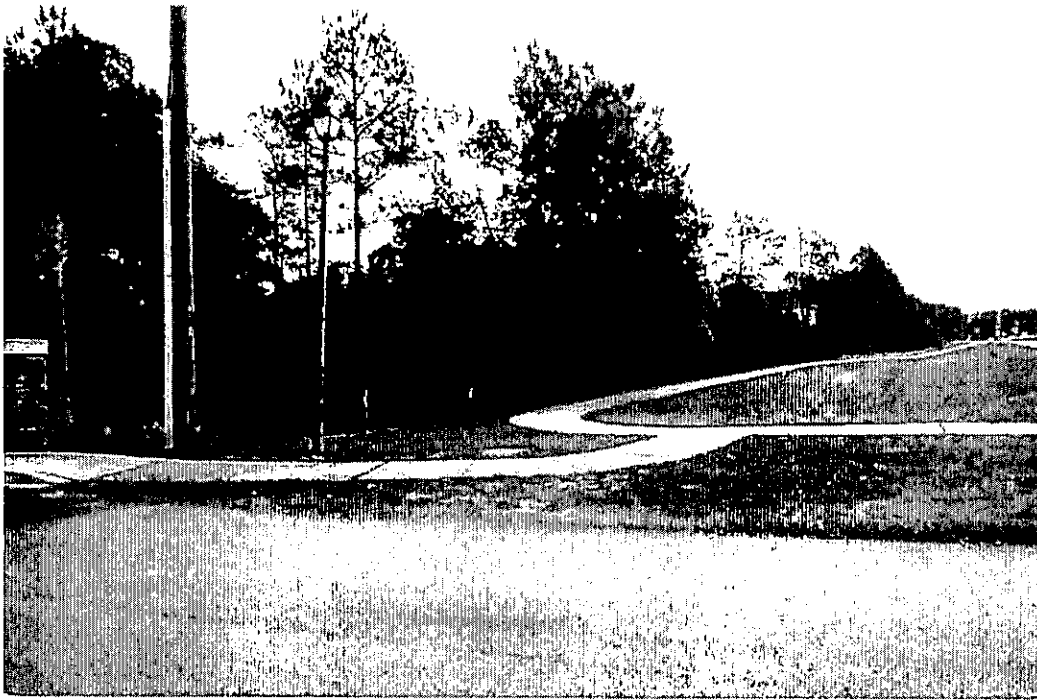
Aerial view of subject property.



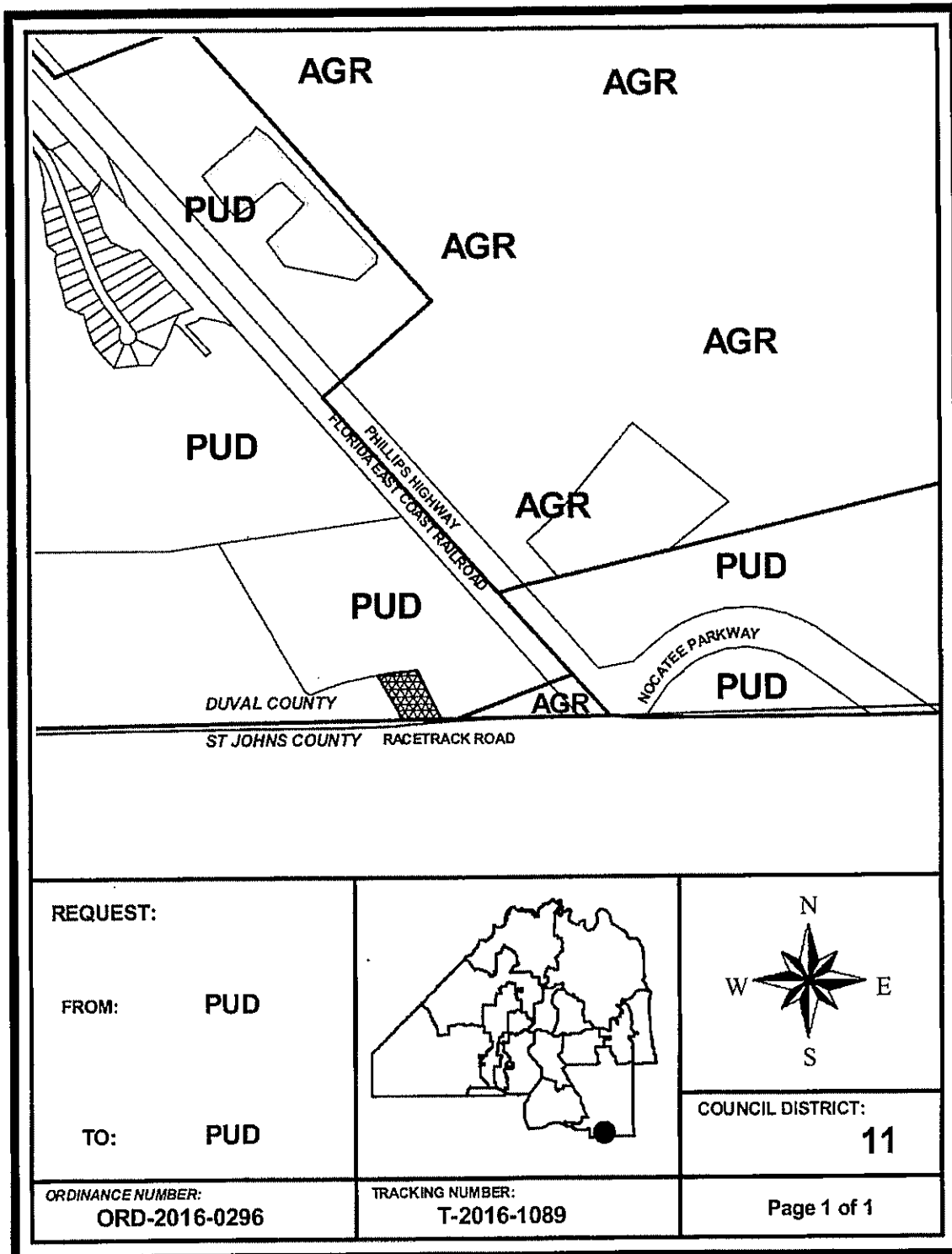
Access drive from Walden Springs Way.



Multi-family dwellings adjacent to subject property.



View of subject property along Race Track Road.



DEVELOPMENT SERVICES



April 28, 2016

MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Kiddie Academy Bartram Park PUD**
R-2016-296 fka R-2000-452
CDN 5099.108

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

There shall be no access from Racetrack Road.

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.



