

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR****APPLICATION FOR REZONING ORDINANCE 2017-0045 TO****PLANNED UNIT DEVELOPMENT****MARCH 7, 2017**

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 **2017-0045** to Planned Unit Development.

***Location:*** 0 McCormick Road, Southeast quadrant of McCormick Road and Kernan Boulevard

***Real Estate Number(s):*** 161020-0650

***Current Zoning District:*** Rural Residential – Acre (RR-Acre)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Greater Arlington/Beaches, District 2

***Planning Commissioner:*** Vacant

***City Council District:*** The Honorable Al Ferraro, District 2

***Applicant/Agent:*** Michael Herzberg,  
4071 Cove St Johns Road  
Jacksonville, FL 32277

***Owner:*** Reliance Trust Company  
Attn: Mark Young  
1100 Abernathy Road, Suite 480  
Atlanta, GA 30328

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2017-0045** seeks to rezone approximately 12.98 acres of land from RR-Acre to PUD. The rezoning to PUD is being sought so that the property

can be subdivided into a maximum of seventy-eight (78) lots with a minimum width of 40' (feet) for the purpose of single-family residences. The lots will vary in size from approximately 4,000 to 4,400 square feet with maximum lot coverage of 60%.

The parcel is currently undeveloped and was originally part of a larger parcel owned by the adjoining church to the east. The eastern half of the original parcel was developed and paved access points were added from McCormick Road and Kernan Boulevard. The western half of the original parcel was separated by the church and ownership of the parcel was returned to the lender by the church.

### **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 Low Density Residential (LDR) 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 LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 6 dwelling units to the acre and will have full urban services available to the site. 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.

*(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 categories as identified in the Future Land Use Map series (FLUMs): Business Park (BP) and Community General Commercial (CGC). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained herein, including:

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

FLUE Policy 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the project populations and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

FLUE Policy 3.1.3

Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

FLUE Policy 4.1.8B

The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

FLUE Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

FLUE Transportation Element Policy 4.1.2

The City shall require new local streets serving residential areas to include four-foot sidewalks on both sides of the street within the dedicated right-of-way or an approved alternative pedestrian circulation system approved by the Jacksonville Planning and Development Department (JPDD).

*(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. According to the Development Services Department a Conditional Capacity Availability Statement (CCAS)/Concurrency Reservation Certificate (CRC) and Mobility Fee Calculation Certificate (MFCC) Application will be required.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize lands for a single-family 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 **inconsistent**, as proposed, with the internal compatibility factors with specific reference to the following:

The streetscape:

The proposed written description and site plan indicate the proposed development will be on predominately 40' wide lots with 5' side yards and 60% lot coverage. This would potentially allow up to a 2,400 square foot dwelling on each lot. The combination of this scale of massing and close proximity of each structure would create an unsustainable environment for the residents.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:

The development is requesting 15' front, 10' rear, and 5' side yard and 60% lot coverage. These development standards leave little open space for each individual dwelling for residents to enjoy their privacy.

The treatment of pedestrian ways:

The proposed development is requesting a 15' front setback. Vehicles parked in driveways with less than a 20' front setback would block the public sidewalk.

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

As mentioned earlier, the development is proposing a 15' front setback. Any vehicle parked in front of the garage would intrude into the right of way and block the public sidewalk. It is common for a resident to use their garage for storage; therefore, two or more vehicles would need to be parked in the street and driveway. Additionally, typical driveways can be up to 24' in width at the street with an additional 3' of flair on either side. The proposed lots are only 40' wide and with a traditionally sized driveway there will be an absence of effective on street parking.

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

Traffic and pedestrian circulation patterns:

The PUD is proposing two cul-de-sacs with access from both McCormick Road and Kernan Boulevard. McCormick Road is classified as a four-lane principal arterial roadway while Kernan Boulevard is classified as a two-lane minor arterial roadway. The proposed development is proposed to utilize two existing access points related to the existing Faithbridge Church. The access point along McCormick Road is approximately 1100' feet from the intersection of McCormick Road and Kernan Boulevard. The access point along Kernan Boulevard is approximately 600' from the same intersection.

The Transportation Planning Division of the Planning and Development Department requests that the site plan be revised to show the placement of pedestrian sidewalks, pursuant to Section 2.2.1 of the City of Jacksonville Land Development Procedures Manual and Policy 4.1.2 of the Transportation Element of the 2030 Comprehensive Plan. Additionally, the egress point on to

McCormick Road must have a right-in/right-out triangular channelization island to prevent left-hand turns from or onto McCormick Road. Furthermore, the northerly egress point on Kernan Boulevard North must also be designated as a right-in/right-out point with a triangular channelization island. Left-hand turns on or from Kernan Boulevard North must be facilitated at the southerly egress point only.

The variety and design of dwelling types:

No information was provided as part of this application regarding the design and variety of architectural styles. However, the proposed development will be limited to single-family structures.

*(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 **not achieved** by the following:

The type, number and location of surrounding external uses: The proposed development is located in a primarily residential area. An adjoining unimproved property at the southeast corner of McCormick Road and Kernan Boulevard is proposed to be a commercial development. Additionally, a wide easement along Kernan Boulevard exists to allow for electric utilities in the area. Single-family development meeting the Zoning Code and Subdivision Regulations would complement the area by increasing the housing options in the immediate area. The current zoning would produce a maximum of 13 lots if developed according to the Chapter 656, Zoning Code and Chapter 654, Subdivision Regulations.

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	LDR/PBF	RLD-70/PBF-1/PUD	Single-family, Public Utilities
South	LDR	PUD	Multi-family
East	CSV	RR-Acre	Church
West	MRD/CGC	PUD	Church, Vacant Land

*(6) Intensity of Development*

The proposed development is consistent with the LDR functional land use category and is a single-use, which is not to exceed 78 dwelling units. The PUD is appropriate at this location because it will support the existing offices, service establishments and hospital in the area.

However, it is inconsistent in that it is proposed to introduce lot sizes that are incompatible with the surrounding area.

The existing residential density and intensity of use of surrounding lands:

The surrounding residential density is consistent with the Residential Low Density – 70 (RLD-70) zoning district. There are three adjoining residential areas that are zoned PUD. However, the lot widths and densities of the lots are generally consistent with the RLD-70 zoning districts.

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

JEA indicates that water and sewer are available at this location.

The site is served by the following schools:

Elementary	1,056 enrollment	1,154 capacity	
Middle	1,408 enrollment	1,665 capacity	
High	2,758 enrollment	2,821	capacity

Due to the class size amendment, the capacity of Duval County schools is currently under review. The School Board, with the support of the planning and Development Department through the Joint Planning Committee of the Jacksonville City Council and the Duval County School Board, is working on addressing enrollment and capacity issues in several ways, including site acquisition. In addition, the School Board has options to address student enrollment at specific schools including boundary adjustment, changes in special assignments and adjustments to magnet programs.

The amount and size of open spaces, plazas, common areas and recreation areas:

Approximately 8,000 square feet of communal gathering space will be provided according to the site plan submitted as part of this application. In addition, due to the presence of overhead power lines along Kernan Boulevard, an additional acre of undeveloped land is proposed along Kernan Boulevard, adjacent to the existing multi-use path running along Kernan Boulevard.

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

Two signs are proposed as part of this new development. Along Kernan Boulevard, a thirty square foot sign (area) is proposed that may be up to twelve feet in height. Along McCormick Road, a forty square foot sign (area) that will not exceed eight feet in height is proposed. Illumination will be permitted as is currently found within the Zoning Code.

*(7) Usable open spaces plazas, recreation areas.*

The project will be developed with the required amount of open space and recreation area and

may include a recreation center, a swimming pool, a cabana or clubhouse and an exercise facility. There will be approximately 150 square feet of recreation area per residential unit.

*(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, the written description states "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. Section 656.604 (a) (1) requires two off street parking spaces for each dwelling. However, as mentioned earlier, the 15' front setback does not allow a vehicle to be parked in the driveway entirely within the property. A standard size vehicle would intrude into the right of way. Additionally, it is common for residents to use their garage as a storage area and park vehicles in the driveway. This will result in vehicles blocking either the sidewalk or parking in the street.

