

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2013-0702 TO
PLANNED UNIT DEVELOPMENT
NOVEMBER 14, 2013

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 **2013-0702** to Planned Unit Development.

Location: South of Lem Turner Road, north of V.C. Johnson Road

Real Estate Number: 019273 0000

Current Zoning District: Planned Unit Development (PUD 2008-792-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Mixed Use (MU)

Planning District: North, District 6

City Council District: The Honorable Denise Lee, District 8

Applicant/Agent: Wyman R. Duggan, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Lem Turner Road Developers, LLC
4400 Biscayne Road, Suite 950
Miami, Florida 33137

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2013-0702** seeks to rezone approximately 175± acres of land from PUD to PUD. The rezoning to PUD is being sought for the purpose of adding light manufacturing as a use to three parcels within the RAC (Regional Activity Center). These parcels correspond to development parcels B1 through B6 of the current approved PUD (2008-792-E and 2004-555-E collectively). Currently, only wholesaling, storage, distribution, business and professional offices, and accessory uses are permitted on these parcels within the PUD. No more than 150 acres of Light Manufacturing will be developed.

Pursuant to the existing RAC, up to 26,136 square feet of retail commercial development, 672 residential dwelling units, 92,114 square feet of office uses, and 4.9 million square feet of warehouse/distribution uses are permitted. Full urban services (water and sewer) will be provided to the RAC.

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 Mixed Use (MU) 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 MU functional land use category is designed to facilitate mixed-use development with horizontal and vertical land use integration. Generally, a mix of both residential and non-residential uses is encouraged, but not required in MU projects. The density and intensity of land uses permitted in this category shall include at least three different land uses and of these no one land use, except for conservation, can exceed 70% of the land area involved in the particular amendment.

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.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

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

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

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

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

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

(1) Consistency with the 2030 Comprehensive Plan

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

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

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

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

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

1. The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;

2. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and

FLUE Policy 1.1.20 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl.

FLUE Policy 1.1.22 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest Planning districts through such measures, as economic incentives, greater marketing assistance, etc.

Policy 2.5.2 Continue to participate in reviews of development plans for Jacksonville International Airport and support opportunities for the development of adjacent light industrial and commercial uses.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping and leisure opportunities to support the City's residential uses.

Objective 4.3 ... the City shall amend the Comprehensive Plan to incorporate a policy that delineates all land uses which will be allowed in a specific Multi-Use Land Use Category as so identified on the Future Land Use Map series, as mandated by operative provisions, multi-use land category, paragraph 5, Future Land Use Element

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

(2) Consistency with the Concurrency and Mobility Management System

Pursuant to the provisions of Chapter 655 *Concurrency and Mobility Management System* of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals. The Fair Share # is 34051 with a City Development # 6413. The currently reserved concurrency has an expiration date of 8/23/2019.

Initially, the Fair Share reserved 2,595 single family homes (ITE 210), 300 units (ITE 230) of condos/townhomes, and 200,000 enclosed square feet of retail (ITE 820).

Per the file for Fair Share # 34051, the reservation has changed to the following: 672 dwelling units (ITE 210), 4.9 million enclosed square feet of warehouse (ITE 150), 93,114 enclosed square feet of office (ITE 710), and 26,136 enclosed square feet of retail (ITE 820).

No fair share payments have been made to date as of October 31, 2013.

(3) Allocation of residential land use

As approved in PUD 2008-792-E, this proposed Planned Unit Development intends to utilize lands for a multi-use development that includes residential dwellings not to exceed a total of 672 dwelling units. The 172 acres for residential uses will provide a gross density of approximately 3.9 units per acre. The MU Land Use Category permits densities of up to 20 dwelling units per gross acre. This proposed development will not exceed the projected holding capacity reflected in Table L-20, *Land Use Acreage Allocation Analysis For 2010 Comprehensive Plan's Future Land Use Element*, contained within the Future Land Use Element (FLUE) of the 2010 Comprehensive Plan.

(4) Internal compatibility

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

The use of existing and proposed landscaping:

The project will be required to meet the minimal standards set forth in Section 656, Part 12. Modifications from the requirements in Part 12 may be permitted within the PUD as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.

The use of topography, physical environment and other natural features: The site has approximately 649 acres of wetlands. These wetlands will be used to buffer future commercial areas from residential and future residential from existing residential properties surrounding the development.

Traffic and pedestrian circulation patterns: As shown on the site plan all residential parcels will access the site from one entrance on Braddock Road. All non-residential parcels will access the site from two entrances on Lem Turner Road. The written description describes that sidewalks will be provided along both sides of the main road.

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

Applicant proposes buffering consistent with the approved plan in PUD 2008-792-E.

Consistent with the approved PUD, buffering and setbacks shall be provided on Parcels B5 and B7 where it abuts the existing developed residential lots in Angel Lakes. Due to the interior location the proposed light manufacturing parcels, loading and unloading areas, maintenance areas, and utility areas associated with the use shall not be required to be screened from public streets or rights of way.

The variety and design of dwelling types: The intended plan is provided for in PUD 2004-555.

Compatible relationship between land uses in a mixed use project: The nature of the proposed development is to integrate commercial, light industrial, office, service and residential uses into a master planned community. The written description provides for buffers between residential and industrial uses that meet or exceed the minimum requirements of the Zoning Code.

Signage: The Applicant proposes a coordinated signage program that includes provisions for a master identity monument sign permitted at each project entrance, identity monument signs permitted for each light industrial use, and wall signage (also permitted on the rear of buildings) not to exceed 10% of the occupancy square footage frontage. Awning signs, canopy signs, directional signs, and real estate and construction signs are also permitted. A signage guidelines table is included within the submitted Written Description.

(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 a rural area where large single-family lots have recently begun to be developed. Agriculture and undeveloped land is the predominate use in the area. The extensive wetlands and preservation areas are used as buffers to adjacent properties.

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

North	AGR(ii) PBF	AGR PBF-3	Agriculture Jacksonville International Airport
South	RR LDR	RR PUD	Single-family dwellings (2005-1105) proposed 200 unit single family subdivision
	MU	PUD	Westport RAC LTI Rezoning 2008-788
East	AGR(iv) PBF	AGR PBF-3	Agriculture Jacksonville International Airport
West	AGR (ii and iii) MU	AGR PUD	Agriculture, Single-family dwellings Westport RAC

(6) Intensity of Development

The proposed development is consistent with the MU functional land use category and is a master planned community, which is not to exceed 672 dwelling units, 26,136 square feet of retail commercial uses, 93,114 square feet of office uses and 4.9 million square feet of

warehouse distribution uses. The PUD is appropriate at this location because the proposed warehouse houses and mixture of commercial and residential uses within the development will support each other and residential uses in the area.

The availability and location of utility services and public facilities and services:
The site is served by city sewer and water.