MEMORANDUM

DATE: 05/09/2016

TO: Bruce Lewis
City Planner Supervisor

FROM: Soliman Peter Salem
City Planner Supervisor

**SUBJECT: TRANSPORTATION REVIEW OF KIDDIE ACADEMY BARTRAM PARK
PUD**

Philips Highway (SR 5), from St. Johns County Line to Old St. Augustine Road, is the directly accessed functionally classified roadway. Philips Highway is a 4-lane urban highway in this vicinity and is currently operating at an acceptable LOS B. Philips Highway segments have a maximum daily service volume of 65,600 vpd and a 2015 daily traffic volume of 28,000. This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Access to this site via Philips Highway must be subject to FDOT access management requirements.

This proposal is for 200 students of ITE 565 Day Care Center which would generate a total of 904 vpd and does not exceed the amount of available capacity for this classified roadway.

(ITE 565 Day Care Center – 200 students)

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2016-0296 **Staff Sign-Off/Date** BEL / 03/30/2016
Filing Date 04/25/2016 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 05/24/2016 **Planning Commission** 05/19/2016
Land Use & Zoning 06/07/2016 **2nd City Council** N/A

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 1089 **Application Status** PENDING
Date Started 03/21/2016 **Date Submitted** 03/21/2016

General Information On Applicant

Last Name WESTER **First Name** BRADLEY **Middle Name** C

Company Name
 DRIVER MCAFEE PEEK & HAWTHORNE, P.L.

Mailing Address
 ONE INDEPENDENT DRIVE, SUITE 1200

City JACKSONVILLE **State** FL **Zip Code** 32202

Phone 9043011269 **Fax** 904 **Email** BWESTER@DMPHLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name PETER **First Name** LEWIN **Middle Name**

Company/Trust Name
 RACETRACK INVESTORS, LLC

Mailing Address
 340 PONTE VEDRA BOUEVARD

City PONTE **State** FL **Zip Code** 32082

Phone 9043045726 **Fax** **Email** PLEWIN@BELLSOUTH.NET

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s) 2000-452-E

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	168144 0005	11	3	PUD	PUD

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

Existing Land Use Category

MU

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.20

Development Number

Proposed PUD Name KIDDIE ACADEMY

Justification For Rezoning Application

THE PROPOSED PROJECT IS CONSISTENT WITH THE GENERAL PURPOSE AND INTENT OF THE EXISTING MIXED-USE PUD AND LAND USE REGULATIONS WITHIN THE BARTRAM PARK COMMUNITY. HOWEVER, THE SPECIFIC REGULATIONS ORIGINALLY ADOPTED IN THE ORIGINAL PUD FOR CHILD OR ADULT CARE CENTERS/DAY CARE CENTERS WILL NOT ADEQUATELY SUIT THE MARKET AND THIS DEVELOPMENT PARCEL.

Location Of Property**General Location**

BARTRAM PARK DRI- EAST OF PHILLIPS HWY, NORTH OF RACETRACK RD.

House #

0

Street Name, Type and Direction

PHILLIPS HY

Zip Code

32258

Between Streets

I-95

and

PHILLIPS HIGHWAY

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**
1.20 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
5 Notifications @ \$7.00 /each: \$35.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,055.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

