## REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT APPLICATION FOR SIGN WAIVER ORDINANCE 2021-538 / SW-21-04

#### **SEPTEMBER 21, 2021**

Location: 9801 Old Baymeadows Road between Southside

Boulevard Road and Baymeadows Road

Real Estate Number: 148522-0020

Waiver Sought: Increase sign area from 24 sq. ft. to 75 sq. ft.

Reduce setback from 10 ft. to 0 ft. Allow for internal illumination Increase number of signs from 1 to 3

Current Zoning District: Residential Medium Density-D (RMD-D)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: 3-Southeast

Applicant/Agent: Chuck Knight

Heritage Signs P.O. Box 236

Green Cove Springs, Florida 32043

Owner: TRC Baymeadows, LLC

1091 Morton Court

Mountain View, California 94040

Staff Recommendation: APPROVE WITH CONDITIONS

#### **GENERAL INFORMATION**

Application for Sign Waiver Ordinance 2021-354 (SW-21-04) seeks to increase the sign area from 24 sq. ft. to 75 sq. ft., reduce the setback from 10 ft. to 0 ft., allow internal illumination, and increase the number of signs from 1 to 3. The multi-family development is situated on 10.13 acres, with 14 buildings. An existing sign, which was installed in 1968, is greater than 42 sq. ft.

Section 656.1310 of the Zoning Code does limit the extent of the waivers.

(b)(2) Size: No waiver shall be granted for an increase in sign size in excess of 25 percent of the maximum size area allowed in this Part 13 for the zoning district for which the waiver is proposed, or ten square feet in area, whichever is less.

The request is to increase the sign area from 24 sq. ft. to 75 sq. ft. This exceeds the area allowed in (2) above. The largest sign that can be requested is 30 sq. ft.

(b)(3) Number of signs: A waiver may be granted to increase the maximum number of signs allowed, so long as the total square footage of all signs does not exceed the maximum square footage allowed in this Part 13 for the property for which the waiver is proposed.

The additional request is to increase the number of signs to 3. However there is a limitation that the total sign area cannot exceed the maximum allowed. The 3 signs must split 30 sq. ft. or 10 sq. ft. for each sign.

#### **NOTICE TO OWNER / AGENT**

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as "a painting, structure or device which is placed, erected, or constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction".

#### STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the Planning Commission shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

- (i) Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?
  - Yes. The effect of the sign waiver will be compatible with the existing contiguous zoning and general character of the area. South and east of the property are commercial zoning districts which allow substantially larger signs and internal illumination.
- (ii) Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?
  - No. Approval of the sign waiver will not promote the continued existence of non-conforming signs in the area. As the application states, the existing, conforming sign, will be removed for the proposed 30 square foot sign.

- (iii) Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same?
  - No, the effect of the proposed sign waiver is unlikely to diminish property values in, or negatively alter the aesthetic character of the area surrounding the site.
- (iv) Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?
  - No, the waiver is unlikely to have a detrimental effect on vehicular traffic or parking conditions. The reduction in setback will not obstruct the sight lines for motorists at the exiting either entrance on Old Baymeadows Road. There will be no increase in the light, glare or other effects additional to what already exists in the area.
- (v) Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?
  - No, the proposed waiver is unlikely to be detrimental to the public health, safety, or welfare to the public.
- (vi) Does the subject property exhibit specific physical limitations or characteristics, which could be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?
  - No, the subject property does exhibit specific physical limitations that make the strict letter of the regulation burdensome.
- (vii) Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one's message?
  - No. Staff finds no evidence the request is not based on a desire to reduce the costs associated with compliance.
- (viii) Is the request the result of violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?
  - No, the request is not the result of any cited violation.
- (ix) Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?

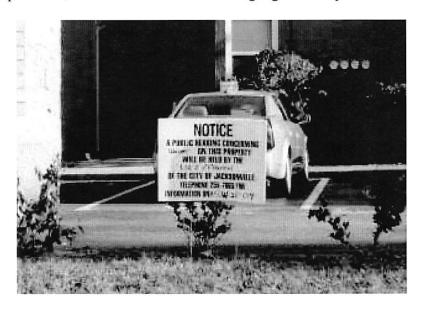
No. Staff has no evidence the proposed request accomplish a result in the public interest nor that it will further the preservation of any natural resources.

(x) Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?

Yes. Strict compliance with the sign regulations would mean the proposed sign should be setback 10 feet, which will require at least one or two parking spaces will need to be removed to accommodate the sign.

#### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 3, 2021, by the Planning and Development Department, the Notice of Public Hearing signs were posted.



#### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver Ordinance 2021- / SW-21-04 be APPROVED with the following conditions.