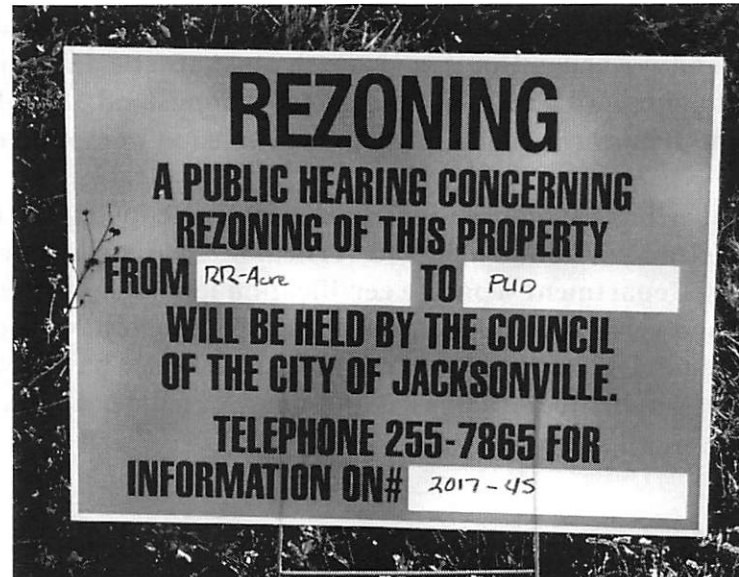
*(11) Sidewalks, trails, and bikeways*

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

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on February 3, 2017, 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 **2017-0045** be **APPROVED** with the following exhibits:

1. The original/revised legal description dated January 4, 2010
2. The original/revised written description dated November 29, 2016
3. The original/revised site plan dated November 28, 2016

The subject property shall be developed in accordance with the Development Services Division Memorandum dated or as otherwise approved by the Planning and Development Department.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0045** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. The lot widths shall be amended to a minimum of 70' in width to be consistent with the adjoining single-family residential developments in the immediate area.
2. The front setback shall be amended to a minimum of 20' from the property line.
3. The minimum lot area shall be amended to 7,000 square feet.
4. The maximum lot coverage shall be amended to 50%.
5. The site plan be revised to include pedestrian sidewalks, pursuant to Section 2.2.1 of the City of Jacksonville Land Development Procedures Manual and Policy 4.1.2 of the Transportation Element of the 2030 Comprehensive Plan. The express point on to McCormick Road must have a right-in/right-out triangular channelization

island to prevent left-hand turns from or onto McCormick Road. The northerly egress point onto Kernan Boulevard North must also be designated as a right-in/right-out point with a triangular channelization island. Left-hand turns on or from Kernan Boulevard North must be facilitated at the southerly egress point only.

6. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.



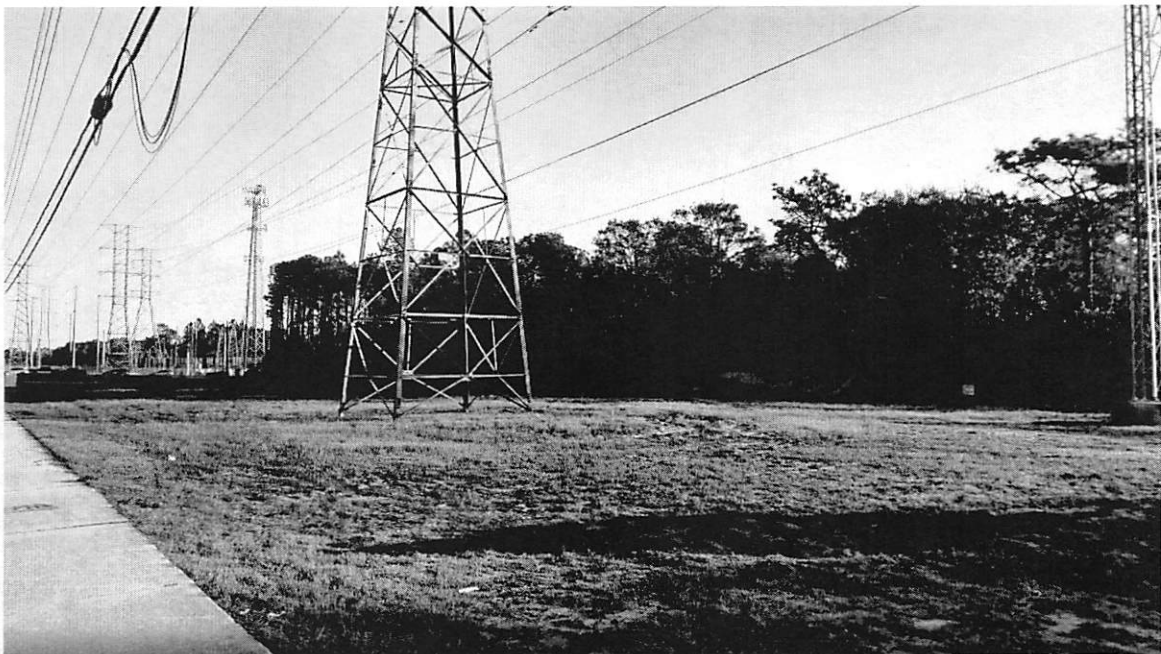
**Aerial**

*Source: Staff, Planning and Development Department  
Date: 02.06.17*



**Subject Property along McCormick Road**

*Source: Staff, Planning and Development Department  
Date: 02.03.17*



**Subject Property along Kernan Boulevard**

*Source: Staff, Planning and Development Department  
Date: 02.03.17*



**Existing Driveway on Subject Property, Looking East**  
*Source: Staff, Planning and Development Department  
Date: 02.03.17*



**Subject Property Looking North Along Kernan Boulevard**



*Source: Staff, Planning and Development Department  
Date: 02.03.17*

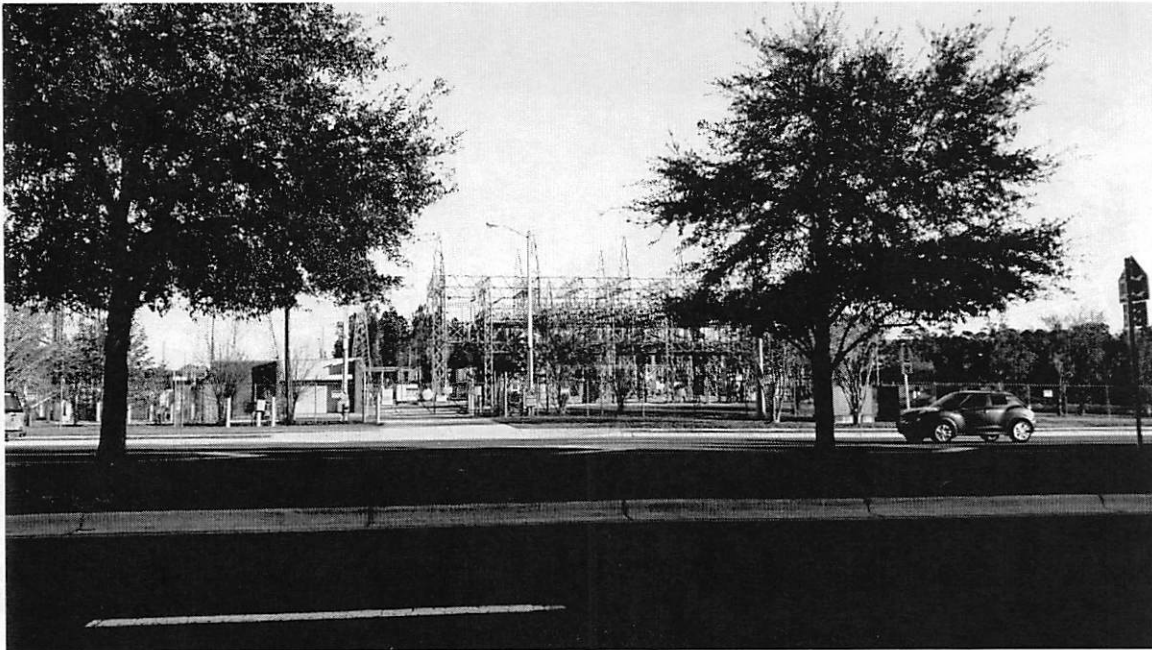


**Subject Property Looking South Along Kernan Boulevard**  
*Source: Staff, Planning and Development Department  
Date: 02.03.17*