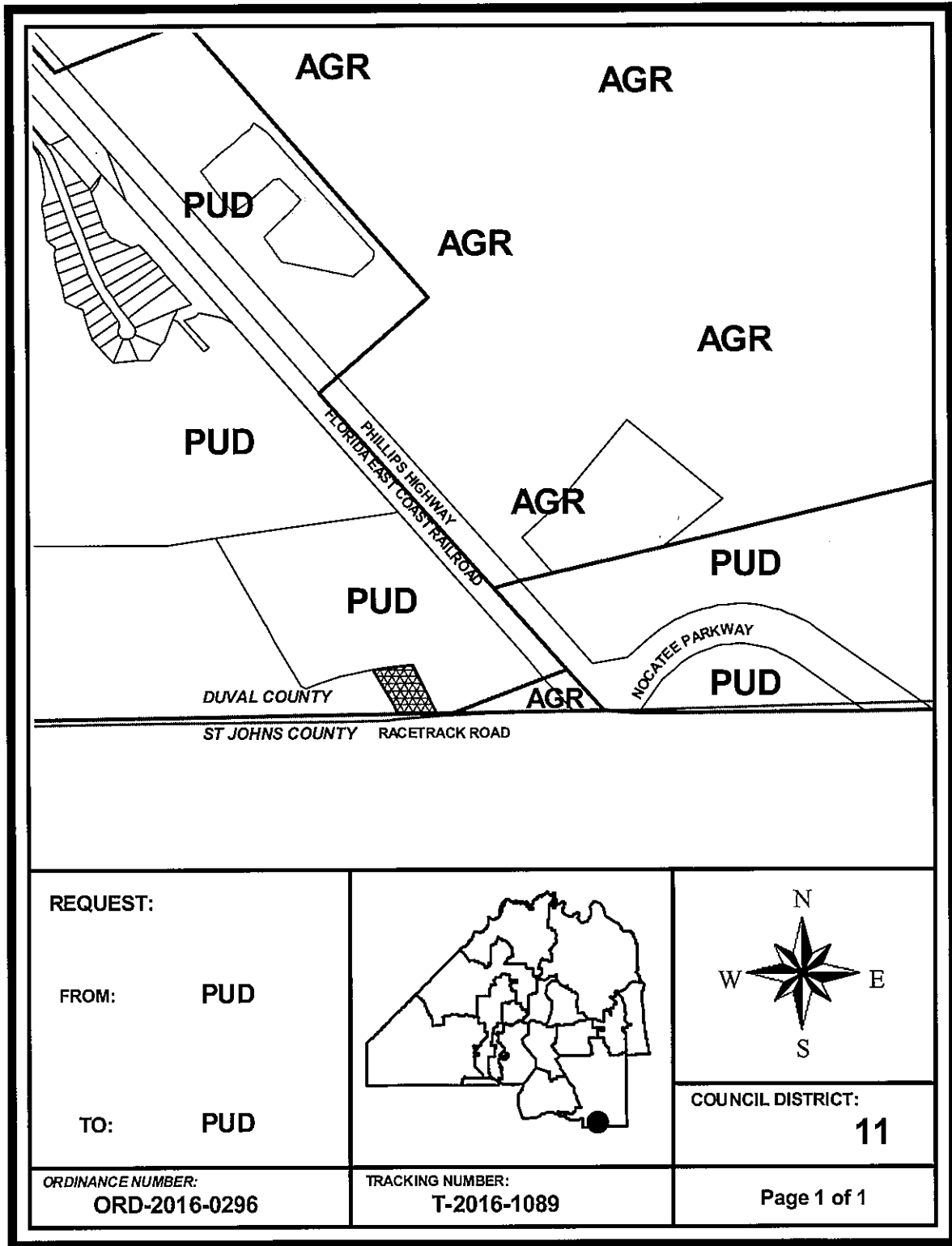
November 30, 2015

PARCEL 5

A PORTION OF SECTION 48, THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTION 47 THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH $41^{\circ}00'02''$ WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE WESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH $89^{\circ}39'09''$ WEST, 689.99 FEET TO THE POINT OF BEGINNING; COURSE NO. 2: SOUTH $89^{\circ}39'09''$ WEST, 62.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE WEST; COURSE NO. 3: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 138.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $86^{\circ}56'30''$ WEST, 138.67 FEET; THENCE NORTH $10^{\circ}45'53''$ WEST, 20.00 FEET; THENCE SOUTH $84^{\circ}02'20''$ WEST, 10.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHWEST; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 195.00 FEET, AN ARC DISTANCE OF 49.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $22^{\circ}36'30''$ WEST, 49.70 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $29^{\circ}55'46''$ WEST, 204.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE EAST; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1723.87 FEET, AN ARC DISTANCE OF 206.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $83^{\circ}58'28''$ EAST, 205.95 FEET; THENCE SOUTH $27^{\circ}20'40''$ EAST, 288.06 FEET TO THE POINT OF BEGINNING.

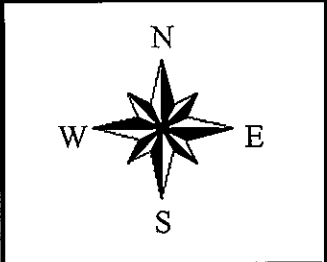
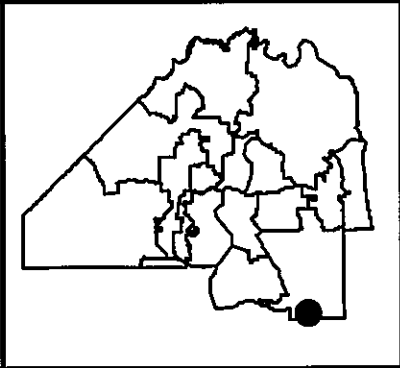
CONTAINING 1.20 ACRES, MORE OR LESS.



REQUEST:

FROM: PUD

TO: PUD



COUNCIL DISTRICT:
11

ORDINANCE NUMBER:
ORD-2016-0296

TRACKING NUMBER:
T-2016-1089

Page 1 of 1

EXHIBIT A

Property Ownership Affidavit

Date: November 23, 2015

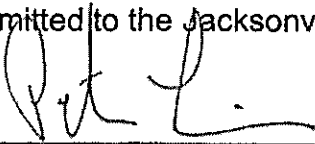
City of Jacksonville

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:

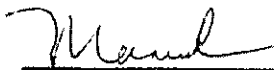
I, Peter Lewin, MGRM of Racetrack Investors, LLC hereby certify that I am the
Owner of the property described in the attached legal description, **Exhibit 1** in connection with
filing application(s) for _____
submitted to the Jacksonville Planning and Development Department.



(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 23RD day of
November (month), 2015 (year) by Peter Lewin
who is personally known to me or has produced _____
as identification.



(Notary Signature)

Marlene S. Cox

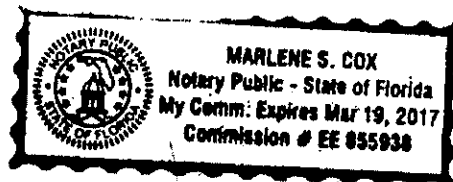


EXHIBIT B

Agent Authorization

Date: November 23, 2015

City of Jacksonville

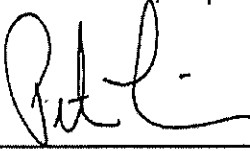
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

0 Racetrack Road R 001 001 00 0005

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 Pa C Porter to act as agent to file application(s) for Racetrack Investors, LLC 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 23RD day of November (month), 2015 (year) by Peter Lewis, who is personally known to me or has produced _____ as identification.



(Notary Signature)

Marlene S. Cox

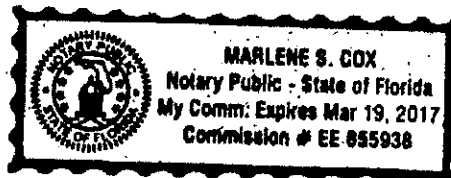


EXHIBIT B - Agent Authorization Affidavit- License Holder, Tenant, Lessee

Date: 3/28/16

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: RE#168144-0005 (Kiddie Academy in Bartram Park)

To Whom it May Concern:

You are hereby advised that the undersigned is the license holder, tenant or lessee occupying the property described in Exhibit 1 attached hereto. Said license holder, tenant or lessee hereby authorizes and empowers Brad Wester, Driver McAfee Peek & Hawthorne, P.L. to act as agent to file application(s) for PUD 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.

If License Holder, Tenant or Lessee is Individual:

If License Holder, Tenant or Lessee is Entity:*

Print Entity Name:

RaceTrack Investors, LLC

By _____

By Peter Lewin

Print Name: _____

Print Name: Peter Lewin

Its: MGR

*If Owner is Entity, please provide documentation illustrating that signatory is an authorized representative of Entity; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 29 day of March 2014, by Peter Lewin, who is personally known to me or who has produced _____ as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

April Montgomery
(Printed name of NOTARY PUBLIC)

State of Florida at Large. My commission expires: 11/20/18



EXHIBIT C

Binding Letter

Date: November 23, 2015


City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: Bartram Park 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: PETER LEWIN
Managing Member

EXHIBIT D

PUD WRITTEN DESCRIPTION
Kiddie Academy: Bartram Park PUD
RE168144-0005
March 22, 2016

I. PROJECT DESCRIPTION

A. The purpose of this PUD to PUD rezoning is to modify the regulations related to Child or Adult Care Centers/Day Care Centers, and Learning Centers, for which the 1.2 acre (+/-) subject property described herein is proposed for development. The subject property is currently an undeveloped parcel within the Bartram Park PUD located east of I-95 and north of Racetrack Road. The subject property is accessible from Walden Springs Way and Racetrack Road. The existing PUD consists of a total of 38.0 acres with a Comprehensive Plan Future Land Use designation of MU (Mixed Use). The proposed development, also known as a "Kiddie Academy", will be located in an existing Master Planned PUD/DRI development at the southeastern quadrant of the PUD.