The existence and treatment of any environmental hazards to the proposed PUD property or surrounding lands:
No specific environmental hazards have been identified.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:
The proposed industrial development is proximate to major port facilities on the St. Johns River and to the Florida Strategic Inter-modal (transportation) System (I-295). The site has direct access to Lem Turner Road which is a minor arterial roadway and Braddock Road is classified as a collector roadways. No mass transit stop is required.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. A recreation area is not required as this is an industrial development. Recreation and open space will be provided for the residential portions of the property per PUD 2004-555.

(8) Impact on wetlands

There are significant wetlands on the subject property, including mixed forested wetlands, vegetated non-forested wetlands, and cypress forest. According to a wetland survey provided by the applicant within the 2008-792-E PUD application packet, the site contains approximately 649 acres of wetlands. Any development on wetlands will be required to meet all applicable local, state and federal standards.

(9) Listed species regulations

A wildlife survey performed by Environmental Services Solutions, Inc. and dated August 2003, generally found that no listed species or their habitats were observed during field surveys. There is potential habitat for the Southern Bald Eagle, although no individuals were observed. If eagles or signs of eagles are observed during construction activities, the state and federal regulatory agencies should be contacted. The majority of the property remains undeveloped.

(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 an internal pedestrian system that meets the 2030 Comprehensive Plan. There will also be external sidewalks as required.

SUPPLEMENTAL INFORMATION

According to documentation submitted by the Applicant on November 1, 2013 the required Notice of Public Hearing sign **was posted** as evidenced by the attached photo.



Source: Wyman R. Duggan, Esq.
Date: November 1, 2013

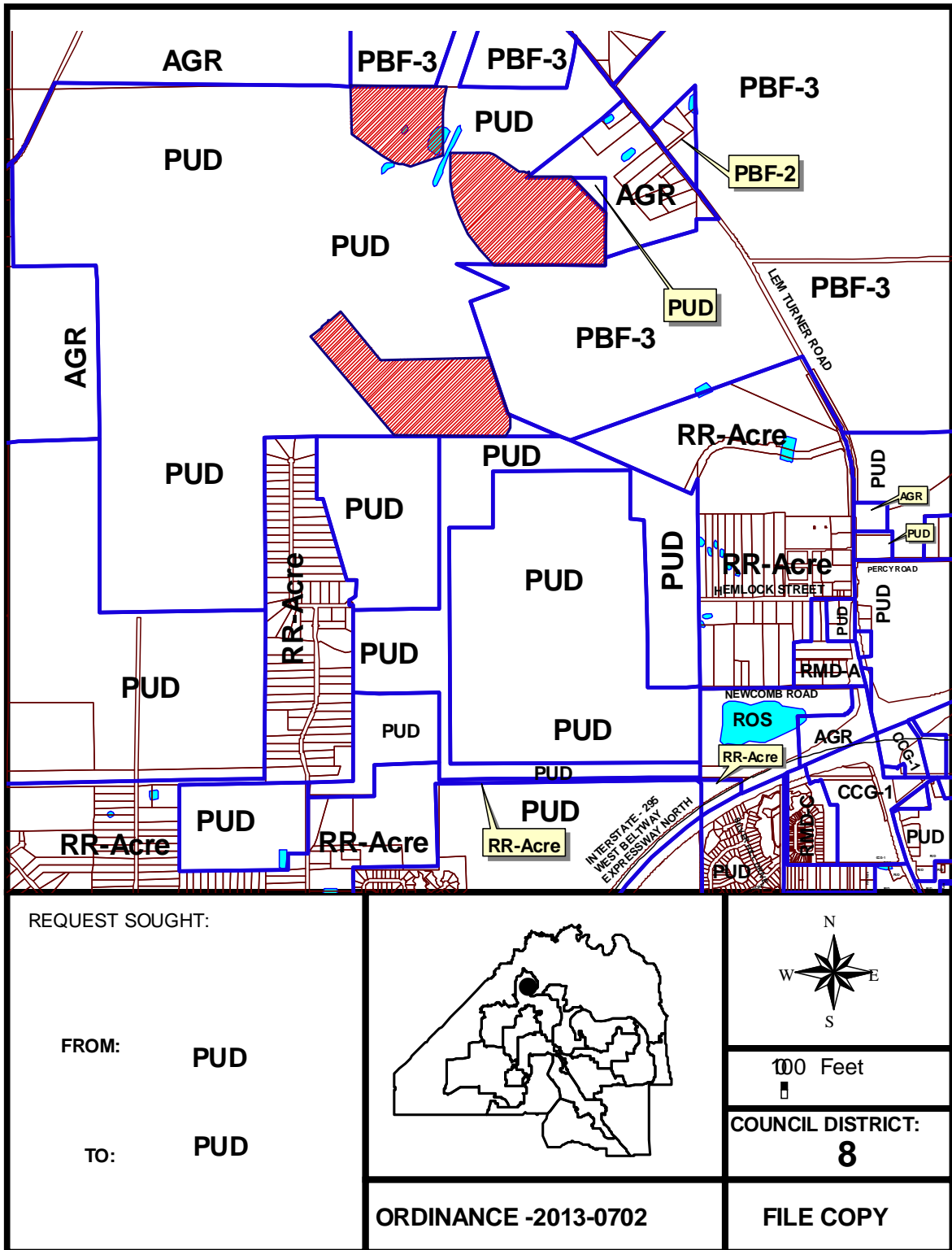
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-702 be **APPROVED with the following conditions:**

- 1) The subject property is legally described in the original legal description dated April 24, 2013.
- 2) The subject property is legally described in the revised written description dated September 9, 2013.
- 3) The subject property shall be developed in accordance with the original site plan dated

April 24, 2013.

- 4) The subject property shall be developed in accordance with the Development Services Memo dated November 6, 2013, or as otherwise approved by the Planning and Development Department.**
- 5) Consistent with approved PUD 2008-792-E, prior to Verification of Substantial Compliance approval, a traffic study shall be provided for the review and approval of the City of Jacksonville Planning and Development Department and FDOT.**
- 6) Consistent with approved PUD 2008-792-E, all light fixtures including security lighting shall be cutoff fixtures and should be incorporated as an integral design element that complements the design of the building and project through its design style, materials and color. All cutoff fixtures shall not have more than one percent (1%) of lamp lumens above horizontal. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c.") where adjacent to residential areas or right-of-ways and one (1) foot candles ("f.c.") where adjacent to non-residential uses. A lighting plan showing photometrics, pole height and fixtures shall be submitted subject to the review and approval of the Planning and Development Department at time of Verification of Substantial Compliance to the PUD.**
- 7) Consistent with approved PUD 2008-792-E, prior to final engineering approval the Airport Notice Zone Acknowledgement shall be recorded and provided to the Planning and Development Department, JAA or the US Navy, as appropriate. The subject property is located in the JIA Civilian Notice Zone, Civilian School Zone and Civilian Height Zone and shall meet all requirements of the Ordinance 2006-1225-E.**