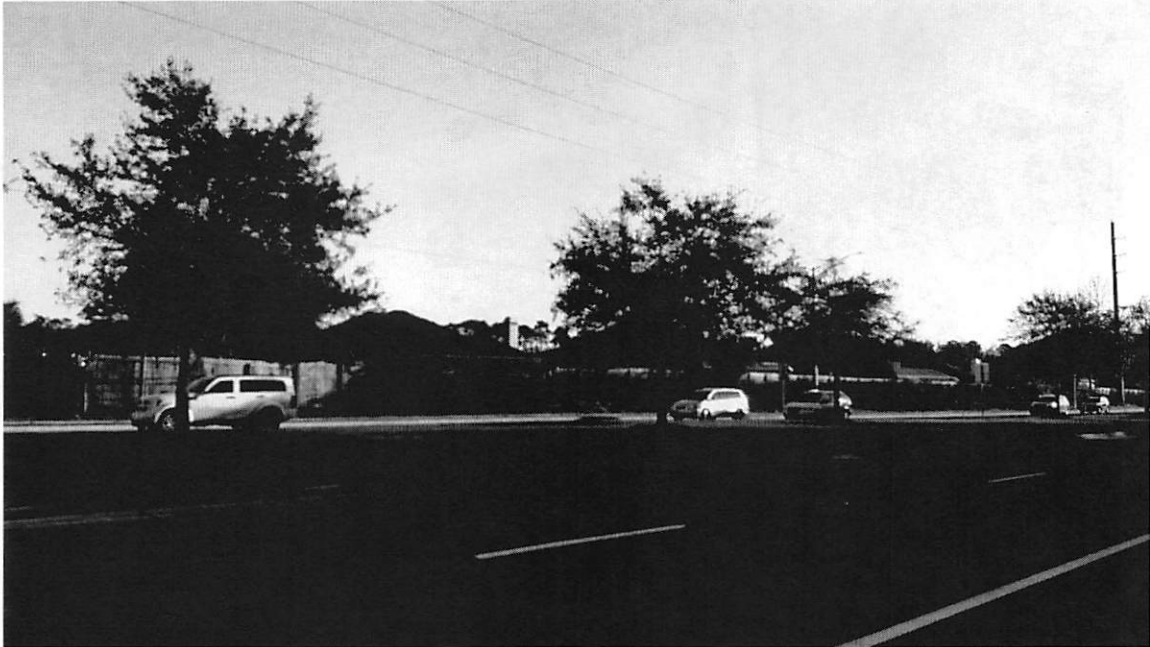
**Looking East along McCormick Road**

*Source: Staff, Planning and Development Department  
Date: 02.03.17*



**Adjoining Property to the North, Across McCormick Road**

*Source: Staff, Planning and Development Department  
Date: 02.03.17*



**Adjoining Property to the North, Across McCormick Road**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*



**Adjoining Property to the East**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*



**Multi-family Development to the South of Subject Property**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*



**Adjoining properties to the west, across Kernan Boulevard**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*



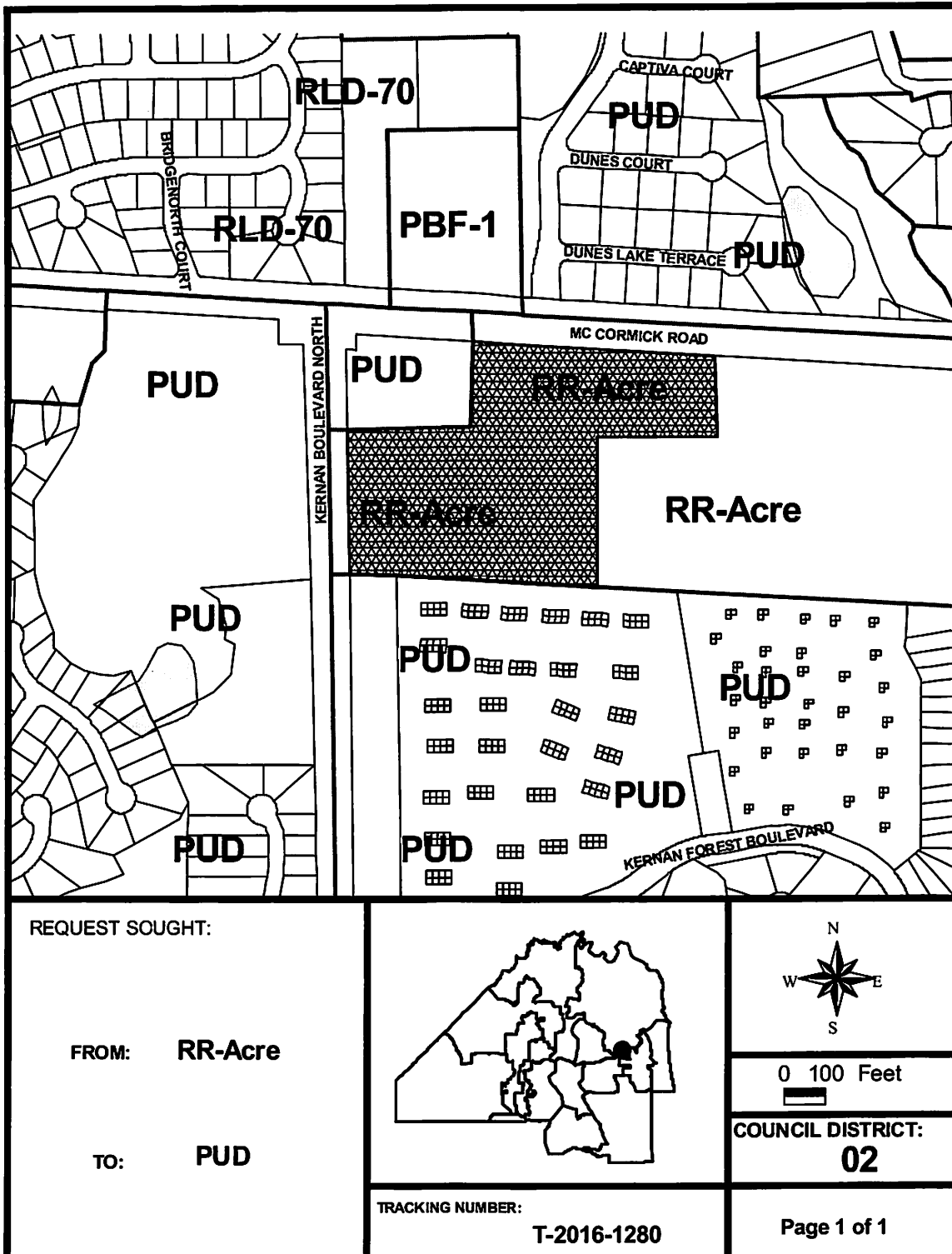


**Adjoining properties to the west, across Kernan Boulevard**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*



**Northwest of Subject Property, across McCormick Road**  
*Source: Staff, Planning and Development Department*  
*Date: 02.03.17*







### Application For Rezoning To PUD

#### Planning and Development Department Info

Ordinance # 2017-0045 Staff Sign-Off/Date N/A / N/A  
 Filing Date N/A Number of Signs to Post 6  
 Hearing Dates:  
 1st City Council 01/24/2017 Planning Commission 02/23/2017  
 Land Use & Zoning 03/07/2017 2nd City Council 02/28/2017  
 Neighborhood Association COALITION OF KERNAN COMMUNITIES, GREATER ARLINGTON  
 CIVIC COUNCIL, COMMUNITIES OF EAST ARLINGTON  
 Neighborhood Action Plan/Corridor Study WONDERWOOD CORRIDOR STUDY

#### Application Info

Tracking # 1280 Application Status PAID  
 Date Started 10/17/2016 Date Submitted 11/18/2016

#### General Information On Applicant

Last Name First Name Middle Name  
 HERZBERG MICHAEL  
 Company Name  
 Mailing Address  
 4071 COVE ST. JOHNS ROAD  
 City State Zip Code  
 JACKSONVILLE FL 32277  
 Phone Fax Email  
 9047318806 9047311109 MHERZBERG@SLEIMAN.COM

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name  
 YOUNG MARK  
 Company/Trust Name  
 RELIANCE TRUST COMPANY  
 Mailing Address  
 1100 ABERNATHY ROAD, STE 480  
 City State Zip Code  
 ATLANTA GA 30328  
 Phone Fax Email  
 9047318806 9047311109 MHERZBERG@SLEIMAN.COM

#### Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning From Zoning District	To Zoning District(s)	To Zoning District
Map 161020 0650	2	2	RR-ACRE	PUD

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 12.98

Development Number

Proposed PUD Name MCCORMICK PLACE PUD

**Justification For Rezoning Application**

TO PERMIT RESIDENTIAL DEVELOPMENT CONSISTENT WITH CHARACTER OF THE AREA AND WONDERWOOD CORRIDOR STUDY.

**Location Of Property**

**General Location**

SE QUADRANT OF MCCORMICK ROAD AND KERNAN BOULEVARD

House #	Street Name, Type and Direction	Zip Code
0	MC CORMICK RD	

**Between Streets**

MCCORMICK ROAD and KERNAN BOULEVARD

**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: \$2,269.00
- 2) Plus Cost Per Acre or Portion Thereof
  - 12.98 Acres @ \$10.00 /acre: \$130.00
- 3) Plus Notification Costs Per Addressee
  - 189 Notifications @ \$7.00 /each: \$1,323.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$3,722.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**EXHIBIT A**

**Property Ownership Affidavit**

Date: June 8, 2016

**City of Jacksonville**

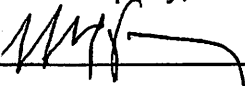
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Ownership Certification

\* as successor Trustee of  
Trust Indenture No. 6412686  
(hereinafter, the "Trust")

Gentleman:

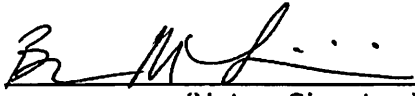
I, Mark M. Young, Senior Vice President, TMI Trust Company, \* the Trust is  
hereby certify that I am the  
Owner of the property described in the attached legal description, Exhibit 1 in connection with  
filing application(s) for amendment of FLUM series, 2030 Comprehensive Plan  
submitted to the Jacksonville Planning and Development Department.

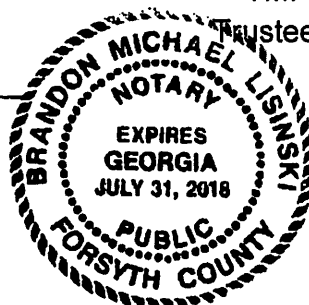
TMI Trust Company, as successor Trustee of Trust Indenture No. 6412686  
By:  Mark M. Young, Senior Vice President  
(Owner's Signature)

STATE OF GEORGIA  
COUNTY OF FULTON

The foregoing affidavit was sworn and subscribed before me this \_\_\_\_\_ day of  
June (month), 2016 (year) by Mark M. Young, Senior Vice President, \*\*  
who is personally known to me or has produced Personally known  
as identification.