B. Project Architect: ACT Architects, LLC

C. Project Engineer: Taylor & White, Inc.

D. Project Planner/Legal Counsel: Driver McAfee Peek & Hawthorne, P.L.

E. Project Developer: First Coast Kids, Inc. (Paul Porter)

F. Current Land Use Category: (Mixed Use) MU

G. Current Zoning District: Planned Unit Development (PUD)

H. Requested Land Use Category: MU (Mixed Use)

I. Requested Zoning District: PUD

J. Real Estate Number(s): 168144-0005

II. QUANTITATIVE DATA

Total Gross Acreage	1.20 Acres	100%
---------------------	------------	------

Amount of each different land use by acreage

Single family	N/A
---------------	-----

Total number of units	N/A
-----------------------	-----

Multiple family	N/A	
Total number of units	N/A	
Commercial	N/A	
Industrial	N/A	
Other land use (office)	1.20 Acres	100%
Total amount of non-residential floor area	10,000 sq. ft.	100%
Active Recreation and/or open space	0.52 Acres	43%
Passive open space, wetlands, ponds	0 Acres	0%
Public and private right-of-way	0.45 Acres	38%
Maximum coverage of buildings and structures	10,000 sq. ft.	19%

III. STATEMENTS

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

Reducing the property parameters and increasing the amount of children allowed in the proposed learning center. Reduction of the setback on Walden Springs Way to 5 feet versus the 15 feet per the PUD, dual fronts on Racetrack Road and Walden Springs Way.

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 as written in the current PUD with no changes.

C. Justification for the rezoning.

The proposed project is consistent with the general purpose and intent of the existing mixed-use PUD and Land Use Regulations within the Bartram Park community. However, the specific regulations originally adopted in the original PUD for Child or Adult Care Centers/Day Care Centers will not adequately suit the market and this development parcel. The proposed project will be beneficial to the surrounding neighborhood, community and:

- a. *Is more efficient than would be possible through strict application of the current PUD and Zoning Code;*
- b. *Is compatible with surrounding land uses and will improve the characteristics of the surrounding area;*
- c. *Will promote the goals, objectives and policies of the City of Jacksonville 2010 Comprehensive Plan;*
- d. *Will amend an approved PUD (Ord.2000-452-E as amended by Ord. 2003-595-E, Ord.2004-753-E and 2005-0183-E).*

D. Phase schedule of construction (include initiation dates and completion dates):

Construction is expected to take approximately one year – Spring 2016 to Spring 2017.

IV. SUMMARY OF PROPOSED LAND USE

Office/Commercial/Multi-Family (OCMF)

Refers to development that provides a full range of office uses, commercial uses, and residential at a density of up to thirty (30) dwelling units per acre.

V. PERMITTED USES & RESTRICTIONS

- (a) Retail outlets for sale of food and drugs, apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry, art, cameras or photographic supplies, sporting goods, hobby shops and pet shots, musical instruments, florist, delicatessens, bakeries, home furnishings and appliance. Office equipment or furniture, hardware, antiques, and similar retail uses.
- (b) Retail plant nurseries.
- (c) Personal service establishments such as barber and beauty shops, shoe repair, restaurants, interior decorators, health clubs and gymnasiums, self-service laundries, laundries and dry-cleaners, tailors, dry cleaning pickup, home equipment rental, and similar uses.
- (d) Radio and television broadcasting offices and studios, including antenna or transmitting facilities.
- (e) Cellular telephone towers and radio towers meeting the performance standards and development criteria set forth in V.E. of PUD regulations.
- (f) Appliance repair shops.
- (g) Travel agencies.

- (h) Libraries, museums, and community centers.
- (i) Private clubs, lodges and fraternities meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (j) Establishments which include the retail sale and service of all alcoholic beverages, including liquor, beer or wine for on-premises consumption or off-premises consumption or both meeting the performance standards and development criteria set forth in V.E. of the PUD regulations.
- (k) Automobile service stations, including petroleum sales, service garages for repairs and car washes meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (l) Convenience stores, with petroleum sales.
- (m) Building trades contractors, including outdoor storage of equipment.
- (n) Restaurants with on-premises consumption of beer, wine and alcohol meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (o) Restaurants with the outside sale and service of food, including drive-through and drive-up facilities.
- (p) Parks, playgrounds, play fields and recreational and community structures meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (q) Public buildings and facilities.
- (r) Banks, savings and loan, and other financial institutions and similar uses, including drive-through and drive-up facilities.
- (s) Commercial recreation or entertainment facilities such as bowling alleys, swimming pools, skating rinks, cinemas and theaters.
- (t) Express or parcel delivery offices, telephone exchanges.

- (u) Veterinarians, animal hospitals and animal boarding kennels meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (v) Personal property storage establishments meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (w) Hotels and motels.
- (x) Bed and breakfast establishments meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (y) Off-street parking lots meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (z) Hospitals.
 - (aa) Medical, dental chiropractic offices.
 - (bb) Business and professional offices.
 - (cc) Business centers.
 - (dd) Medical and dental laboratories.
 - (ee) Buildings and uses immediately and exclusively accessory to the uses permitted above, including automobile parking facilities, living quarters for custodians or caretakers of the office buildings, and storage of document and other property.
 - (ff) Accessory uses such as dining and recreational facilities as a convenience to the employees and customers.
 - (gg) Child or Adult Care Centers/Day Care Centers, and Learning Centers, which may include facilities for children, as well as adults. Accessory uses include, but are not limited to sports fields and playgrounds. Centers shall not exceed 200 children or adults on a site, excluding staff, teachers, and/or care providers. Hours of operation shall be from 6 AM to 7 PM, Monday through Saturday. Centers shall provide an adequate off-street area for the stacking of vehicles and required parking, and be located contiguous to a street classified as a collector street or higher classification, as designated on the Functional Highway Classification Map of the Comprehensive Plan unless the center is located

within a church or elementary school, with no access from local residential streets. Where a center is contiguous to a residential zoned property, a six-foot visual barrier, not less than ninety-five percent opaque, shall be provided along the property line, excluding any required front yards. Centers shall provide a fenced outdoor play area which meets the minimum requirements set forth by the state licensing agency, and which shall be located in the rear or side yards of the subject property

- (hh) Churches including a rectory and day school meeting the performance standards and development criteria set forth in V.E. of these PUD regulations.
- (ii) Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric and cellular communication towers.
- (jj) Art galleries, dance, art, gymnastics, karate and martial arts and music studios, and theaters for stage performances.
- (kk) Vocations, trade or business schools.
- (ll) Hospice facilities.
- (mm) Homes for the aged or orphans and similar uses.
- (nn) Nursing homes.
- (oo) Multiple family dwelling units up to thirty (30 dwelling units per acre.
- (pp) Other similar and compatible uses

B. Permissible uses by Exception:

- (1) Off-street parking lots for premises requiring off-street parking meeting the performance standards and development criteria set forth in V.E.
- (2) Filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in V.E.
- (3) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods.