November 6, 2013

MEMORANDUM

TO: Aaron Glick, City Planner
Planning and Development Department

FROM: Lisa King, Traffic Technician Senior

Subject: **Thomas Creek PUD**
PUD R-2013-702

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

1. A traffic study is to be conducted for all proposed access points to a public roadway. The study shall include a queue storage analysis of the existing lanes, need for additional lanes and a traffic signal warrant analysis based on the MUTCD warrants. Development Services shall approve the study prior to the final approval of the Civil Engineering Plan set. Plans for any required improvements shall be included with the Civil Engineering plan set. The developer will be responsible for all cost associated with the design, construction of any required improvements, as well as the study. If turn lanes are required at the above locations they shall be constructed as required below.
2. Lem Turner Road is a Florida Department of Transportation (FDOT) maintained roadway. Number, location, design of accesses as well as offsite improvements to Lem Turner Road is also subject to FDOT review and approval
3. Provide sidewalks in accordance with the 2010 Comprehensive Plan and the City's Land Development Procedures Manual.
4. Identification signage, walls, fences and landscaping shall not obstruct horizontal sight distance.

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.

R-2013-702 Thomas Creek PUD fka R2008-0792

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2013-702 **Staff Sign-Off/Date** AAG / 10/10/2013

Filing Date 10/22/2013 **Number of Signs to Post** 6

Hearing Dates:

1st City Council 11/26/2013 **Planning Comission** 11/14/2013

Land Use & Zoning 12/03/2013 **2nd City Council** 12/10/2013

Neighborhood Association ANGEL OAKS HOA

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 381

Application Status PENDING

Date Started 04/24/2013

Date Submitted 04/26/2013

General Information On Applicant

Last Name	First Name	Middle Name
DUGGAN	WYMAN	R

Company Name

ROGERS TOWERS, P.A.

Mailing Address

1301 RIVERPLACE BOULEVARD, SUITE 1500

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9043983911	9043960663	WDUGGAN@RTLAW.COM

General Information On Owner(s)

☐ Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SEE	BELOW	

Company/Trust Name

LEM TURNER ROAD DEVELOPERS, LLC

Mailing Address

4400 BISCAYNE BLVD., SUITE 950

City	State	Zip Code
MIAMI	FL	33137

Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site? ☒

If Yes, State Application No(s) 2004-555-E; 2008-792-E

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 019273 0000	8	6	PUD	PUD

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

Land Use Category Proposed? ☐

If Yes, State Land Use Application #

Land Use Category

MU

Total Land Area (Nearest 1/100th of an Acre) 175.00

Development Number

Proposed PUD Name THOMAS CREEK

Justification For Rezoning Application

TO ADD LIMITED LIGHT MANUFACTURING USES TO THREE PARCELS WITHIN THE RAC.

Location Of Property

General Location

NORTH OF I-295 AND WEST OF JIA

House #

Street Name, Type and Direction

Zip Code

14158

LEM TURNER RD

32218

Between Streets

GERALD ROAD

and ANGEL LAKE DRIVE

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**
175.00 Acres @ \$10.00 /acre: \$1,750.00
- 3) Plus Notification Costs Per Addressee**
7 Notifications @ \$7.00 /each: \$49.00
- 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$3,799.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Exhibit “D”

Thomas Creek RAC PUD First Amendment Revised Written Description September 9, 2013

**Current Land Use Designation: MU
Current Zoning District: PUD
Proposed Zoning District: PUD**

INTRODUCTION

The Applicant proposes to rezone approximately 175 acres of property south of Lem Turner Road and north of V.C. Johnson Road from Planned Unit Development (“PUD”) to PUD. The property to be rezoned is part of Real Estate Parcel #019273-0000, and is more particularly described by the legal descriptions attached hereto as **Exhibit “1”** (the “Property”). The Property is currently subject to PUD Ordinances 2004-555-E and 2008-792-E (collectively, the “Current PUD”), and is located within the Thomas Creek Regional Activity Center (“RAC”). Pursuant to FLUE Policy 4.3.16, the RAC allows for up to 26,136 square feet of retail commercial development, 672 residential dwelling units, 93,114 square feet of office uses, and 4.9 million square feet of warehouse/distribution uses. Full urban services (water and sewer) will be provided to the RAC.

The purpose of this PUD amendment is to allow for the addition of light manufacturing uses to three parcels within the RAC (corresponding to Parcels B1-B6 of the Current PUD). These parcels are described in **Exhibit “1”** and are referred to herein as either the “Property” or the “Light Manufacturing Parcels.” The Site Plan attached hereto as **Exhibit “E”** shows the location of the Light Manufacturing Parcels. These parcel designations are solely for the purpose of defining permitted uses within the PUD; they do not define or correlate to ownership and do not subdivide the Light Manufacturing Parcels. No more than 150 acres of the Light Manufacturing Parcels will be developed.

Except as modified herein, the Current PUD shall remain in full force and effect.

I. PUD DEVELOPMENT CRITERIA

A. Light Manufacturing

1. Permitted uses and structures.

- a. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating, including but not limited to the storage and use of chemicals related to the manufacture and packaging of beauty and personal care products.

- b. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.
 - c. Business and professional offices.
 - d. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Section II.F below.
 - e. Accessory uses and structures in accordance with Section 656.403.
2. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures.*
- a. *Minimum lot requirements (width and area).* None.
 - b. *Maximum lot coverage by all buildings:* None
 - c. *Minimum yard requirements.* None.
 - d. *Maximum height of structure.* Forty-five (45) feet; provided, however, that spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein. For purposes of this PUD, height shall be measured from the finished floor elevation to the highest point of the roof.

B. Access

The Light Manufacturing Parcels will be accessed from an entrance on Lem Turner Road. Internal access roads will be constructed as necessary to provide additional access within the PUD. The location and design of the proposed road and access points as shown on the Site Plan is schematic and may be subject to realignment prior to development. The design of the access roads, all access points, and the internal roads will be subject to the review and approval of the City Traffic Engineer and Planning and Development Department. The internal access roads within the PUD may be private.

C. Signage

The purpose of these sign criteria standards is to establish a coordinated signage program that provides for directional communication in a distinctive and aesthetically pleasing manner. All project identity and directional signs shall be architecturally compatible with the buildings represented.

A master identity monument sign is permitted at each project entrance (i.e, two (2) on Lem Turner Road and one (1) on Braddock Road). The Lem Turner Road signs shall not exceed two hundred (200) square feet in area and thirty-five (35) feet in height. The Braddock Road

signs shall not exceed forty (40) square feet in area and ten (10) feet in height. They may be single or double faced and internally or externally illuminated. Multiple uses within the PUD may be identified on PUD signage without regard to property ownership boundaries that may exist among the individual uses.