\*\* TMI Trust Company, as successor  
Trustee of Trust Indenture No. 6412686

  
(Notary Signature)





TMI TRUST COMPANY - CORPORATE RESOLUTION

I, Kerrie K. Bernardo, hereby certify that I am Assistant Secretary of TMI Trust Company, a corporation duly organized and existing under the laws of the State of Texas; that on July 22, 2014, the following resolution was duly adopted by the Board of Directors of the corporation; and, that the following is a true and correct copy of a resolution adopted which is still in full force and effect

**RESOLVED**, that any officer of the Trust Company holding the office of Chairman, Vice Chairman, President, Executive Vice President, Senior Vice President, Vice President, Assistant Vice President, Trust Officer, Operations Officer, Secretary, Assistant Secretary, Chief Operating Officer, Treasurer or Chief Financial Officer is hereby authorized to purchase, contract to purchase and accept delivery of and to sell, assign, transfer, and deliver any and all shares of stock, bonds, debentures, notes, evidences of interest, evidences of indebtedness, and other obligations and securities now or hereafter held or proposed to be acquired or held by the Trust Company in any fiduciary, agency or representative capacity (with or without indicating the capacity in which the Trust Company is acting), and to execute and deliver any and all instruments necessary, proper or desirable for the purpose.

**FURTHER RESOLVED**, that any officer of the Trust Company holding the office of Chairman, Vice Chairman, President, Executive Vice President, Senior Vice President, Vice President, Secretary, Assistant Secretary, Chief Operating Officer, Treasurer or Chief Financial Officer is hereby authorized to purchase, lease, mortgage, sell, assign, convey, and deliver any and all real property, tangible personal property, and interests therein, now or hereafter held by the Trust Company for its own account or in any fiduciary, agency or representative capacity (with or without indicating the capacity in which the Trust Company is acting), to execute and deliver any and all purchase contracts, sale contracts, options to purchase, options to sell, deeds, leases, mortgages, deeds of trust, bills of sale, and other instruments, agreements and documents necessary, proper or desirable for the purpose, and to execute and deliver powers of attorney or other written authorization authorizing any other officer, employee or agent of the Trust Company to exercise any authority granted to such officers by this Resolution.

**FURTHER RESOLVED**, that any officer of the Trust Company holding the office of Chairman, Vice Chairman, President, Executive Vice President, Senior Vice President, Vice President, Secretary, Assistant Secretary, Chief Operating Officer, Treasurer or Chief Financial Officer is hereby further authorized to open bank accounts, brokerage accounts, custody or safekeeping accounts, or other similar accounts with any financial institution in the name of the Trust Company (with or without indicating the capacity in which the Trust Company is acting) for the purpose of holding funds, assets and securities of the Trust Company and in order to facilitate receipt and delivery of funds and securities and executing transactions in securities for the account of the Trust Company and/or its customers.

**FURTHER RESOLVED**, that any officer of the Trust Company holding the office of Chairman, Vice Chairman, President, Executive Vice President, Senior Vice President, Vice President, Secretary, Assistant Secretary, Chief Operating Officer, Treasurer or Chief Financial Officer is hereby further vested with the authority to execute or sign contracts and agreements in the name of or on behalf of the Trust Company.

**FURTHER RESOLVED**, that any officer of the Trust Company is authorized to certify the foregoing resolutions to whom it may concern and that any transfer agent, registrar, issuer of securities, attorney, title insurance company or escrow agent to whom a copy of these resolutions and a list of officers authorized to act and/or execute documents pursuant to these resolutions is provided shall be authorized to rely thereon until such time as written notice of any change, amendment or cancellation thereof shall have been received by any such transfer agent, registrar, issuer of securities, attorney, title insurance company or escrow agent.

I further certify that the actions authorized to be taken by the foregoing Resolution are not contrary to any provisions in the Charter or Bylaws of this corporation and that the following are the names and positions of the officers authorized to act hereunder:

- |                     |  |
|---------------------|--|
| Anthony A. Guthrie  | Chairman of the Board  |
| Robert C. Finley    | Chief Executive Officer  |
| Steven B. Eason     | President  |
| Kerrie K. Bernardo  | Executive Vice President, Chief Administrative Officer and Assistant Secretary |
| Dinah L. Contino    | Executive Vice President and Chief Risk Officer                                |
| Dennis D. Gillespie | Executive Vice President and Chief Operating Officer                           |
| LeAnna Sharp        | Executive Vice President and Secretary   |
| Michael R. Weber    | Executive Vice President   |
| Deborah George      | Chief Financial Officer and Treasurer  |
| Thomas H. Caruth    | Senior Vice President  |
| Mark M. Young       | Senior Vice President  |
| Kathy E. Knapp      | Vice President   |
| Krister Romeyn      | Vice President   |
| Steven J. Savitski  | Vice President and Assistant Secretary   |
| K. Jane Strobel     | Vice President   |
| Kathy Fuller        | Assistant Vice President   |
| Cynthia E. Howard   | Assistant Vice President   |
| Barbara James       | Assistant Vice President and Assistant Secretary                               |
| Janet D. Goff       | Trust Officer  |
| Barbara Cheney      | Trust Officer  |

I further certify that I have been duly authorized to make this certificate on behalf of this corporation. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this corporation this 22 day of December, 2014.

(Corporate Seal)

*Kerrie K. Bernardo*  
Kerrie K. Bernardo, Assistant Secretary

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR DUVAL  
COUNTY, FLORIDA

CASE NO.: 2014-CA-7340

DIVISION: CV-C

TMI TRUST COMPANY, a Texas trust  
company, as successor by merger to RELIANCE  
INTERIM BANK, as transferee and assignee of  
RELIANCE TRUST COMPANY, a Georgia  
bank and trust company, as Trustee of Trust  
Indenture No. 6412686,

Plaintiff,

v.

FAITHBRIDGE CHURCH, INC., a Florida non-  
profit corporation, formerly known as  
CELEBRATION BAPTIST CHURCH OF  
JACKSONVILLE, FLORIDA, INC., a Florida  
non-profit corporation, CALIFORNIA BAPTIST  
FOUNDATION, a California corporation, JOHN  
B. LINFORD, a professional law corporation, as  
Trustee for the benefit of the Bondholders of  
Subordinate General Mortgage Bonds 2006,  
Series B, and FLORIDA BAPTIST  
CONVENTION, INC., a Florida non-profit  
corporation,

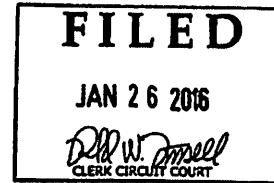
Defendants.

CERTIFICATE OF TITLE

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of  
Sale in this action on January 12, 2016, for the property described herein and that no objections  
to the sale have been filed within the time allowed for filing objections.

The following real property in Duval County, Florida:

{37104393;1}



**PARCEL A:**

A portion of the F. Richard Grant, Section 39 and a portion of Section 3, Township 2 South, Range 28 East, Jacksonville, Duval County, Florida, and being more particularly described as follows:

For a point of reference commence at the Southwesterly corner of said Section 3; thence North 00°52'54" West, along the West line of said Section 3, the same being the Easterly right of way line of Kernan Boulevard North (a 120 foot right of way as now established), 1176.45 feet to the Point of Beginning. From the Point of Beginning thus described, thence continue North 00°52'54" West, along last said West section line and right of way line, 445.91 feet; thence North 89°07'06" East, 150.0 feet to the Easterly line of a 150-foot wide JEA easement as described in deed recorded in the Official Records of said County in Volume 2379, page 474; thence South 00°52'54" East, along last said Easterly line, 457.07 feet; thence North 86°37'31" West, 150.41 feet to the Point of Beginning.

**PARCEL B:**

A portion of Section 3, Township 2 South, Range 28 East, Jacksonville, Duval County, Florida, and being more particularly described as follows:

For a point of reference commence at the Southwesterly corner of said Section 3; thence North 00°52'54" West, along the West line of said Section 3, the same being the Easterly right of way line of Kernan Boulevard North (a 120-foot right of way as now established), 1622.36 feet; thence North 89°07'06" East, 150.0 feet to the Easterly line of a 150-foot wide JEA Easement as described in deed recorded in the Official Records of said County in Volume 2379, page 474 and the Point of Beginning. From the Point of Beginning thus described; thence continue North 89°07'06" East, 250.0 feet; thence North 00°52'54" West, 303.67 feet to the Southerly right of way line of McCormick Road, (a 120-foot right of way as now established); thence Easterly, along said right of way line, the following 3 courses, Course No. 1: South 86°34'28" East, 24.54 feet; Course No. 2: South 86°38'22" East, 1390.04 feet; Course No. 3: South 86°40'58" East, 140.58 feet to the Northwesterly corner of Crystal Ridge Unit Two, according to map thereof recorded in Plat Book 48, pages 48 through 48C of the current public records of said County; thence Southerly along the Westerly line of said Crystal Ridge Unit Two, the following 3 courses, Course No. 1: South 05°37'19" East, 120.0 feet; Course No. 2: South 20°02'20" East, 390.0 feet; Course No. 3: South 08°45'47" East, 308.13 feet; thence North 86°37'31" West, 1986.55 feet to the said Easterly line of a 150-foot JEA easement; thence North 00°52'54" West, along said Easterly easement line, 457.07 feet to the Point of Beginning.

LESS AND EXCEPT lands conveyed to Jacksonville Transportation Authority recorded in Official Records Book 10082, page 426, of the current public records of Duval County, Florida.