- (4) An establishment or facility which includes the retail sale of beer or wine for on-premises consumption.
- (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) Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in V.E.
- (7) Animal boarding for household pets, meeting the performance standards and development criteria set forth in V.E.
- (8) Automated Car Washes meeting the performance standards and development criteria set forth in V.E.

C. Limitations on Permitted or Permissible Uses by Exception:

- (1) Sale, service and display, preparation and storage shall be conducted within a completely enclosed building, unless otherwise provided for, and no more than 30 percent of the floor space shall be devoted to storage.
- (2) Sale, display, preparation and storage shall be conducted within a completely enclosed building.
- (3) Products shall be sold only at retail.

D. Permitted Accessory Uses and Structures:

Accessory uses and structures are permitted in all districts, if those uses and structures are of a nature customarily incidental and clearly subordinate to a permitted or permissible principal use or structure and, unless otherwise provided, these uses and structures are located on the same lot (or a contiguous lot in the same ownership) as the principal use. Where a building or portion thereof is attached to a building or structure containing the principal use, the building or portion shall be considered as a part of the principal building, and not as an accessory building. Accessory uses shall not involve operations or structures not in keeping with character of the district where located and shall be subject to the following:

- (a) *Accessory uses* shall not be located in required front or side yards in a residential district except as follows:
 - (1) On double frontage lots, through lots and corner lots, accessory uses and structures may be located only in a required side yard except where a double frontage lot has frontage on a navigable waterway.

- (2) Accessory structures for the housing of persons shall not be located in a required yard.
 - (3) Air conditioning compressors or other equipment designed to serve the main structure may be located in a required yard but not less than two feet from a lot line.
- (b) *Household pets* are a permitted accessory use in all residential districts, provided those pets do not become a public nuisance or health hazard.
- (c) *Accessory uses and structures in a residential district* shall include noncommercial greenhouses and plant nurseries, private garages and private boathouses or shelters (if boathouses or shelters do not exceed 900 square feet in area), toolhouses and garden sheds, garden work centers, children's play areas and play equipment, private barbecue pits and swimming pools, facilities for security guards and caretakers (provided that they do not exceed 50% of the primary structure's building footprint) and similar uses or structures which:
- (1) Do not involve the conduct of business of any kind, unless otherwise permitted or approved pursuant to Chapter 656.
 - (2) Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
 - (3) Do not involve operations or structures not in keeping with the character of a residential neighborhood.

E. General Site Development Regulations

- (a) Cellular telephone towers and radio towers shall be allowed subject to the following conditions:
- (1) An application to locate a cellular telephone tower or radio tower shall satisfy all requirements relating to the location of cellular telephone towers and radio tower pursuant to Part 15 of the City of Jacksonville's Zoning Code attached in Appendix D.
- (b) Bed and breakfast establishments shall be allowed subject to the following criteria:
- (1) That one (1) off-street parking space for each bedroom used as a guestroom and one (1) off-street parking space for the operator or owner thereof shall be provided.
 - (2) No cooking facilities shall be allowed in a guestroom.
 - (3) That the structure shall be compatible with the character of the surrounding area and any modifications thereto shall also comply with such character.

(d) Churches shall be allowed subject to the following criteria:

- (1) The site shall be located on a street classified as a collector street or a higher classification on the Functional Highway Classification Map of the Comprehensive Plan.
- (2) Child care/day care centers shall be considered an accessory use to a church provided that the maximum student capacity does not exceed seventy-five (75) children.

(e) Petroleum sales shall be allowed subject to the following conditions:

- (1) No more than two self-service dispensing pumps shall be located on one (1) island and no other services pertaining to a service station may be offered.
- (2) No dispensing pump shall be located within twenty-five (25) feet of a street right-of-line.
- (3) The minimum lot size shall be no less than twenty-two thousand five hundred (22,500) square feet.
- (4) The lighting for the facility shall be designed and installed so as to prevent glare or excessive light on adjacent property. No source of illumination shall be allowed if such source of illumination would be visible from a residentially zoned district to the extent that it interferes with the residential use of that area.
- (5) A six (6) foot high visual barrier, not less than ninety-five percent (95%) opaque, shall be provided between the filling station and any adjacent residential district

(f) Automobile service stations, including petroleum sales, service garages for repairs and car washes shall be allowed subject to the following conditions:

- (1) Each lot shall conform to the minimum performance standards of the land use category it is located in but in no case shall it have less than one hundred (100) feet of street frontage and a minimum lot area of not less than twenty-two thousand five hundred (22,500) square feet
- (2) The lighting for the facility shall be designed and installed so as to prevent glare or excessive light on adjacent property. No source of illumination shall be allowed if such source of illumination would be visible from a residentially-zoned district to the extent that it interferes with the residential use of that area.
- (3) No dispensing pump shall be located within twenty-five (25) feet of a street right-of-line.
- (4) No main or accessory building, and no gasoline pump shall be located within twenty-five (25) feet of the lot line of any property that is residentially zoned.

(g) Parks, playgrounds, and playfields or recreational or community structures shall be allowed subject to the following conditions:

- (1) Documentation and instrumentation providing for ownership and maintenance of these areas shall be recorded in the public-records prior to building permits being issued for the same.

(2) If the facilities are lighted, lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property. No sources of illumination shall be allowed if such source of illumination would be visible from a residentially-zoned district to the extent that it interferes with the residential use of that area.

(h) Off-street parking lots shall be allowed subject to the following conditions:

(1) Off-street parking lots shall be located within four hundred (400) feet of the premises requiring off-street parking.

(2) There shall be no storage, sales or service activity of any kind on the lot

(i) Personal property storage facilities shall be allowed subject to the following conditions:

(1) Storage buildings shall be subdivided by permanent partitions into spaces containing not more than three hundred (300) square feet each.

(2) The storage of goods shall be limited to personal property with no retail sales, service establishments, offices, apartments (other than manager's office and apartment), commercial distribution or warehousing allowed.

(3) The minimum lot size shall be not less than one (1) acre.

(4) If the facilities are lighted, lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property. No sources of illumination shall be allowed if such source of illumination would be visible from a residentially-zoned district to the extent that it interferes with the residential use of that area.

(j) Private clubs, lodges and fraternities shall be allowed subject to the following conditions:

(1) The minimum lot size shall be not less than one (1) acre.