A summary table of the proposed sign regulations is shown on the Signage Guidelines Table below.

1. Light Manufacturing Parcel Uses: Identity Monument Signs.

Identity monument signs are permitted for each light manufacturing use. Each such use will be permitted one (1) externally or internally illuminated identity monument sign with two sides; provided, however, that double frontage parcels will be allowed signage on each frontage. These signs will be oriented to the street(s) on which the lot has frontage, identifying the building (tenant) as a whole and/or its predominant use. Multiple tenants within one building or a connected series of buildings on a lot may be identified with one shared monument sign. Signage for lots five (5) acres to twenty (20) acres may not exceed twenty (20) feet in height and seventy-five (75) square feet (each side) in area. Signage for lots with greater than twenty (20) acres may not exceed twenty (20) feet in height and one hundred (100) square feet (each side) in area.

2. Light Manufacturing Parcel Uses: Other Signs.

Wall signs are permitted (including on backs of buildings) and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing the public rights-of-way.

In addition to wall signs, awning signs are permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective sides of the building facing the public rights-of-way; provided, any square footage utilized for an awning sign shall be subtracted from the allowable square footage that can be utilized for wall signs.

Under canopy signs are permitted. One (1) under the canopy sign per occupancy is permitted not exceeding a maximum of twenty (20) square feet in area per side; provided, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs.

Directional signs indicating major buildings, common areas, various building entries, will be permitted. The design of these signs should reflect the character of the use identity signs and may include the project logo and name. For predominately vehicle directional signage, such signs shall be a maximum of twelve (12) square feet in area per sign face. For pedestrian directional signage, such as "informational side walk kiosks", 1, 2, 3 or 4 sided (or cylindrical), such signs shall also be a maximum of twelve (12) square feet per side. All Vehicular Control Signs shall meet the requirements of the Manual on Uniform Traffic Control Devices with decorative post(s) and finials.

Real estate and construction signs are permitted.

Because all identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, sign area for all such signs as well as wall, awning, and under the canopy signs, shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letters, words, or numbers on the sign.

Signs required by environmental permitting to be posted in common areas such as stormwater facilities shall be permitted.

Signage Guidelines Table

Sign Type	General Location	Quantity	Max Area Per Side (sq ft)	Max Height (ft)
Master Identity Monument Signs	Lem Turner Road entrance	2	200	35
Master Identity Monument Sign	Braddock Road entrance	1	40	10
Light Industrial Identity Monument Signs	Light Industrial Uses	1 per parcel (5-20 acres)	75	20
Light Industrial Identity Monument Signs	Light Industrial Uses	1 per parcel (20+ acres)	100	20
Wall Signs	Project Wide	1 Per Bldg. Side	10% of sq ft of occupancy	
Awning Signs	Project Wide	1 Per Bldg Side	10% of sq ft of occupancy	
Under Canopy Signs	Project Wide	1 Per Occupancy	20	
Directional Signs	Project Wide		12	
Information Kiosks	Project Wide		12	
Note: double frontage parcels will be allowed signage on each frontage in accordance with these regulations.				

D. Architectural Guidelines

Buildings, structures, and signage shall be architecturally compatible with those in other uses within the RAC.

E. Silviculture/Agriculture Uses May Continue

Silviculture and agriculture operations are a permitted use in this PUD and may continue on the Light Manufacturing Parcels until build-out.

F. Landscaping/Buffering/Screening

Landscape and tree protection will be provided in accordance with the following provisions:

1. Landscaping standards shall be applied taking into consideration the entire use or development at issue. For individual lots within a larger development which may own their sites in fee simple, required landscaping may be provided "off-site" and may be shared with other uses, so long as the development at issue in its entirety provides sufficient landscaping for all proposed uses therein. Landscape standards shall be applied within each development without regard to property ownership boundaries, which may exist among individual uses.
2. Modifications from the requirements of Part 12 of the Zoning Code (Landscape and Tree Protection Regulations) may be permitted within the PUD as an administrative modification to the PUD subject to the review and approval of the Planning and Development Department.
3. The buffer and building setback provisions shown on the October 1, 2008 site plan shall remain in effect. The buffer and building setback provisions set forth in the September 16, 2008 written description, and depicted on pages 9, 10 and 11 of Revised Exhibit E to Ordinance 2008-792-E, shall remain in effect, and are restated as follows:

*1. A buffer and building setback shall be provided within **Parcel B7** where it abuts the existing developed residential lots in Angel Lakes, as shown on the PUD Site Plan.*

***Section "A":** As illustrated in the cross-section on the PUD Site Plan, for "Section A" the buffer shall consist of **preserved existing natural vegetation**, a minimum distance of **120 feet** from the Property boundary; adjacent thereto, an **8' high berm** with a 2:1 slope, landscaped per Industrial Buffer Plans "A" or "B," a minimum of **50 feet** in width from the edge of the preserved existing natural vegetation; and adjacent thereto, a **vertical building setback** of **40 feet** in width from the back edge of the berm. No loading dock bays on the building to be constructed closest to the buffer may be oriented towards the existing developed residential lots in Angel Lakes. If multiple buildings are constructed on Parcel B7, loading dock bays may be oriented towards the existing developed residential lots in Angel Lakes only where such loading dock bays are screened from the existing developed residential lots in Angel Lakes by an intervening building; provided, however, that if the buildings will be developed in phases, said loading dock bays may be left unscreened by an intervening building in the initial phase as long as (i) they are located at least **1,000 feet** from the Property boundary; and (ii) the loading dock bays will be screened from the existing developed residential lots in Angel Lakes by an intervening building at buildout.*

As shown on the PUD Site Plan, there is one area in which existing natural vegetation extends to a depth of approximately 250 feet from the Property boundary. In such area, the buffer shall consist of preserved existing natural vegetation, a minimum distance of 250 feet from the Property boundary; and adjacent thereto, a vertical building setback of 40 feet in width from the back edge of the preserved existing natural vegetation. No loading dock bays on the building to be constructed closest to the buffer may be oriented towards the existing developed residential lots in Angel Lakes. If multiple buildings are constructed on Parcel B7, loading dock bays may

be oriented towards the existing developed residential lots in Angel Lakes only where such loading dock bays are screened from the existing developed residential lots in Angel Lakes by an intervening building; provided, however, that if the buildings will be developed in phases, said loading dock bays may be left unscreened by an intervening building in the initial phase as long as (i) they are located at least **1,000 feet** from the Property boundary; and (ii) the loading dock bays will be screened from the existing developed residential lots in Angel Lakes by an intervening building at buildout.