Together with:

**DEBTOR:**

**FAITHBRIDGE CHURCH, INC.,** formerly known as **CELEBRATION BAPTIST CHURCH OF JACKSONVILLE, FLORIDA, INC.,** a Florida non-profit religious corporation  
 13720 McCormick Road  
 Jacksonville, Florida 32225

**SECURED PARTY:**

**TMI TRUST COMPANY,** a Texas trust company, as successor by merger to **RELIANCE INTERIM BANK,** as transferee and assignee of **RELIANCE TRUST COMPANY,** a Georgia bank and trust company  
 1100 Abernathy Road  
 Suite 400  
 Atlanta, GA 30328-5634

(a) All buildings, structures and improvements of every nature whatsoever now or hereafter situated on the land described in the above Exhibit "A" (the "Land") and all fixtures, machinery, equipment, building materials, appliances and goods of every nature now or hereafter located on or upon, or intended to be used in connection with, the Land or the improvements thereon, including, but not by way of limitation, those for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light; and all elevators and related machinery and equipment; all plumbing; and all personal property and fixtures of every kind and character now or at any time hereafter located in or upon the Land or the improvements thereon, or which may now or hereafter be used or obtained in connection therewith, including, without limitation, fixtures, machinery, equipment, appliances, vehicles (excluding Debtor's personal automobile, if any), building supplies and materials, books and records, chattels, inventory, accounts, farm products, consumer goods, general intangibles and personal property of every kind and nature whatsoever now or hereafter owned by Debtor and located in, on or about, or used or intended to be used with or in connection with the use, operation or enjoyment of the Land or any improvements thereon, including all extensions, additions, improvements, betterments, after-acquired property, renewals, replacements and substitutions, or proceeds from a permitted sale of any of the foregoing, and all the right, title and interest of Debtor in any such fixtures, machinery, equipment, appliances, vehicles and personal property subject to or covered by any prior security agreement conditional sales contract, chattel mortgage or similar lien or claim, together with the benefit of any deposits or payments now or hereafter made by Debtor or on behalf of Debtor, all trade names, trademarks, service marks, logos and goodwill related thereto which in any way now or hereafter belong, relate or appertain to the Land or any improvements thereon or any part thereof or are now or hereafter acquired by Debtor; and all inventory, accounts, chattel paper, documents, equipment, fixtures, farm products, consumer goods and general intangibles constituting proceeds acquired with cash proceeds of any of the property described herein, and all other interests of every kind and character in all of the real, personal, intangible and mixed properties described herein which Debtor may now own or at any time hereafter acquire, all of which are hereby declared and shall be deemed to be fixtures and accessions to the Land and a part of the Land as between Debtor and Secured Party and all persons claiming by, through or under them.

(b) All of the interest of Debtor in all easements, rights-of-way, licenses, operating agreements, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, waters, water

courses, water rights and powers, oil and gas and other minerals, flowers, shrubs, crops, trees, timber and other emblements now or hereafter located on the Land or under or above the same or any part or parcel thereof, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversion and reversions, remainder and remainders, whatsoever, in any way belonging, relating or appertaining to the Land or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, whether now owned or hereafter acquired by Debtor.

(c) All income (including but not limited to, all revenues, pledges, income, gifts, donations and offerings from whatever source owned by Debtor), rents, issues, royalties, profits, revenues and other benefits of the Land from time to time accruing, all payments under leases or tenancies, proceeds of insurance, condemnation awards and payments and all payments on account of oil and gas and other mineral leases, working interests, production payments, royalties, overriding royalties, rents, delay rents, operating interests, participating interests and other such entitlements, and all the estate, right, title, interest, property, possession, claim and demand whatsoever at law, as well as in equity, of Debtor of, in and to the same (collectively, the "Revenues"); reserving only the right to Debtor to collect the Revenues as provided in the Mortgage, Assignment of Rents and Security Agreement, Financing Statement and Fixture Filing (the "Mortgage") executed by Debtor in favor of Secured Party.

(d) All construction or development contracts, subcontracts, architectural agreements, labor, material and payment bonds, and plans and specifications relating to the construction of improvements on the Land including, without limitation (i) any engineering or architectural agreements entered into with respect to the design and other engineering or architectural services; (ii) the plans and specifications for the construction of said improvements prepared by any engineer or architect; and (iii) any agreements entered into with contractors, suppliers, materialmen or laborers with respect to construction of improvements on the Land.

(e) If applicable, any and all management contracts, agreements, or other correspondence entered into by and between Debtor and third parties for the management of the collateral secured hereby.

(f) Together with any and all additional items of personal property, furnishings, fixtures, equipment, furniture, trade fixtures, and other items of property not heretofore referenced above, including any and all musical instruments, church pews, chairs, pulpits, podiums, and all other items used in connection with Debtor and Debtor's functions.

Together with all buildings, improvements, and tenements now or hereafter erected on the Land, and all heretofore or hereafter vacated alleys and streets abutting the Land, and all easements, rights, appurtenances, rents (subject, however, to the assignment of rents to Secured Party herein), royalties, mineral, oil and gas rights and profits, water, water rights, and water stock appurtenant to the Land, and all fixtures, machinery, equipment, engines, boilers, incinerators, building materials, appliances and goods of every nature whatsoever now or hereafter located in, on, or used, or intended to be used in connection with the Land, including, but not limited to, those for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light; and all elevators, and related machinery and equipment, fire prevention and

extinguishing apparatus, security and access control apparatus, plumbing, bath tubs, water heaters, water closets, sinks, ranges, stoves, refrigerators, dishwashers, disposals, washers, dryers, awnings, storm windows, storm doors, screens, blinds, shades, curtains and curtain rods, mirrors, cabinets, paneling, rugs, attached floor coverings, furniture, pews, alters, organs, pictures, antennas, trees and plants; all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the Land covered by the Mortgage; and all of the foregoing, together with the Land (or the leasehold estate in the event the Mortgage is on a leasehold) now owned or hereafter acquired including, but not limited to, the property described in (a) through (f); all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the Land covered by the Mortgage; all interest of Debtor in (1) other tangible personal property of any nature whatsoever located in or upon the Land and (2) intangible personal property relating to the development, use or operation of the Land including, but not limited to, all inventories, accounts, accounts receivable, contract rights, chattel paper, leases (subject, however, to the assignment of rents to Secured Party), instruments, deposits, monies due and to become due (including guaranties and security for the payment of same) and all proceeds, benefits and claims arising as a result of loss in value of the Land or damage to any improvements therein or thereupon (including, but not limited to, insurance proceeds, awards for condemnation and causes of action against third persons or entities).

was sold to Plaintiff, TMI TRUST COMPANY, a Texas trust company, as successor by merger to RELIANCE INTERIM BANK, as transferee and assignee of RELIANCE TRUST COMPANY, a Georgia bank and trust company, as Trustee of Trust Indenture No. 6412686, whose address is 1100 Abernathy Road, Suite 480, Atlanta, Georgia 30328.

WITNESS my hand and the seal of the Court this \_\_\_ day of **JAN 26 2016**, 2016.

RONNIE FUSSELL  
Clerk of the Circuit Court



By: **ANTOINE R. RILEY**  
Deputy Clerk

# EXHIBIT B

## Agent Authorization

Date: June 8, 2016

### City of Jacksonville

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

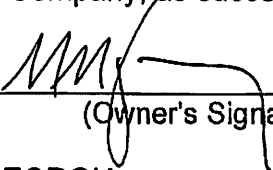
Re: Agent Authorization for the following site location:

12.98+/- acres at Southeast quadrant of McCormick Road and Kernan Boulevard North

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 Michael W. Herzberg, AICP to act as agent to file application(s) for amendment to FLUM series 2030 Comprehensive Plan 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.

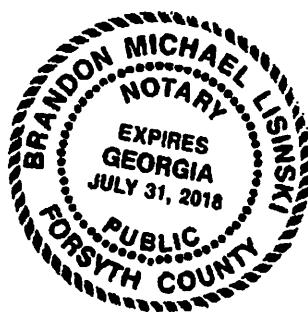
TMI Trust Company, as successor Trustee of Trust Indenture No. 6412686

By:  Mark M. Young, Senior Vice President  
(Owner's Signature)

STATE OF GEORGIA  
COUNTY OF FULTON

The foregoing affidavit was sworn and subscribed before me this \_\_\_\_\_ day of June  
(month), 2016 (year) by Mark M. Young, Senior Vice President, who is personally known to  
me or has produced Personally known as identification.

  
(Notary Signature)



# EXHIBIT C

## Binding Letter

Date: 10/14/16


City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

Re: McCormick Place 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: SP. VICE PRESIDENT



## EXHIBIT 1

### *Tract 2 (Remainder Parcel)*

A portion of Section 3, Township 2 South, Range 28 East, Duval County, Florida, and being more particularly described as follows: Commence at the Northwest corner of Crystal Ridge Unit Two as recorded in Plat Book 48, pages 48 through 48C inclusive of the current public records of Duval County, Florida; thence South 05°37'19" East along the Westerly line of said Crystal Ridge Unit Two, 38.20 feet to the Southerly right-of-way line of McCormick Road as recorded in Official Records Book 10082, page 428 of the current public records of said county; thence North 86°38'35" West along said right-of-way line 792.45 feet to the Point of Beginning; thence continue North 86°38'35" West along said right-of-way line, 665.61 feet; thence North 86°11'50" West along said right-of-way line, 100.36 feet; thence South 00°52'54" East 266.60 feet; thence South 89°07'06" West 400.00 feet to the Easterly right-of-way line of Kernan Boulevard (a variable width right-of-way as now established); thence South 00°52'54" East along said right-of-way line, 446.05 feet; thence South 86°37'31" East 778.21 feet; thence North 00°09'17" West 468.32 feet; thence North 89°50'43" East 378.67 feet; thence North 00°09'17" West 249.41 feet to the Point of Beginning.