(2) Any food and beverage, including alcoholic beverages, shall be limited to service incidental to the primary activity of the facility.

(k) Veterinarians, animal hospitals and animal boarding kennels shall be allowed subject to the following conditions:

(1) Buildings, which are used for animal boarding, shall be completely soundproofed.

(2) Buildings shall be located on an individual and separate lot

(3) Animals shall be kept in the enclosed soundproofed buildings during the hours of 9:00 p.m. to 6:00 a.m.

(1) Outside sale and service of alcoholic beverages shall be allowed subject to the following conditions:

(1) Restricted outside sale and service shall be allowed subject to the following criteria:

- a. Restricted outside sale and service must be for a special event occurring within the city, generally recognized by the community as a whale, as determined by the City.
- b. Restricted outside sale and service may occur no more than six (6) times during one (1) calendar year and on no more than two consecutive days.
- c. The area for the restricted outside sale and service shall be limited to an area which is contiguous to an existing licensed facility or establishment and the area shall be equal to or less than the area of the existing licensed facility.

(m) Permanent outside sale and service shall be allowed subject to the following criteria:

- a. The area for outside sale and service shall be limited to an area which is contiguous to an existing licensed facility or establishment.
- b. The size of the outside area shall be no greater than the inside area for sale and service.
- c. The outside area shall be surrounded by a permanent railing or other barrier at least three and one-half (3 1/2) feet high; provided, that the barrier may be broken by up to two entranceways no more than four feet wide each.

VI. DESIGN GUIDELINES

A. Lot Requirements:

1. Minimum lot area: NONE
2. Minimum lot width: NONE
3. Maximum lot coverage: NONE
4. Minimum front yard: ZERO
5. Minimum side yard: ZERO
6. Minimum rear yard: ZERO
7. Maximum height of structures: THIRTY FIVE (35) FEET

B. Ingress, Egress and Circulation:

(1) *Parking Requirements.*

Learning Facility - 1½ parking space for each Teacher and 1 parking space per every 10 Students.

(2) *Vehicular Access.*

- a. Vehicular access to the Property shall be by way of, Walden Springs Way and Racetrack Road 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.
- b. Within the Property, internal access shall be provided by reciprocal easements for ingress egress among the driveways of the various parcels of the Property, if

ownership or occupancy of the Property is subdivided among more than one person or entity.

(3) *Pedestrian Access.*

- a. Pedestrian access shall be provided by sidewalks installed with appropriate accessibility from the parking fields to the structures.

C. Signs:

- (1) One (1) street frontage sign per lot, not to exceed one (1) square foot for each linear foot of street frontage, to a maximum size of two hundred (200) square feet in area for every two hundred (200) linear feet of street frontage or portion thereof, is permitted provided such signs are located no closer than two hundred (200) feet apart, as provided in the Zoning Code. Signs shall not exceed fifty (50) feet in maximum height.
- (2) Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.
- (3) One (1) under-the-canopy sign per occupancy, not exceeding a maximum of eight (8) square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the building in question.
- (4) Directional signs shall not exceed four (4) square feet in height.
- (5) Signage shall be provided on the Town Center marquee/monument identification sign. The same shall not exceed 20 square feet in area. The on-site Monument Sign shall be double sided, internally or externally lighted and will be a maximum of eight (8) feet height.

D. Landscaping:

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

Reduction of Buffer C, to uncomplimentary buffers as shown on the PUD Site Plan, EXHIBIT E. This Buffer adjustment is applicable to this proposed use only.

E. Recreation and Open Space: A minimum of 5,000 square feet of outdoor recreation area shall be provided in playground/open space for the Learning Center.

F. Utilities: Water, Electric and sanitary sewer will be provided by JEA.

G. Wetlands: There are no wetlands on the subject property.

H. On-site construction trailers will be allowed.

I. Site lighting shall be designed and installed to direct downward and reflect back toward the subject property to prevent glare or excessive light on surrounding properties.

VII. 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.

**BARTRAM PARK
LAND USE EXCHANGE TABLE**

		TO				
		SINGLE FAMILY DU	MULTI-FAMILY DU	HOTEL RM	OFFICE SF	COMMERCIAL SF
F R O M	SINGLE FAMILY DU	1.00	1.52004	1.20796	671.77604	240.75658
	MULTI-FAMILY DU	0.65768	1.00	0.79469	44.19458	158.38816
	HOTEL RM	0.82785	1.25836	1.00	556.12666	199.30921
	OFFICE SF	0.00149	0.00226	0.00180	1.00	0.35839
	COMMERCIAL SF	0.00415	0.00631	0.00502	2.79027	1.00

NOT TO EXCEED 11,337 EXTERNAL PM PEAK HOUR TRIPS AT BUILD OUT.

Land Use	Rates
Single Family	0.7316/DU
Multi-Family	0.4815/DU
Hotel	0.8059/Rm
Office*	1.0895/1000 SF
Commercial**	3.04/1000 SF

Source: PM Peak Hour Rates and Equations, "Trip Generation", 6th Edition, ITE.
with internal capture and pass-by reductions for Bartram Park see ADA
Table 21-4, 10/15/99.

*Office rate is based on an average 619,984 SF with internal and pass-by reduction

**Commercial rate is based on an average 185,669 SF with internal and pass-by reduction.

<p>EXAMPLE</p> <p>Convert 100,000 SF of Office to Multi-Family DUs FROM Office TO Multi-Family: $100,000 \times .00226 = 226$ DUs OR How many SF of Commercial are equal to 150,000 SF of Office? FROM Office TO Commercial: $150,000 \times .35839 = 53,759$ SF of Commercial</p>

Prepared by & return to:
Robert A. Leapley, Jr., Esq.
Akenman LLP
50 N. Laura Street, Suite 3100
Jacksonville, Florida 32202

Parcel ID Nos.: 168144-0005 (Duval County)
023450-0000 (St. Johns County)
023460-0000 (St. Johns County)
026820-0000 (St. Johns County)

Doc # 2014287801, OR BK 17015 Page 524,
Number Pages: 8
Recorded 12/23/2014 at 02:50 PM,
Ronnie Fussell CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$89.50
DEED DOC ST \$6300.00

Public Records of St. Johns County, FL
Clerk number: 2014074459
BK: 3968 PG: 1393
12/23/2014 4:51 PM
Recording \$69.50

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SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), is made effective as of the 23rd day of December, 2014 (the "Effective Date"), by **BARTRAM LAKES, LLC**, a Delaware limited liability company, having an address for notice purposes at 227 W. Trade Street, Suite 1000, Charlotte, North Carolina 28202 ("Grantor"), in favor of **RACETRACK INVESTORS, LLC**, a Florida limited liability company, having an address for notice purposes at 340 Ponte Vedra Blvd., Ponte Vedra Beach, Florida 32082 ("Grantee").