Section “B”: As illustrated in the cross-section on the PUD Site Plan, for “Section B” the buffer shall consist of **preserved existing natural vegetation**, a minimum distance of **100 feet** from the Property boundary; adjacent thereto, an **8’ high berm** with a 2:1 slope, landscaped per Industrial Buffer Plans “A” or “B,” a minimum of **50 feet** in width from the edge of the preserved existing natural vegetation; and adjacent thereto, a **vertical building setback** of **40 feet** in width from the back edge of the berm. No loading dock bays on the building to be constructed closest to the buffer may be oriented towards the existing developed residential lots in Angel Lakes. If multiple buildings are constructed on Parcel B7, loading dock bays may be oriented towards the existing developed residential lots in Angel Lakes only where such loading dock bays are screened from the existing developed residential lots in Angel Lakes by an intervening building; provided, however, that if the buildings will be developed in phases, said loading dock bays may be left unscreened by an intervening building in the initial phase as long as (i) they are located at least **1,000 feet** from the Property boundary; and (ii) the loading dock bays will be screened from the existing developed residential lots in Angel Lakes by an intervening building at buildout.

2. **Section “C” 60-foot buffer:** As shown on the PUD Site Plan, a buffer shall be provided within Parcel B5 where it abuts the planned but not yet developed residential lots in Angel Lakes Phase 3. As illustrated in the cross-section on the PUD Site Plan, for “Section C” the buffer shall consist of **preserved existing natural vegetation**, a minimum distance of **50 feet** from the Property boundary, supplemented with **10 feet** of evergreen plantings a minimum of 8 feet tall at the time of installation and spaced so that 85 % opacity at a height of 8 feet is achieved within 2 years. No loading dock bays or vehicular use areas may be located between the buffer and the building to be constructed closest to the buffer.

3. A landscape plan shall be submitted to the Planning and Development Department for its review and approval for consistency with these buffer provisions at the time of Verification of Substantial Compliance.

4. Due to the location of the Light Manufacturing Parcels in the interior of the RAC, areas such as utilities, maintenance, and loading/unloading zones shall not be required to be screened from public streets or rights of way. Adjacent developments within the Light Manufacturing Parcels shall not be required to be screened from each other.

G. Modifications

Amendment to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as authorized by Section 656.341 of the Zoning Code.

PUD amendments, including administrative modifications, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD. Such PUD amendments may be obtained without the consent of other PUD owners.

H. Parking

Off street parking for the Light Manufacturing Parcels will be provided at a minimum standard of an average of one automobile space per four thousand (4,000) square feet, with the following additional and superceding provisions:

1. Because of the unified development program for the Thomas Creek RAC, neither the provisions of the Parking Lot Landscape Matrix in Section 656.607, nor the provisions of Section 656.1216 shall apply to screen or buffer development on the Light Manufacturing Parcels from other development within the RAC. The perimeter screening and buffering standards set forth in Section I.F.3. above, and those approved in Ordinance 2008-792-E, shall remain in effect.
2. For the Light Manufacturing Parcels, parking standards shall be applied taking into consideration the entire use or development at issue. For individual lots which may own their sites in fee simple, required off-street parking may be provided "off-site" and may be shared with other uses, so long as the parcel in its entirety provides sufficient off-street parking for all proposed uses therein.
3. A modification from the requirements of these parking standards may be permitted as an administrative modification to the PUD subject to the review of the Planning and Development Department. Grounds for such modifications include the sharing of parking among uses with parking demands at different times.
4. There shall be no maximum number of parking spaces for either automobiles or tractor-trailers.

I. Lighting

PUD lighting shall be designed and installed to localize illumination onto the Light Manufacturing Parcels and to minimize unreasonable interference or impact on any residential zoning districts outside of the PUD.

J. Site Plan Conceptual

The plans and other visual illustrations in this PUD application are conceptual. The Site Plan, as submitted, reflects the best current thinking and planning for the site. It is possible,
JAX\1733590_8

however, that revisions to the Site Plan, including but not limited to access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review. In addition, parcel lines, wetland lines and road configurations may change due to engineering and wetland permitting considerations. Therefore, the Site Plan is labeled as conceptual, recognizing that future changes will be subject to further review and approval by the Planning and Development Department.

II. PUD REVIEW CRITERIA

- A. Consistency With the Comprehensive Plan:** The proposed development is consistent with the North Jacksonville Vision Plan, and with Policies 1.1.1, 1.1.8, 1.1.10, 1.1.12, 1.1.17, 1.1.22, 2.5.1, 2.5.2, 3.2.1, 3.2.12, and 3.2.17 of the Future Land Use Element of the 2030 Comprehensive Plan.
- B. Consistency with the Concurrency Management System:** The development of the Property will comply with the requirements of the Concurrency Management System. Fair Share Contract #34051 was approved by Ordinance 2004-656-E, and extended by Ordinance 2012-102-E.
- C. Allocation of Residential Land Use:** No residential development is proposed on the Light Manufacturing Parcels.
- D. Internal Compatibility:** The proposed PUD contains limitations on the uses permitted on the subject property as well as a common development scheme that contains special provisions for signage, landscaping, sidewalks, and other issues relating to the common areas and vehicular and pedestrian traffic. Final design and location of the access point is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- E. External Compatibility/Intensity of Development:** Surrounding land use designations and zoning districts include RR/RR to the south, MU/PUD to the southwest, AGR/AGR to the west and north, PBF/PBF-3 and AGR/AGR to the northeast and east. Surrounding uses include the Jacksonville International Airport DRI, the Villages of Westport RAC, single family residential uses, and undeveloped land. The North Jacksonville Shared Vision Plan identifies the Property as an ideal location for an Airport Distribution Center, which the Plan conceives of as a regional distribution center adjacent to JIA. Portions of the Property are within the 60 dbL noise contour zone of JIA. Light industrial uses for 315 acres are permitted less than one-half mile to the southeast pursuant to Ordinance 2008-788-E. The proposed PUD is compatible in both intensity and density with the surrounding and proposed development and zoning districts.
- F. Maintenance of Common Areas and Infrastructure:** All common areas will be maintained by an owners' association.
- G. Impact on Wetlands:** Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

H. **Listed Species Regulations:** A report by a wildlife consultant was submitted in connection with Ordinances 2004-555-E and 2008-792-E.

I. **Off-Street Parking Including Loading and Unloading Areas:** Off street parking for the Light Manufacturing Parcels will be provided at a minimum standard of an average of one automobile space per four thousand (4,000) square feet, with the following additional and superceding provisions:

1. Because of the unified development program for the Thomas Creek RAC, neither the provisions of the Parking Lot Landscape Matrix in Section 656.607, nor the provisions of Section 656.1216 shall apply to screen or buffer development on the Light Manufacturing Parcels from other development within the RAC. The perimeter screening and buffering standards set forth in Section I.F.3. above, and those approved in Ordinance 2008-792-E, shall remain in effect.
2. For the Light Manufacturing Parcels, parking standards shall be applied taking into consideration the entire use or development at issue. For individual lots which may own their sites in fee simple, required off-street parking may be provided "off-site" and may be shared with other uses, so long as the parcel in its entirety provides sufficient off-street parking for all proposed uses therein.
3. A modification from the requirements of these parking standards may be permitted as an administrative modification to the PUD subject to the review of the Planning and Development Department. Grounds for such modifications include the sharing of parking among uses with parking demands at different times.
4. There shall be no maximum number of parking spaces for either automobiles or tractor-trailers.