Lands thus described contain 12.98 acres more or less.

Being a part of RE Parcel No. 161020-0700.

# ORDINANCE

## Legal Description

**TRACT 2 (REMAINDER PARCEL)**

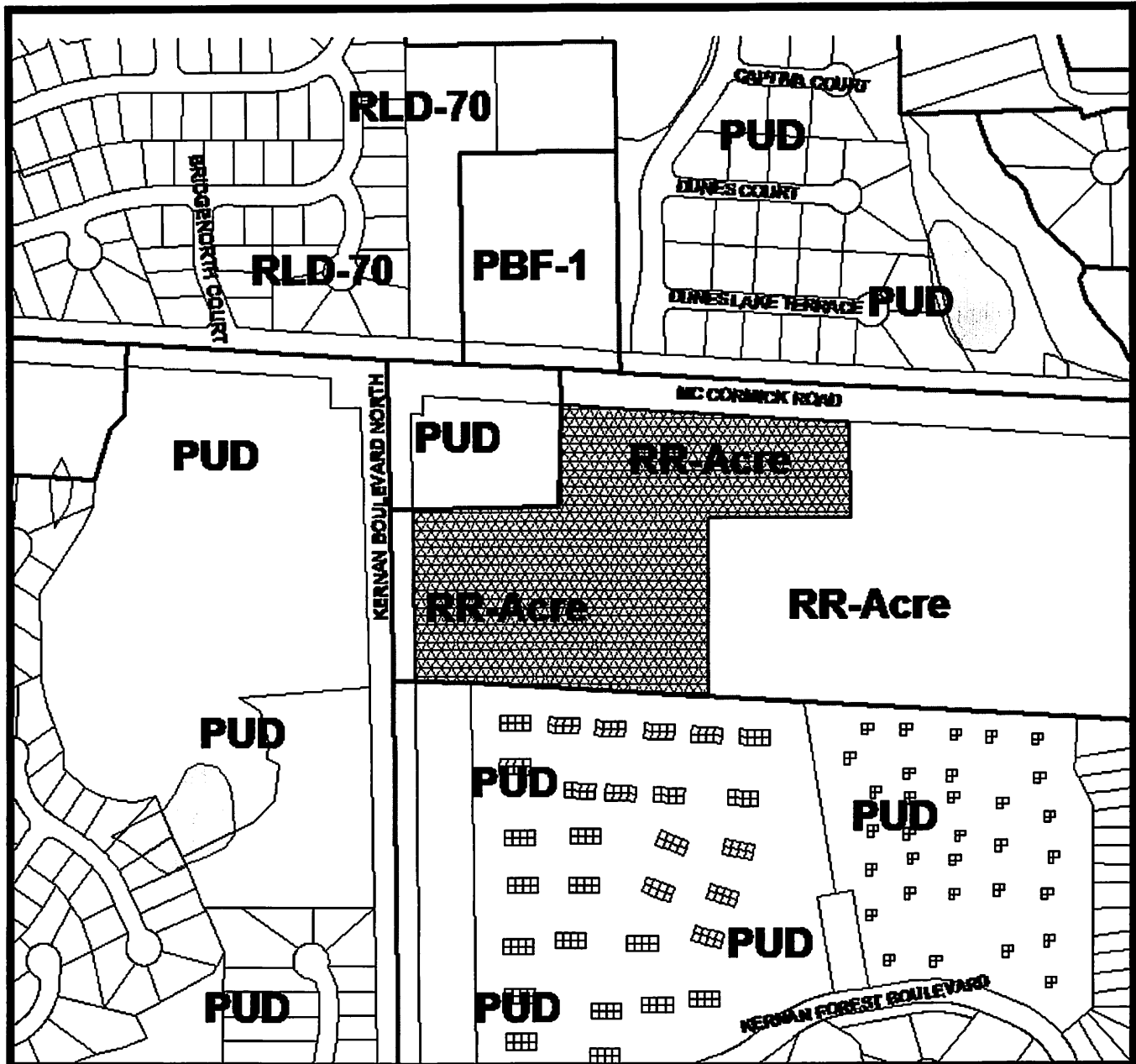
A PORTION OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE NORTHWEST CORNER OF CRYSTAL RIDGE UNIT TWO AS RECORDED IN PLAT BOOK 48, PAGES 48 THROUGH 48C INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 05°37'19" EAST ALONG THE WESTERLY LINE OF SAID CRYSTAL RIDGE UNIT TWO, 38.20 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF MCCORMICK ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 10082 PAGE 428 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 88°38'35" WEST ALONG SAID RIGHT-OF-WAY LINE 792.45 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°38'35" WEST ALONG SAID RIGHT-OF-WAY LINE, 665.61 FEET; THENCE NORTH 86°11'50" WEST ALONG SAID RIGHT-OF-WAY LINE, 100.36 FEET; THENCE SOUTH 00°52'54" EAST 266.60 FEET; THENCE SOUTH 89°07'06" WEST 400.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE KERNAN BOULEVARD (A VARIABLE WIDTH RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE SOUTH 00°52'54" EAST ALONG SAID RIGHT-OF-WAY LINE, 446.05 FEET; THENCE SOUTH 88°37'31" EAST 778.21 FEET; THENCE NORTH 00°09'17" WEST 468.32 FEET; THENCE NORTH 89°50'43" EAST 378.67 FEET; THENCE NORTH 00°09'17" EAST 249.41 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 12.98 ACRES MORE OR LESS.

June 8, 2016

EXHIBIT 1

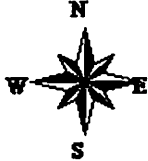
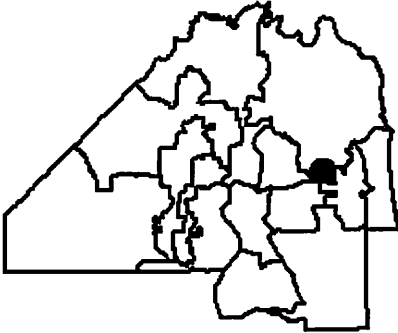
Page 1 of 1



**REQUEST SOUGHT:**

**FROM: RR-Acre**

**TO: PUD**



**0 100 Feet**



**COUNCIL DISTRICT  
02**

**TRACKING NUMBER:**

**T-2016-1280**

**Page 1 of 1**

**EXHIBIT D**  
**WRITTEN DESCRIPTION**  
**McCormick Place PUD**  
**October 20, 2016**

**I. PROJECT DESCRIPTION**

The fee simple owner of the real property identified in the attached Exhibit A, a portion of RE# 161020-0700 (the "Property"), which contains approximately 12.89 acres, is currently zoned Rural Residential (RR) and designated LDR and was originally developed as a house of worship. The religious user elected to relinquish this portion of the property and has since returned ownership to their lender. The parcel is a unique piece of property in that it is specifically mentioned in the City's adopted *Wonderwood Connector Corridor Land Use and Zoning Study* (Corridor Study). This study indicated that this parcel, while at a major intersection along the route of a four lane roadway (future six lane) would be "appropriate for residential development at greater density" than the existing designation would allow. The study goes on to promote commercial office type uses due to the proximity to the intersection of these two roadways and the development of a multi-family project immediately south of the site. Finally, the study recognizes this site as an "infill" site, promoted under the Comprehensive Plan.

The Property is located along the east side of Kernan Boulevard, and the southerly boundary of McCormick Road. As mentioned earlier the eastern portion of the parent tract is developed with a large scale house of worship. The parcel to the south is a fully developed multi-family project and the remaining parcel to the northeast is an undeveloped commercially designated "outparcel" as discussed in the Corridor Study. The applicant has utilized the professional services of Mr. Vince Dunn, P.E. in preparing this request. No other professionals have yet been engaged. The parcel is yet undeveloped and has no significant or unique characteristics, variation of elevations or natural features.

The PUD will permit the site to be developed with single family homes on lot sizes ranging from 4,000 to 4,400 square feet in area. This product is very desirable in the Northeast Florida market and especially in this area between downtown and the beaches. It permits homeowners to enjoy a single family home without the worry or work required to maintain expansive lawn areas. Further, it represents a responsible and efficient infill pattern, promoting not only infill but the required density that translates into a viable mass transit system. It is noteworthy that the JTA's Route 202 utilizes McCormick Road headed directly into the Regency Plaza, a Major Transfer Station for the JTA's system. It is therefore appropriate to implement such a use of land and the same would further the goals, objectives and policies of the plan.

Imposition of the strict code standards would necessitate building patterns and or lot sizes that are inefficient given the limited size of the property and its proximity to the other more intensive uses. The PUD will afford an appropriately scaled and context sensitive development that will permit the flexibility to permit the property to be utilized in an efficient and productive manner. The PUD differs from the conventional RLD-40 district primarily in that it restricts the permitted uses to single family dwellings and nominally modifies the yard areas and lot coverage

maximums to meet market demands. Additionally, as the project is providing access to two Collector or higher level roadways, the development will include signage at each entryway.