WITNESSETH:

GRANTOR for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns, that certain real property lying and being in Duval County, Florida, and St. Johns County, Florida, more particularly described on **Exhibit A** attached hereto (the "Land");

TOGETHER WITH, all easements, licenses, rights of way, permits, mineral, timber and petroleum rights and interests, if any, and rights of entry associated therewith and all tenements, hereditaments, improvements and appurtenances thereunto belonging or in any wise appertaining thereto (collectively, the "Property").

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO taxes and assessments for 2015 and subsequent years, which are not yet due and payable, and all matters listed on **Exhibit B** attached hereto, none of which are intended to be reimposed by this reference (collectively, the "Permitted Exceptions").

AND, Grantor does hereby covenant with said Grantee that Grantor is lawfully seised of said Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor specially warrants the title to the Property and will defend the same, subject to the Permitted Exceptions, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

{Signature page follows}

Exhibit A

The Land

PARCEL 1

A PORTION OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA), AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH 41°00'02" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°39'09" WEST, 752.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 2: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 941.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°15'32" WEST, 925.10 FEET TO A POINT OF NON-TANGENCY, AND THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 3: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2800.00 FEET, AN ARC DISTANCE OF 347.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°24'44" WEST, 347.55 FEET; THENCE NORTH 19°23'15" WEST, 440.08 FEET TO THE SOUTHERLY LINE OF AFORESAID SECTION 33 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 19°23'15" WEST, 977.01 FEET TO THE SOUTHERLY BOUNDARY OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 10280, PAGE 346 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE NORTH 89°53'24" WEST, ALONG LAST SAID LINE, 813.79 FEET TO THE EASTERLY BOUNDARY OF LAST SAID LANDS; THENCE SOUTH 10°13'49" WEST, ALONG LAST SAID LINE, 690.14 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 3829, PAGE 204 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE SOUTHEASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 54°14'43" EAST, 32.31 FEET; COURSE NO. 2: SOUTH 77°02'27" EAST, 54.14 FEET; COURSE NO. 3: SOUTH 74°05'21" EAST, 20.57 FEET; COURSE NO. 4: SOUTH 20°30'06" EAST, 41.16 FEET; COURSE NO. 5: SOUTH 22°55'30" EAST, 48.45 FEET; COURSE NO. 6: SOUTH 49°32'37" EAST, 82.11 FEET; COURSE NO. 7: SOUTH 31°41'50" EAST, 51.24 FEET; COURSE NO. 8: 26°37'39" EAST, 48.85 FEET TO THE AFORESAID SOUTHERLY LINE OF SECTION 33; THENCE NORTH 89°04'41" EAST, ALONG LAST SAID LINE, 1017.47 TO THE POINT OF BEGINNING.

PARCEL 2

A PORTION OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH 41°00'02" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°39'09" WEST, 752.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 2: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 941.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 71°15'32" WEST, 925.10 FEET TO A POINT OF NON-TANGENCY, AND THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 3: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2800.00 FEET, AN ARC DISTANCE OF 347.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°24'44" WEST, 347.55 FEET TO A POINT ON THE ARC OF SAID CURVE AND THE POINT OF BEGINNING; COURSE NO. 4: CONTINUING SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2800.00 FEET, AN ARC DISTANCE OF 747.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 78°37'22" WEST, 745.71 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 3829, PAGE 204 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTHWESTERLY, NORTHERLY AND WESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWELVE (12) COURSES AND DISTANCES: COURSE NO. 1: NORTH 28°27'15" WEST, 74.08 FEET; COURSE NO. 2: NORTH 00°01'32" WEST, 122.31 FEET; COURSE NO. 3: NORTH 18°52'47" WEST, 99.15 FEET; COURSE NO. 4: NORTH 83°31'16" WEST, 61.90 FEET; COURSE NO. 5: NORTH 60°12'37" WEST, 90.05 FEET; COURSE NO. 6: NORTH 25°01'52" WEST, 55.77 FEET; COURSE NO. 7: NORTH 18°33'44" WEST, 29.82 FEET; COURSE NO. 8: SOUTH 76°38'05" WEST, 25.10 FEET; COURSE NO. 9: NORTH 18°33'44" WEST, 42.34 FEET; COURSE NO. 10: NORTH 75°37'07" WEST, 53.83 FEET; COURSE NO. 11: NORTH 59°47'05" WEST, 49.15 FEET; COURSE NO. 12: NORTH 55°35'42" WEST, 53.11 FEET; COURSE NO. 13: NORTH 26°37'39" WEST, 35.38 FEET TO THE NORTHERLY LINE OF SAID SECTION 4; THENCE NORTH 89°04'41" EAST, ALONG LAST SAID LINE, 1017.47 FEET; THENCE SOUTH 19°23'15" EAST, 440.08 FEET TO THE POINT OF BEGINNING.

PARCEL 3

A PORTION OF SECTIONS 33, 34, AND 48 THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTIONS 3, 4, AND 47 THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND THE

SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH 41°00'02" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°39'09" WEST, 752.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 2: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 534.86 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 79°11'59" WEST, 531.90 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; COURSE NO. 3: CONTINUING SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 406.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 60°48'22" WEST, 405.02 FEET TO A POINT OF NON-TANGENCY, AND A POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; COURSE NO. 4: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 2800.00 FEET, AN ARC DISTANCE OF 347.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°24'44" WEST, 347.55 FEET; THENCE NORTH 19°23'15" WEST, 1417.09 FEET TO THE SOUTHERLY BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 10280, PAGE 346, AS RECORDED IN THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY AND NORTHEASTERLY, ALONG SAID SOUTHERLY BOUNDARY LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°53'24" EAST, 288.28 FEET; COURSE NO. 2: NORTH 81°42'24" EAST, 259.12 FEET; THENCE SOUTH 29°55'46" EAST, 1202.93 FEET TO THE POINT OF BEGINNING.