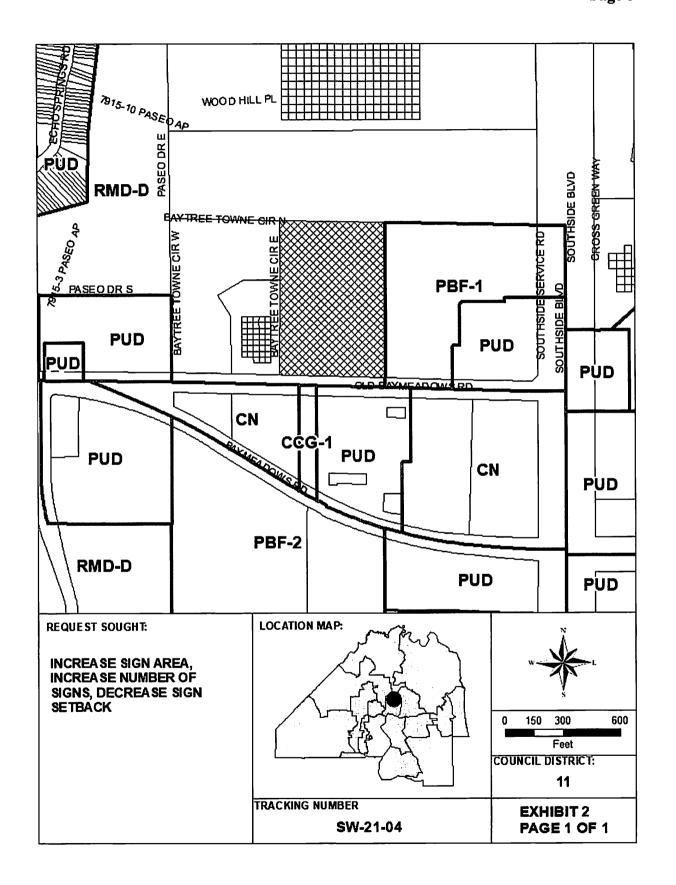
- 1. A maximum of one ground sign shall be approved, not to exceed 30 sq. ft. in area.
- 2. The ground sign may be internally illuminated.
- 3. The setback of the ground sign shall be 0 ft.



Existing sign to be removed and replaced.



Aerial view of subject property.



Date Submitted: 1	I <b>-</b> 5-20
Date Filed:	

Application Number SW · 21 · 04	1
Public Hearing:	

## **Application for Sign Waiver**

City of Jacksonville, Florida Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only			
Council District: RND :		Current Land Us Planning District	
Previous Zoning Applications Filed (provide application numbers):			
Applicable Section of Ordinance Code: 656.1310(b)(2) (3)	, (5)	***	• • • • • • • • • • • • • • • • • • •
Notice of Violation(s):	The second secon	THE RESERVE TO THE PROPERTY OF	. NO SALAMA SE ESTA SE ANTICO SE
Neighborhood Associations: BAYNE	ADOVS CO	MAUNITY CO	DUNCIL
Overlay: N/A		And a supplement of the same o	The state of the s
LUZ Public Hearing Date:	The state of the s		lic Hearing Date:
Number of Signs to Post:	mount of Fee:	1173	Zoning Asst. Initials:
	16 x 7	\$1285	1
PROPERTY INFORMATION			The first of the control of the cont
1. Complete Property Address: 9801 Old Baymeadows	Road	2. Real Estate N 148522-00	
3. Land Area (Acres): 10.7		4. Date Lot was 1 <b>1985</b>	Recorded:
5. Property Located Between Streets: Southside Blvd and Paseo Drive		6. Utility Services Provider:	
		City Water / City Sewer	
		Well / Septic	

7. Waiver Sought:		
_ ·	to feet (maximum request 20% or 5 ft. in	
	6.1310, no waiver shall be granted which would permit a	
sign in excess of 40 feet in height in any zoning distr	- ·	
l	sq. ft. to 75 sq. ft. (maximum request 25% or	
10 sq. ft., whichever is less)	sq. rc. tosq. rc. (maximum request 25% or	
I become	(not to exceed maximum square feet allowed)	
Allow for illumination or change from X		
Reduce minimum setback from 10 feet	to feet (less than 1 ft. may be granted	
administratively)		
8. In whose name will the Waiver be granted? TRC Baymeadows LLC		
9. Is transferability requested? If approved, the waive	r is transferred with the property.	
Yes 🗸		
No		
OWNERS INFORMATION ( -1		
OWNER'S INFORMATION (please attach separa	ate sheet if more than one owner)	
10. Name:	11. E-mail:	
TRC Baymeadows LLC	scott@tablerock-capital.com	
12. Address (including city, state, zip):	13. Preferred Telephone:	
1091 Morton Court	208-999-2912	
Mountain View, CA 94040		
	1	
APPLICANT'S INFORMATION (if different from owner)		
14. Name:	15. E-mail:	
Heritage Signs Chuck Knight	chuck@heritagesignsfl.com	
16. Address (including city, state, zip):	17. Preferred Telephone:	
PO Box 236	904-529-7446	
Green Cove Springs, FL 32043		
1	ı	