**The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as a residential development limited to not more than 78 single family dwellings. The property will be developed in consonance with the goals and objectives of the Low Density Residential (LDR) land use category of the City of Jacksonville 2030 Comprehensive Plan Future Land Use Element. It is the intent of the developer to commence improvements as soon as possible after zoning approval. Further, all future maintenance and operations will be the sole responsibility of the land owner(s), in compliance with the Municipal Ordinance for the City of Jacksonville and this PUD. Construction would be intended to commence immediately upon approval of the zoning and engineering entitlements.**

## **II. USES AND RESTRICTIONS**

The Property currently consists of one parcel but may be further divided as depicted on the attached three site plan E1, dated October 20, 2016 (the "Site Plan," which is incorporated herein by this reference).

### *A. Permitted Uses:*

1. Single Family residential consistent with the site development standards established herein and as depicted on the Site Plan attached to this application (Exhibit "E1").

All above uses consistent with the site development standards established herein and as depicted on the Site Plan attached to this application (Exhibit "E1", as applicable).

- B. Accessory uses shall be as outlined in the Zoning Code and consistent Section 656.403 of the Zoning Code.

## **III. DEVELOPMENT STANDARDS**

### *A. Dimensional Standards.*

**Residential Single Family**

1. *Minimum parcel area and yard areas:* The minimum lot size, lot width and yard areas for structures shall be as follows:

Lot Size – minimum of 4,000 square feet

Lot Width – minimum of 40 feet

Yards -

Front: 15 feet

Side: 5 feet

Rear: 10 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures:* 60%
3. *Maximum height of structures:* Thirty-Five (35) feet.

***B. Ingress, Egress and Circulation.***

1. Vehicular ingress and egress shall be substantially as shown on the Site Plan.

***C. Signs.***

1. The number, location size and height of signage to be located on the property shall be as follows:

One double faced monument sign not to exceed (30) Thirty square feet in area and (12) twelve feet in height may be permitted along Kernan Boulevard.

One double faced monument sign identifying the residential community along McCormick, as depicted at the entry way to that portion of the site on Site Plan E1. This sign shall not exceed (40) Forty square feet in area and not more than (8) Eight feet in height.

*Illumination:* will be permitted as appropriate per the Zoning Code

*C. Site Design and Landscaping.*

1. As it is the intent of the PUD is to permit an infill residential use as described above, it is imperative that adequate signage be afforded to the use in effort to create a sense of place amongst the other more intensive uses and the major roadways/ intersections at the northwest boundary. Similarly, as the adjacent uses have not provided the requisite uncomplimentary buffer areas for a parcel zoned as such, the applicant will instead use its own landscape and buffer materials to be determined by the builder. This plan and the associated landscape/ hardscape will be located in such a way as to promote an internal orientation in effort to attenuate noise and activity emanating from those abutting properties.
2. Lighting associated with any use of this PUD will be of a design that does not permit trespass lighting onto adjacent properties. Furthermore, all lighting will utilize either appropriate lenses or cutoffs as required.

*E. Building Orientation*

1. *General:*

The subject property is to be utilized as an urban, single family residential project with dwellings being situated to reduce noise associated with Kernan Boulevard, McCormick Road, and the more densely developed residential uses located to the south.

The ensuing residential development will be situated in a manner that permits an efficient use of the property while insuring a desirable parcel for a home.

**IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed rezoning is a reasonable manner by which to permit the infill of an undeveloped property for an infill use that is promoted by the City's adopted Corridor Study. This PUD is designed to increase the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. The project seeks to locate a high demand

housing type at an infill location that will act to reduce Vehicle Miles Traveled (VMT) for the new residents of the project. This PUD:

Is more efficient and effective than would be possible through strict application of the City of Jacksonville Land Use Regulations or a conventional zoning district which are Suburban based, do not convey a sense of place, and which make infill impractical;

Represents an appropriate land use, properly designed to promote a logical transition between the established uses and a sustainable and desirable development pattern on an infill location;

Will promote the purposes of the 2030 Comprehensive Plan, including the following:

- |                  |      |
|------------------|------|
| 1. Goal 3        | FLUE |
| 2. Objective 3.1 | FLUE |
| 3. Policy 3.1.6  | FLUE |
| 4. Policy 3.1.17 | FLUE |

## V. SUCCESSORS IN TITLE

All successors in title to the Property, or any portion of the Property, shall be bound to the conditions of this PUD.

## VI. PUD REVIEW CRITERIA

- A. *Consistency with Comprehensive Plan.* The Property is designated LDR pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. The uses and amounts (density/intensity) proposed in the PUD would be consistent with this designation.
- B. *Consistency with the Concurrency Management System.* The development of the Property will comply with the requirements of the Concurrency Management/ Mobility System.
- C. *Allocation of Residential Land Use.* The proposed PUD is intended to permit residential development at a density consistent with the applicable land use category and will be designed in such a way as to protect such use while buffering it from the existing uses adjacent to it.



- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Kernan Boulevard as depicted on the site plan as well as from McCormick Road. All access points will be reviewed and approved by the City of Jacksonville.
- D. *External Compatibility/Intensity of Development.* The intent of the development is to foster infill at a density/ intensity that is consistent with the character of the Woderwood Corridor, while insulating itself from the surrounding commercial and densely built residential development to the south.
- E. The development will be appropriately screened from other developments, roads, and structures. The subdivision will be designed and oriented in a manner that will foster an appropriate transition as well as reduce externalities otherwise associated with such abutting uses.
- F. *Recreation/Open Space.* The PUD will include a communal gathering area with up to Eight Thousand Three Hundred square feet of grassed gathering area located as depicted on Exhibit "E". Further, the property offers almost another acre of land on the western boundary along Kernan Boulevard and adjacent to the multi-use path running along that same roadway. Additionally, the site is located in close proximity to three Duval County Public Schools with facilities connected by this same pathway.
- G. *Impact on Wetlands.* Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. *Listed Species Regulations.* Not Applicable.
- I. *Off-Street Parking & Loading Requirements.* Parking areas shall be developed as required in Part 6, Zoning Code.
- J. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.
- K. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements to an already approved off-site location.
- L. *Utilities.* Electric power, water and sewer services are furnished to the Property by the Jacksonville Electric Authority.

# EXHIBIT F

PUD Name

**McCormick Place PUD**

Date

Oct 3, 2016

## Land Use Table

---

Total gross acreage	<b>12.98</b>	Acres	100 %
Amount of each different land use by acreage			
Single family	<b>7.96</b>	Acres	<b>61</b> %
Total number of dwelling units	<b>78</b>	D.U.	
Multiple family		Acres	
Total number of dwelling units		D.U.	
Commercial		Acres	
Industrial		Acres	
Other land use		Acres	
Active recreation and/or open space	<b>0.98</b>	Acres	<b>7.5</b> %
Passive open space, wetlands, pond	<b>1</b>	Acres	<b>7.7</b> %
Public and private right-of-way	<b>3.04</b>	Acres	<b>23</b> %
Maximum coverage of non-residential buildings and structures	<b>187,200</b>	Sq. Ft.	<b>33</b> %

# EXHIBIT E1

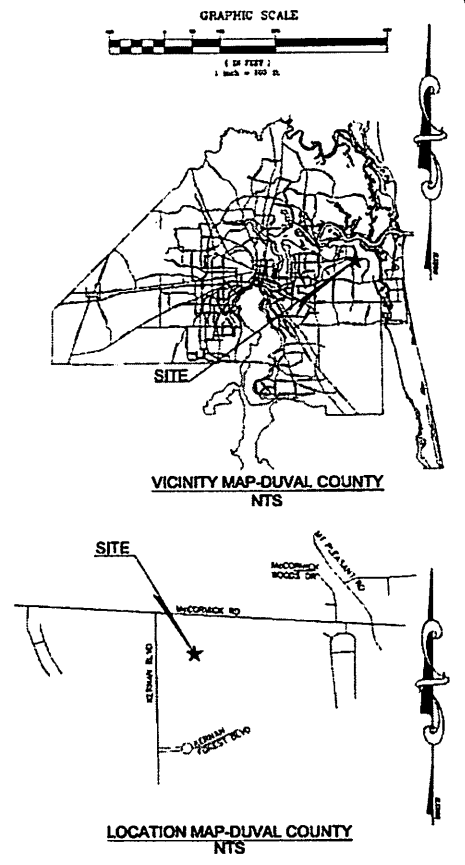
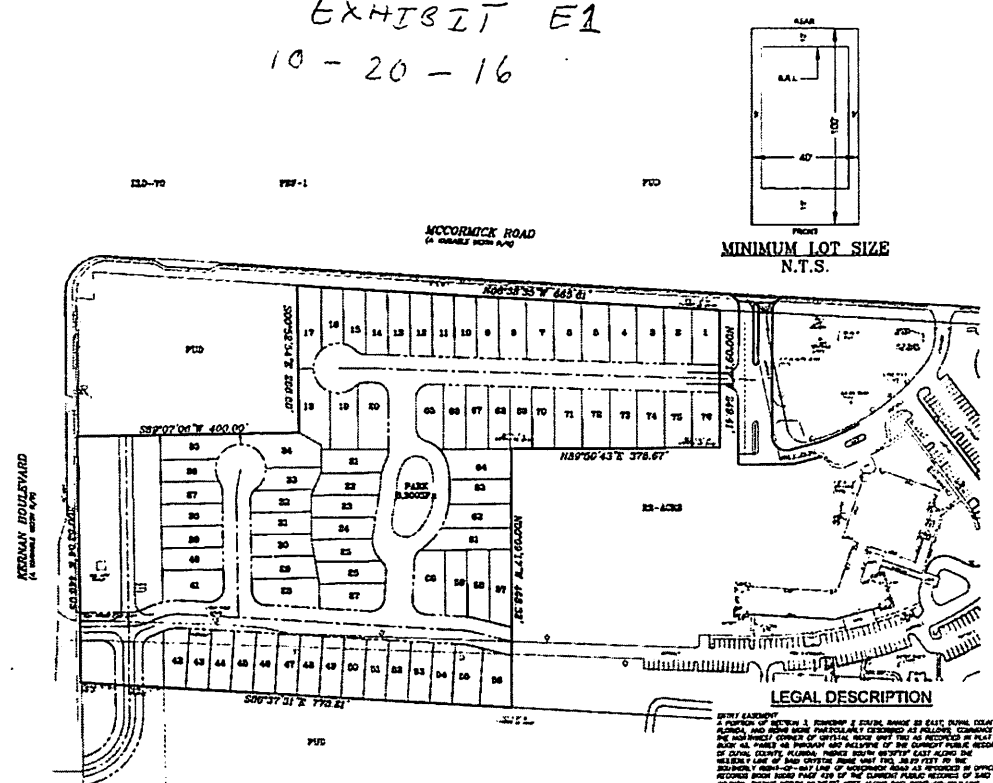
## 10-20-16