PARCEL 4

A PORTION OF SECTIONS 33, 34, AND 48, THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTIONS 3 AND 47, THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH 41°00'02" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE WESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°39'09" WEST, 752.97 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE WEST; COURSE NO. 2: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 149.87 FEET, SAID ARC BEING SUBTENDED BY A CHORD

BEARING AND DISTANCE OF SOUTH 86°43'29" WEST, 149.75 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; COURSE NO. 3: CONTINUING WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 385.04 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 76°16'19" WEST, 383.94 FEET; THENCE NORTH 29°55'46" WEST, 280.53 FEET; THENCE SOUTH 71°04'42" EAST, 30.12 FEET, TO THE ARC OF A CURVE TO THE EAST; THENCE EASTERLY ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1723.87 FEET, AN ARC DISTANCE OF 373.36 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 74°18'35" EAST, 372.63 FEET; THENCE SOUTH 29°55'46" EAST, 205.31 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTH; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 194.00 FEET, AN ARC DISTANCE OF 69.48 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 19°40'08" EAST, 69.11 FEET TO THE POINT OF BEGINNING.

PARCEL 5

A PORTION OF SECTION 48, THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 4 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTION 47 THE CHRISTOPHER MINCHEN GRANT, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RACETRACK ROAD, (A VARIABLE WIDTH RIGHT-OF-WAY AS PER RACETRACK ROAD WIDENING, EAST SECTOR, AS RECORDED IN MAP BOOK 46, PAGES 17 THROUGH 22, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA), AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (A 125 FOOT RIGHT-OF-WAY); THENCE NORTH 41°00'02" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD, (ALSO BEING THE EASTERLY BOUNDARY OF SAID PLAT OF RACETRACK ROAD WIDENING, EAST SECTOR), 289.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RACETRACK ROAD; THENCE WESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 89°39'09" WEST, 689.99 FEET TO THE POINT OF BEGINNING; COURSE NO. 2: SOUTH 89°39'09" WEST, 62.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE WEST; COURSE NO. 3: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1465.87 FEET, AN ARC DISTANCE OF 138.72 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 86°56'30" WEST, 138.67 FEET; THENCE NORTH 10°45'53" WEST, 20.00 FEET; THENCE SOUTH 84°02'20" WEST, 10.64 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHWEST; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 195.00 FEET, AN ARC DISTANCE OF 49.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22°36'30" WEST, 49.70 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 29°55'46" WEST, 204.94 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE EAST; THENCE EASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1723.87 FEET, AN ARC DISTANCE OF 206.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 83°58'28" EAST, 205.95 FEET; THENCE SOUTH 27°20'40" EAST, 288.06 FEET TO THE POINT OF BEGINNING.

Exhibit B

The Permitted Exceptions

1. Covenants, conditions and restrictions recorded May 4, 2001, in O.R. Book 9977, Page 39; together with Amendment(s) recorded in O.R. Book 10227, Page 892, O.R. Book 10305, Page 1042, O.R. Book 10900, Page 944, O.R. Book 14172, Page 1747 and Assignment recorded in O.R. Book 10280, Page 375 and O.R. Book 16642, Page 979, Public Records of Duval County, Florida and said instruments also being recorded in O.R. Book 1597, Page 1233, O.R. Book 1684, Page 541, O.R. Book 1707, Page 1237, O.R. Book 1902, Page 620, O.R. Book 2974, Page 252, and O.R. Book 1693, Page 1066 and O.R. Book 3829, Page 210, Public Records of St. Johns County, Florida.
2. Notice of Development Order recorded in O.R. Book 9974, Page 174; together with Assignments recorded in O.R. Book 9977, Page 21 and O.R. Book 10280, Page 355, Public Records of Duval County, Florida and said instruments also being recorded in O.R. Book 1595, Page 1108, O.R. Book 1597, Page 1215, and O.R. Book 1693, Page 1024, Public Records of St. Johns County, Florida.
3. Reservation and Agreement for Mitigation recorded in O.R. Book 10280, Page 367, Public Records of Duval County, Florida and O.R. Book 1693, Page 1058, Public Records of St. Johns County, Florida. (Parcel 1)
4. Grant of Easement to Jacksonville Electric Authority recorded in O.R. Book 12125, Page 1763, Public Records of Duval County, Florida and recorded in O.R. Book 2311, Page 43, Public Records of St. Johns County, Florida. (Parcel 5)
5. Conservation Easement recorded in O.R. Book 12310, Page 1627, Public Records of Duval County, Florida and recorded in O.R. Book 2386, Page 1275, Public Records of St. Johns County, Florida. (Parcels 1, 2 & 3)
6. Wetlands Outfall Drainage Easement Agreement recorded in O.R. Book 10689, Page 1676, re-recorded in O.R. Book 10724, Page 717, Public Records of Duval County, Florida and recorded in O.R. Book 1824, Page 32, Public Records of St. Johns County, Florida. (Parcels 1, 2 & 3)
7. Reservations in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund of the State of Florida recorded July 18, 1946, under Deed Book 160, Page 330, Public Records of St. Johns County, Florida; however, the right of entry and exploration associated with the oil and mineral reservation has been released pursuant to Sec. 270.11, F.S. (Parcel 2)
8. Declaration of Easements and Cost Sharing Agreement recorded in O.R. Book 11811, Page 1699, Public Records of Duval County, Florida and recorded in O.R. Book 2002, Page 1281, Public Records of St. Johns County, Florida. (Parcels 4 & 5)
9. Grant of Easements to Jacksonville Electric Authority recorded in O.R. Book 2233, Page 1317 and O.R. Book 2233, Page 1322, Public Records of St. Johns County, Florida. (Parcel 3)

10. All matters contained on the Plat of Race Track Road Widening, (East Sector), as recorded in Map Book 46, Pages 17, through 22, Public Records of St. Johns County, Florida.
11. Any rights, easements, interest or claims which may exist by reason of, or reflected by, the following facts shown on the survey prepared by Clary & Associates, dated June 27, 2014, last revised December 19, 2014, bearing Job No. 2014-277 and File No. T4S-914:
 - (a) pond (Parcel 2):
 - (b) 8 +/- trail road, storm sewer manholes, well, guy anchor, 2.5 foot utility pole, 6 foot concrete walk, fence encroachment on east property line (as to Parcel 3);
 - (c) water valve cover, fire hydrants, concrete pad with transformer, 3.9 foot fence encroachment on west property line, overhead utility lines, utility poles, guy anchor, wiring pull boxes, power pole, flood light, sanitary sewer manholes, irrigation valve, wood sign, light pole, stone sign, 5 foot concrete walk, 1.5 foot concrete curb, and any unrecorded drainage easements or aboveground or underground drainage or sewer lines or improvements whether or not shown on the survey (Parcel 4);
 - (d) sanitary sewer manhole, utility pole, water meter, guy anchor, irrigation valve and ditch, and 5 foot concrete walk (Parcel 5).



EXHIBIT H: AERIAL PHOTOGRAPH

RED ARROW POINTS TO SUBJECT PROPERTY (OUTLINED IN RED).

SITE MAP