J. **Sidewalks, Trails, and Bikeways:** The Light Manufacturing Parcels will not include any residential components.

III. **ADDITIONAL SECTION 656.341 DATA**

A. **Professional Consultants:** Planner/Engineer: England-Thims & Miller. Architect: Not identified at this time. Developer: Lem Turner Road Developers, LLC.

B. **Differences from the Usual Application of the Zoning Code:** Because the Light Manufacturing Parcels are located within a previously approved RAC and the Current PUD, strict compliance with the provisions of Parts 6, 12, and 13 will not be required. Otherwise, the proposed development parameters generally will be consistent with the conventional LI zoning district.

- C. **Land Coverage of All Buildings and Structures/Nonresidential Floor Area:** The Light Manufacturing Parcels are currently vacant, and the minimum development standards set forth above allow 100% lot coverage. However, the likely development scenarios will result in a FAR of sixty percent (60%).
- D. **Rights of Way:** The internal circulation will consist of either private or public drives and parking areas, or some combination thereof.
- E. **Operation and Maintenance of Areas and Functions:** The Property is privately owned and will remain so.
- F. **Recreation and Open Space:** There will be no recreation and open space in the Light Manufacturing Parcels.

THOMAS CREEK 2013 PUD AMENDMENT

EXHIBIT F

April 26, 2013

Total gross acreage	175 Acres	100%
Amount of each different land use by acreage	Acres	%
Light Manufacturing	175	100%
Total number and type of dwelling units by each type of same	0 d.u.	0%
Total amount of active recreation and/or open space	0 Acres	0%
Total amount of passive open space	0 Acres	0%
Amount of public and private rights-of-way	0 Acres	0%
Maximum coverage of buildings and structures at ground level	7,623,000 Sq. Ft.	100%

CURRENT PLANNING DIVISION



Date: 25 September 2013

To: Folks Huxford, Current Planning Chief
Bruce Lewis, City Planner Supervisor

From: Aaron Glick, City Planner II

RE: Thomas Creek PUD

Waiver of Section 656.341(c)(2)(i) PUD Site Plan Requirements

The Site Plan, dated April 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description. The items of required information that have not been depicted on the Site Plan may be excused for good cause because as they are not readily discernible at the size and scale of the submitted site plan and do not impact the review of the application at this time.

(A) The existing site characteristics including any significant variations of elevations, water course(s), unique natural features, and natural vegetation.

The existing PUD site is currently undeveloped and contains over 175 acres. A topographic map showing variation in elevations for the overall site was submitted by the applicant. A detailed vegetation and natural features inventory for all parcels, B1 through B6 is unavailable at this time.

(B) The location of all land uses by acreage, density including the number of dwelling units, intensity, and/or non-residential floor area of such uses. A legend including the following applicable information shall be provided as part of the site plan(s)

The required information is included in a separate Table F, and is also included within the body of the Written Description. There are no dwelling units proposed.

(C) The existing and proposed vehicular circulation system, pedestrian circulation system and points of ingress and egress to the development, including rights-of-way and paving widths. In addition, all existing and proposed rights-of-way, driveways and median openings (if any) within 660 feet of the proposed development.

The Site Plan does show points of ingress and egress, major rights-of-way, median openings and driveways within 660 feet of the property boundary. However, access to parcels and parking geometry of parcels to be individually owned are not shown because property owners and the requirements of specific uses are not known at this time. The parcel designations are solely for the purpose of defining uses within the PUD; they do not define or correlate to

PLANNING AND DEVELOPMENT DEPARTMENT

ownership and do not subdivide the parcels where Light Manufacturing is allowed, nor do they contemplate the site design requirements certain uses necessitate. It is the department's opinion this level of detail is not required at this time, but shall be required at the time of Verification of Substantial Compliance. The Written Description provides setbacks and buffer requirements to sufficiently protect adjacent property owners.