#### **EXHIBIT A**

## Property Ownership Affidavit – Limited Liability Company (LLC)

Date: 11-4-23		
City of Jacksonville		
Planning and Development D	epartment	
214 North Hogan Street, Suite	300,	
Jacksonville, Florida 32202		
The state of the s	for the following site location in Ja	
Address: 300 Fold Baymoadows	RE#(s): 148522	2-0020
To Whom it May Concern:		
Scott Haycock	, as Asset Manager	of
TRC Baymeadows LLC		npany organized under the laws of the
state of Florida, h	ereby certify that said LLC is the Ov	wner of the property described in Exhibit
1 in connection with filing app	olication(s) for Sign waiver	submitted to the Jacksonville
Planning and Development D		
(signature)		
(print name) Scott Ha	ycock	
shown through a printout from s		zed representative of the LLC. This may be either a "sole member" or a "managing wer of attorney, etc.
STATE OF FLORIDA COUNTY OF DUVAL		
Sworn to and subsci Notense 2020, 1	ribed and acknowledged before	e me this day of as
authorized representative	of TRC Buy mendow	SLLC, a Limited Liability
Company, who is personall as identification and who t	y known to me or who has procook an oath.	duced
	_ Chart	
`	(Signature of NOTAR)	Y PUBLIC)
	_ Charles	3 KNIGHT
	(Printed name of NO	TARY PUBLIC)
	State of Florida at Lar My commission expir	Notally rubits

 ${\tt G:\JOINT\Applications\Exhibits\Ownership\ AffidavitForm\ LLC.docx}$ 

last update: 1/12/2017

#### **EXHIBIT B**

## Agent Authorization - Limited Liability Company (LLC)

Date: 11-4-20				
City of Jacksonville				
Planning and Development Departmen	it			
214 North Hogan Street, Suite 300,				
Jacksonville, Florida 32202				
Re: Agent Authorization for the follow Address: 9801 Old Baymeadows Rd	ring site location in Jacksonv RE#(s): 148522-0			
To Whom It May Concern:				
You are hereby advised that	Scott Haycock	, as	Asset Manager	of
TRC Baymeadows LLC Florida hereby certify that	, a Limited Liability Co : said LLC is the Owner of tl		d under the laws of the	
authorizes and empowers Chuck Knight TRC Baymeadows LLC / Southside Comm	nt of Heritage Signs Inc.	to	act as agent to file applic	cation(s) for
with such authorization to file such a			ferenced property and in	
requested change as submitted to the (signature) (print name) Scott Haycock	Jacksonville Planning and D	evelopment Depa	artment.	
STATE OF FLORIDA COUNTY OF DUVAL		ži,		
Sworn to and subscribed an 2020, by 50 Haywek			_ day of Molenga	<u>~</u>
TRC Buymendous Lie	_, a Limited Liability Com		rsonally known to me or	r who has
produced	as identification a			
	(Signature of NOTARY P	) I BI I C		
	Charles 1	KNIEIB		
	(Printed name of NOTA)	RY PUBLIC)		
	State of Florida at Large	THE L WHIGHT	7	
	My commission average	otary Public - State of Fig	rida 17	
		otary Public - State of Commission # GG 2254 My Comm. Expires Jun 5, d through National Notary		
	The state of the s	-		

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last update: 1/12/2017

#### **AUTHORIZATION**

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the City Council. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)	Applicant or Agent (if different than owner)
Print name: Scott Haycock	Print name: Chuck Knight
Signature	Signature: June 9
	*An agent authorization letter is required if the
Owner(s)	application is made by any person other than the property owner.
Print name:	
Signature:	

#### **SUBMITTAL**

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

#### Submit applications to:

Planning and Development Department, Zoning Section 214 North Hogan Street, 2<sup>nd</sup> Floor Jacksonville, Florida 32202 (904) 255-8300

Page 6 of 6



## THIS INSTRUMENT PREPARED BY AND RETURN TO:

William T. Conroy, Esq. Johnson, Pope, Bokor, Ruppel & Burns, LLP 333 3rd Avenue North, Suite 200 St. Petersburg, Florida 33701

#### **SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 21 day of June, 2019, between 9801 OLD BAYMEADOWS LLC, a Florida limited liability company whose principal address is 2420 W. Mississippi Ave., Tampa, Florida 33629 (hereinafter called the "Grantor"), and TRC BAYMEADOWS, LLC, an Idaho limited liability company, whose address is 1091 Morton Ct., Mountain View, California 94040 (hereinafter called the "Grantee").