1. OWNER:  
WILLIAMS TRUST COMPANY  
1100 ALBANY ROAD, SUITE 402  
ATLANTA, GEORGIA 30329  
PH (404) 264-0683
2. DEVELOPER:  
D & A ASSOCIATES, INC.  
10475 FORUM WAY, SUITE 100  
JACKSONVILLE, FLORIDA 32256  
PH (904) 589-6820
3. ENGINEER:  
DUNN & ASSOCIATES, INC.  
8375 OLA ELLIS TRAIL, SUITE 102  
JACKSONVILLE, FLORIDA 32256  
PH (904)363-8218  
FAX (904)363-8217
4. SURVEYOR:  
TERRACE LAND SURVEYORS INC  
5475 MERRILL TERRACE #200  
JACKSONVILLE, FLORIDA 32257  
PH (904) 820-2333
5. LANDSCAPE ARCHITECT:  
L.R.D.
6. EXISTING/PROPOSED ZONING:  
EXISTING: R-1  
PROPOSED: PUD
7. REAL ESTATE AGENT:  
NATASHA OSH
8. EXISTING SITE CHARACTERISTICS:  
SITE LOCATED ON THE SOUTHEAST CORNER OF INTERSECTION OF AIRMAN BOULEVARD AND MCCORMICK ROAD.
9. SITE SUMMARY:  
TYPE OF DEVELOPMENT: SINGLE FAMILY  
LAND USE: R-1  
MINIMUM LOT WIDTH: 40' (DIST 1)  
FRONT SETBACK: 15'  
SIDE SETBACK: 5'  
REAR SETBACK: 15'  
MAX HEIGHT OF STRUCTURES: 30'
10. WATER SUPPLY: N.E.A.
11. SEWER SERVICE: N.E.A.
12. ELECTRICAL SERVICE: N.E.A.
13. STORM WATER SYSTEM: NET DETENTION PONDS
14. FUEL REQUIREMENTS AS REQUIRED VIA HYDRANTS

- SITE DATA**
- A. TOTAL GROSS ACRES: 12.80 AC. 100%
  - B. NUMBER OF SINGLE FAMILY LOTS: 78
  - C. LOT DENSITY: 6.1 LOTS PER ACRE
  - D. AVERAGE LOT SIZE: 42.11' (4600 SF)
  - E. LOT COVERAGE: 90%
- NOTES**
1. FOR CORNER LOTS THE MIN LOT WIDTH SHALL BE INCREASED BY 5' TO 45'
  2. MIN FRONTAGE OF EACH LOT SHALL BE ONE OF ITS REQUIRED LOT WIDTH PROVIDED HOWEVER THAT THE LOT FRONTAGE MAY BE REDUCED TO 25' ON CURB-CUTS AND CURVES
  3. THIS PLAN IS CONCEPTUAL IN NATURE. LOT LINES, LOT SIZES, LAYOUTS, ROADWAY NETWORK, RIGHT-OF-WAYS, STORM WATER PONDS AND DRAINAGE MAY BE ADJUSTED FOR ENGINEERING, GEOMETRY AND ANY GOVERNMENTAL AGENCY REQUIREMENTS AND AS PER PLANNING REQUIREMENTS.

**FLOOD ZONE**

THE PROPERTY SHOWN HEREON APPEARS TO BE IN FLOOD ZONE "C", COMMUNITY PANEL NUMBER 1233200000N DATED JUNE 1, 2013 FOR THE CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA.



NO	DATE	REVISIONS DESCRIPTION	BY

DESIGNED BY: MR
DRAWN BY: NS
CHECKED BY: VJD
SCALE: 1" = 60'
DATE: DECEMBER, 2016
PROJ. NO.: 1512-441



**Dunn & Associates, Inc.**  
CITY PLANNERS / LAND PLANNERS  
8375 OLA ELLIS TRAIL, SUITE 102 JACKSONVILLE, FLORIDA 32256  
Phone: (904)363-8218 Fax: (904)363-8217  
www.dunneng.com

**MCCORMICK PLACE PUD**

DUVAL COUNTY, FLORIDA  
ZONING MAP

Sheet No.    of   

**ZM-1**

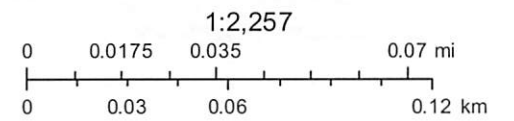
DWG. NO.

NOT RELEASED FOR CONSTRUCTION

# Duval Map



November 1, 2016





21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Glen Wieger  
Dunn & Associates, Inc.  
8375 Dix Ellis Trail, Suite 102  
Jacksonville, Florida, 32256

November 16, 2016

Project Name: Kernan & McCormick Site  
Availability#: 2016-1660

Dear Mr/Mrs Glen Wieger,

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

**Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

**Offsite Improvements:**

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

**Reservation of Capacity:**

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

A detailed overview of the process can be found at [JEA.com](http://JEA.com). This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

Mollie Price  
Water/Wastewater System Planning  
(904) 904-665-7710



21 West Church Street  
 Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2016-1660  
 Request Received On: 10/25/2016  
 Availability Response: 11/16/2016  
 Prepared by: Mollie Price

**Project Information**

Name: Kernan & McCormick Site  
 Type: Single Family  
 Requested Flow: 27,300 gpd  
 Location: Near the southeastern corner of the McCormick Road/Kernan Boulevard N intersection.  
 Parcel ID No.: 1610200650  
 Description: ~78 single family lots

**Potable Water Connection**

Water Treatment Grid: SOUTH GRID  
 Connection Point #1: Existing 16-in water main on the east side of Kernan Blvd N  
 Connection Point #2: Existing 8-in water stub-out at the north east corner of the property  
 Special Conditions: Fire protection needs to be addressed. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403.

**Sewer Connection**

Sewer Treatment Plant: ARLINGTON EAST  
 Connection Point #1: Existing 12-in forcemain on the east side of Kernan Blvd N  
 Connection Point #2: Existing 4-in forcemain approx. 340-ft east of northeast property corner  
 Special Conditions: For force main connection conditions, please email fmconnections@jea.com referencing this availability letter. For the estimated cost of connecting to the JEA system, please call the Pre-service Counter at 904-665-5260. Copies of As-Built records can be requested from JEA As-Built & Record section at 665-4403. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

**Reclaimed Water Connection**

Sewer Region/Plant: South Grid  
 Connection Point #1: Existing 8-in reclaimed water line approx. 650-ft east of northeast property corner  
 Connection Point #2: NA  
 Special Conditions: Reclaimed water shall be used for irrigation. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA.

**General Comments:**

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

Michael Corrigan, Tax Collector  
 Duval County/City of Jacksonville  
 Comments - taxcollector@coj.net  
 Inquiries - (904)630-1916  
 www.coj.net/tc  
 Date: 11/29/2016 Time: 12:47:54  
 Location: P13 Clerk: CYW  
 Transaction 0739479

**Duval County, City Of Jacksonville**  
**Michael Corrigan , Tax Collector**  
 231 E. Forsyth Street  
 Jacksonville, FL 32202

**General Collection Receipt**

Date: 10/21/2016  
 Email: AMartina@coj.net

Miscellaneous  
 Item: CR - CR388242  
 Receipt 0739479.0001-0001 3,722.00  
 Total Paid 3,722.00  
 CHECK 000008199 3,722.00  
 Total Tendered 3,722.00

Michael Herzberg  
 Address: 4071 Cove St Johns Rd, Jacksonville FL 32277  
 Location: McCormick Place PUD

Acct	SubsidNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
								3722.00

Paid By: AMERICAN GENERAL PROPE  
 Thank You