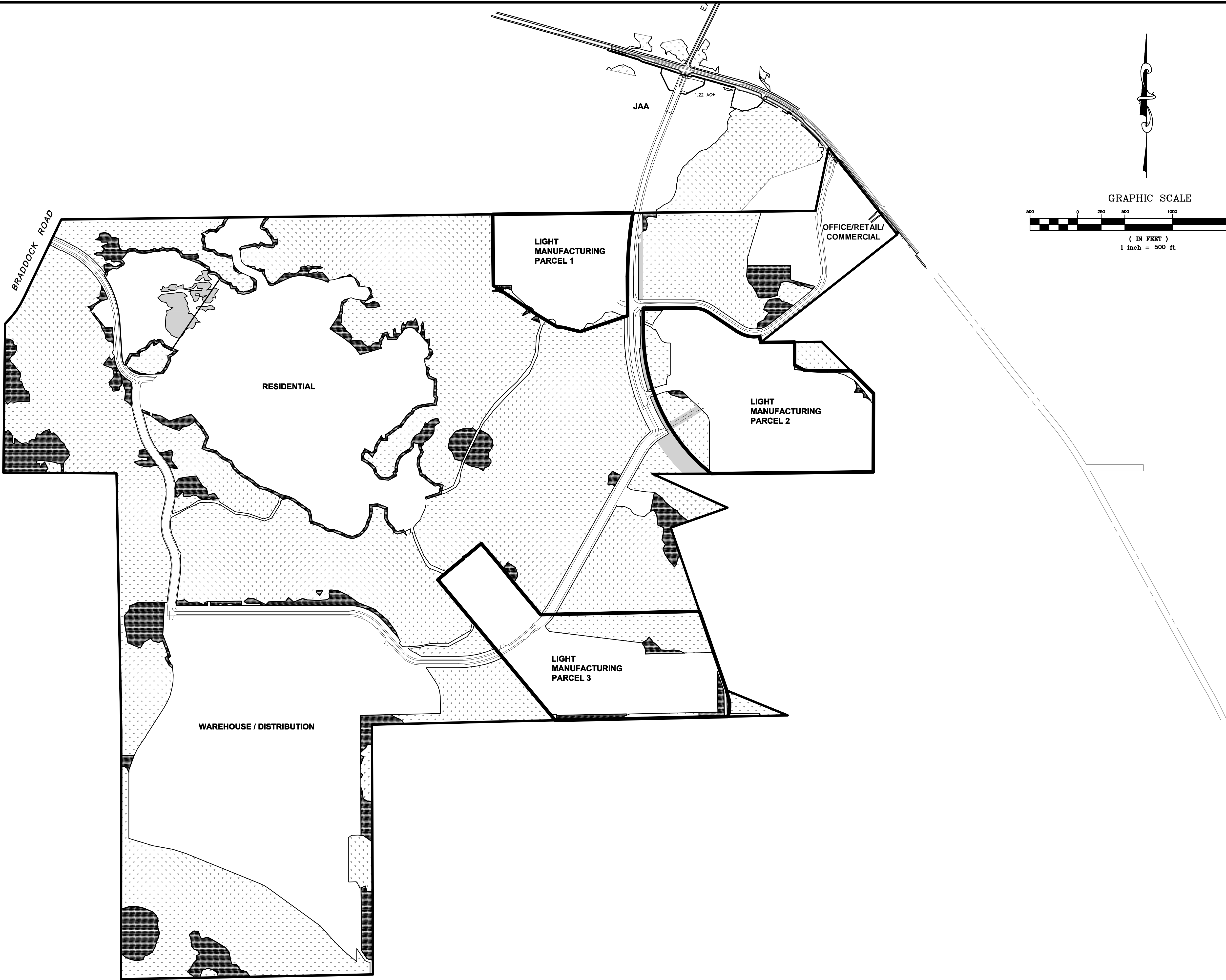


EXHIBIT E - PUD MASTER SITE PLAN

THOMAS CREEK
LEM TURNER ROAD DEVELOPERS LLC
JACKSONVILLE, FL



England, Thins & Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, FL 32250
TEL: (904) 642-8990
FAX: (904) 646-4465
CA - 00002884 LC - 0000316

VISION • EXPERIENCE • RESULTS

ETM NO. 08-024
DRAWN BY: DS
DESIGNED BY: KH
CHECKED BY: NM
DATE: APRIL 24, 2013

REVISIONS:

PLANS PREPARED UNDER THE
DIRECTION OF:

P.E. NUMBER: ###

EXHIBIT A

Property Ownership Affidavit

Date: JANUARY 11, 2013

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, GLENN L. HALPRYN, MANAGER hereby certify that I am the
Owner of the property described in the attached legal description, Exhibit 1 in connection with
filing application(s) for rezoning,
submitted to the Jacksonville Planning and Development Department.

LEM TURNER ROAD DEVELOPERS, LLC



(Owner's Signature) Glenn L. Halpryn, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11th day of
January (month), 2013 (year) by GLENN L. HALPRYN
who is personally known to me or has produced N/A
as identification.

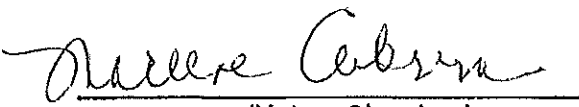

(Notary Signature)



EXHIBIT B

Agent Authorization

Date: JANUARY 11, 2013

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:

019273-0000

Gentleman:

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

LEM TURNER ROAD DEVELOPERS, LLC


(Owner's Signature) Glenn L. Halpryn, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11th day of January (month), 2013 (year) by GLENN L. HALPRYN, who is personally known to me or has produced N/A as identification.


(Notary Signature)

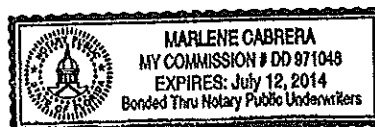


EXHIBIT C

Binding Letter

Date: JANUARY 11, 2013

City of Jacksonville
Planning and Development Department
Jacksonville, Florida 32202

Re: Thomas Creek RAC

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,

LEM TURNER ROAD DEVELOPERS, LLC

By: 
(Owner's Signature)

Its: Glenn L. Halpryn, Manager

(2)

This instrument prepared by and
After recording should be returned to:
AMBARINA A. PEREZ, ESQ.
North American Title Company
700 N.W. 107 Avenue, Suite 240
Miami, Florida 33172

Folio Number: 019428-2000

WARRANTY DEED
(STATUTORY FORM - SECTION 689.02, F.S.)

THIS INDENTURE, made as of this 14th day of December, 2004, between DAN A. MURRAY and DARCILE MURRAY, his wife (collectively, the "Grantor"), and

LEM TURNER ROAD DEVELOPERS, L.L.C., a Florida limited liability company, whose post office address is 1015 North State Road 7, Suite C, Royal Palm Beach, Florida 33411 (the "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in DUVAL COUNTY, FLORIDA, TO-WIT:

(5)
44-
1864/10
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO permitted exceptions listed on Exhibit "B" attached hereto and made a part hereof, none of which are hereby reimposed, and to taxes and assessments for the year 2005 and subsequent years.

Where used herein, the terms GRANTOR and GRANTEE shall be construed as singular or plural as the context requires.

And Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

5

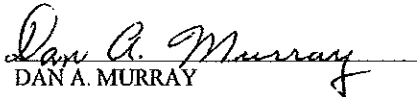
1864/10

IN WITNESS WHEREOF, Grantor has executed this Deed on the day and year first above written.

Signed, sealed and delivered
in our presence:

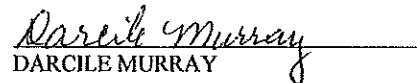
WITNESSES:


Print name: CHERYL E. SASSARD


DAN A. MURRAY


Print name: LAWRENCE V. ANSBACHER


Print name: CHERYL E. SASSARD


DARCILE MURRAY


Print name: LAWRENCE V. ANSBACHER

[NOTARY ACKNOWLEDGMENTS ON THE FOLLOWING PAGE]

STATE OF Florida)
)ss:
 COUNTY OF Duval)

The foregoing instrument was acknowledged before me, this 14th day of Dec, 2004, by Dan A. Murray. He is personally known to me or has produced Fla. Dr. License as identification.

Cheryl E. Sassard
 Notary Public
 Name: CHERYL E. SASSARD

My Commission Expires

(SEAL)



STATE OF Florida)
)ss:
 COUNTY OF Duval)

The foregoing instrument was acknowledged before me, this 14th day of Dec, 2004, by Darcile Murray. She is personally known to me or has produced Fla. Dr. License as identification.

Cheryl E. Sassard
 Notary Public
 Name: CHERYL E. SASSARD

My Commission Expires

(SEAL)



Exhibit "A"

PARCEL 3:

A portion of the Northeast 1/4 of Section 29, Township 1 North, Range 26 East, Duval County, Florida, more particularly described as follows:

For a point of reference, commence at the point of intersection of the Easterly boundary of said Section 29 with the centerline of Lee Turner Road, State Road 115, a 100 foot right of way, thence North 38° 22' 31" West along the centerline of said Lee Turner Road a distance of 1,331.61 feet; thence at right angles South 51° 37' 29" West a distance of 859.11 feet to the most Southerly corner of those lands described in Official Records Volume 3437, Page 482, said corner being the point of beginning. Thence South 38° 22' 31" East a distance of 1,268.63 feet; thence North 67° 40' 29" East a distance of 770.41 feet to a point in the Easterly boundary of said Section 29; thence South 0° 02' 48" East along said Easterly boundary a distance of 351.06 feet; thence South 70° 51' 59" West a distance of 1,423.11 feet to a point in the Easterly line of the Southwest 1/4 of the Northeast 1/4 of said Section 29; thence North 0° 36' 35" East along the Easterly line of the Southwest 1/4 of the Northeast 1/4 of said Section 29, a distance of 1,230.73 feet to the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 29; thence South 82° 14' 07" West along the Southerly line of the Northerly 1/2 of the Northeast 1/4 of said Section 29 a distance of 1,346.94 feet to the Southwest corner of the Northerly 1/2 of the Northeast 1/4 of said Section 29; thence North 0° 45' 41" East along the Westerly line of the Northerly 1/2 of the Northeast 1/4 of said Section 29, a distance of 720.27 feet; thence Southeasterly a distance of 920 feet more or less to the most Westerly corner of said lands described in Official Record Volume 3437 Page 482; thence South 38° 22' 31" East along the Southwesterly line of said last mentioned lands a distance of 400.37 feet to the Point of Beginning.

Exhibit "B"

Permitted Exceptions

None.

A portion of Sections 29 and 30, Township 1 South, Range 26 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 12191, page 309, of the current Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Northwest corner of said Section 29; thence North $89^{\circ}24'13''$ East, along the Northerly line of said Section 29, a distance of 1443.08 feet to a point on a curve concave Easterly having a radius of 3770.00 feet; thence Southerly, departing said Northerly line and along the arc of said curve, through a central angle of $10^{\circ}13'00''$, an arc length of 672.25 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $04^{\circ}55'15''$ West, 671.35 feet; thence South $00^{\circ}11'15''$ East, 413.97 feet; thence South $71^{\circ}36'32''$ West, 527.69 feet; thence North $76^{\circ}29'52''$ West, 118.17 feet; thence North $76^{\circ}58'41''$ West, 56.34 feet; thence North $81^{\circ}50'47''$ West, 77.88 feet; thence North $59^{\circ}17'51''$ West, 125.57 feet; thence North $58^{\circ}33'11''$ West, 109.95 feet; thence North $56^{\circ}07'42''$ West, 561.30 feet; thence North $00^{\circ}35'07''$ West, 748.27 feet to a point lying on the Northerly line of said Section 30; thence North $89^{\circ}18'18''$ East, along said Northerly line, 36.33 feet to the Point of Beginning.

Together with

A portion of Section 29, Township 1 South, Range 26 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 12191, page 309, of the current Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 29; thence North $89^{\circ}24'13''$ East, along the Northerly line of said Section 29, a distance of 1566.44 feet; thence South $00^{\circ}35'47''$ East, departing said Northerly line, 1002.91 feet to the Point of Beginning.

From said Point of Beginning, thence North $89^{\circ}58'54''$ East, 523.72 feet to the point of curvature of a curve concave Southerly having a radius of 270.00 feet; thence Easterly along the arc of said curve, through a central angle of $33^{\circ}53'22''$, an arc length of 159.70 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $73^{\circ}04'25''$ East, 157.38 feet; thence South $56^{\circ}07'44''$ East, 360.36 feet to the point of curvature of a curve concave Northerly having a radius of 330.00 feet; thence Easterly along the arc of said curve, through a central angle of $41^{\circ}47'09''$, an arc length of 240.67 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $77^{\circ}01'18''$ East, 235.37 feet; thence South $09^{\circ}44'17''$ East, 65.67 feet to a point lying on the Easterly line of said Official Records Book 12191, page 309; thence along said Easterly line the following 5 courses: Course 1, thence North $89^{\circ}18'11''$ East, 642.00 feet; Course 2, thence South $45^{\circ}14'57''$ East, 771.72 feet; Course 3, thence South $00^{\circ}12'35''$ West, 828.99 feet; Course 4, thence South $89^{\circ}12'21''$ West, 1352.87 feet; Course 5, thence South $89^{\circ}50'57''$ West, 343.74 feet to a point on a curve concave Northeasterly having a radius of 1900.00 feet; thence Northwesterly departing said Easterly line and along the arc of said curve, through a central angle of $51^{\circ}22'36''$, an arc length of 1703.72 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $25^{\circ}52'33''$ West, 1647.21 feet; thence North $00^{\circ}11'15''$ West, 264.98 feet to a point on a curve concave Southerly having a radius of 100.07 feet; thence Easterly along the arc of said curve, through a central angle of $08^{\circ}47'23''$, an arc length of 15.35

feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of North 85°35'01" East, 15.34 feet.

Together with

A portion of Sections 29 and 30, together with a portion of Section 37 of the Charles Broward Grant, Township 1 South, Range 26 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 12191, page 309, of the current Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 29; thence North 89°24'13" East, along the Northerly line of said Section 29, a distance of 1611.72 feet; thence South 00°35'47" East, departing said Northerly line, 2753.46 feet to a point lying on the Easterly line of said Official Records Book 12191, page 309; thence along said Easterly line the following 3 courses: Course 1, thence South 65°39'16" East, 868.07 feet; Course 2, thence South 70°36'17" West, 635.18 feet; Course 3, thence South 19°00'01" East, 931.64 feet to the Point of Beginning.

From said Point of Beginning, thence continue along said Easterly line the following 2 courses: Course 1, thence continue South 19°00'01" East, 882.67 feet; Course 2, thence South 67°40'10" East, 10.46 feet; thence South 08°36'58" East, departing said Easterly line, 11.28 feet; thence South 13°34'29" East, 33.55 feet; thence South 17°26'13" East, 44.61 feet; thence South 09°47'48" East, 39.90 feet; thence South 00°20'03" East, 45.92 feet; thence South 06°00'21" West, 59.40 feet; thence South 19°02'52" West, 44.44 feet to a point lying on the Southerly line of said Official Records Book 12191, page 309; thence South 88°49'14" West, along said Southerly line, 1053.21 feet; thence South 88°46'00" West, continuing along said Southerly line, 763.48 feet; thence North 39°51'18" West, departing said Southerly line, 1932.03 feet; thence North 50°08'42" East, 213.49 feet; thence North 37°42'20" East, 4.33 feet; thence North 58°19'27" East, 6.56 feet; thence North 50°08'42" East, 124.01 feet; thence North 14°30'51" East, 12.60 feet; thence North 61°14'14" East, 38.17 feet; thence North 50°08'42" East, 199.08 feet; thence South 40°30'55" East, 285.11 feet; thence South 39°05'33" East, 246.85 feet; thence South 39°51'18" East, 444.77 feet; thence North 88°48'31" East, 1665.79 feet to the Point of Beginning.