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, its successors and assigns forever, all that certain parcel of land lying and being in the County of Duval, State of Florida, as more particularly described as follows (the "Property"):

#### See Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER WITH all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO the easements, restrictions, agreements and reservations of record listed on Exhibit "B" hereto and all real estate taxes for 2019 and all subsequent years.

TO HAVE AND TO HOLD the above described Property, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the Grantor does fully warrant the title to said Property subject to the matters referred to above and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

NOTE TO RECORDER: Documentary stamp taxes in the amount of \$92,955.00 are being paid on consideration of \$13,285,000.00 in connection with this Deed as required pursuant to Section 201.02, Florida Statutes.

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly executed in its name and by those thereunto duly authorized, the day and year first above written.

WITNESSES:

9801 OLD BAYMEADOWS LLC. a Florida limited liability company

Bert de Alejo, III, as Authorized Signatory

#### STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 18 day of June, 2019, by Bert de Alejo, III, as Authorized Signatory of 9801 OLD BAYMEADOWS LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or produced a valid driver's license for identification.

LINDA KAE CLARK NOTARY PUBLIC STATE OF FLORIDA Comm# FF223571 [Notary Seal] Expires 8/10/2019

Notary Public, State of Florida

Printed Name of Notary Public: Livila Kae Clark

My Commission expires: 5/10/2019

#### **EXHIBIT "A"**

#### **Legal Description of Property**

A parcel of land in Section 24, Township 3 South, Range 27 East, Jacksonville, Duval County, Florida, more particularly described as follows:

For a point of reference, commence at the point of intersection of the Westerly right of way line of Southside Boulevard (Alternate U.S. Highway 1, Florida State Road 115, a 300 foot right of way) with a Northerly right of way line of Baymeadows Road (a 100 foot right of way) and run North 88°34'20" West, along said Northerly right of way line, a distance of 791.08 feet to a point for a point of beginning. From the point of beginning thus described, continue North 88°34'20" West and along said Northerly right of way line, a distance of 545.00 feet to a point; run thence North 00°01'50" West, and parallel to said Southside Boulevard, a distance of 805.00 feet to a point; run thence South 88°34'20" East, and parallel to said Baymeadows Road, a distance of 545.00 feet to a point; run thence South 00°01'50" East, a distance of 805.00 feet to the point of beginning.

#### EXHIBIT "B"

#### Easements, restrictions, agreements and reservations

- 1. Easement in favor of Jacksonville Electric Authority recorded in Official Records Book 3663, Page 906, of the Public Records of Duval County, Florida.
- 2. Land Use Restriction Agreement by and between Resolution Trust Corporation, as Receiver for Concordia Federal Bank for Saving a/k/a Concordia Federal Bank for Savings N.A. f/k/a Concordia Federal Savings and Loan Association and C.A.U. Cedars, Inc., a Florida non-profit corporation recorded January 5, 1996 in Official Records Book 8253, page 1629, of the Public Records of Duval County, Florida.
- Broadband Service Agreement between MediaOne of Greater Florida and C.A.U. Cedars, Inc., recorded in Official Records Book 9606, Page 1553, of the Public Records of Duval County, Florida.
- 4. Grant of Easement in favor of Comcast of Greater Florida/Georgia, Inc. recorded in Official Records Book 16726, page 1262, of the Public Records of Duval County, Florida.
- 5. Rights of tenants, as tenants only, occupying all or part of the insured land under prior unrecorded and unexpired written unrecorded leases or rental agreement, with no right or option to purchase.

#### 2020 FOREIGN LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# M19000004021

Entity Name: TRC BAYMEADOWS, LLC

**Current Principal Place of Business:** 

1300 S. HEIDI PLACE MERIDIAN, ID 83642

**Current Mailing Address:** 

1300 S. HEIDI PLACE MERIDIAN, ID 83642

FEI Number: 83-4010764

Certificate of Status Desired: No

**FILED** Mar 19, 2020

Secretary of State

7814699369CC

Name and Address of Current Registered Agent:

UNIVERSAL REGISTERED AGENTS, INC. 1317 CALIFORNIA STREET TALLAHASSEE, FL. 32304 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

**Authorized Person(s) Detail:** 

Title

MGR

Title

ASSET MANAGER

Name

TRC PARTNERS, LLC

Name

HAYCOCK, SCOTT

Address

1300 S. HEIDI PLACE

Address

1300 HEIDI PL

City-State-Zip: MERIDIAN ID 83642

City-State-Zip:

MERIDIAN ID 83642

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605. Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: SCOTT HAYCOCK

ASSET MANAGER

03/19/2020



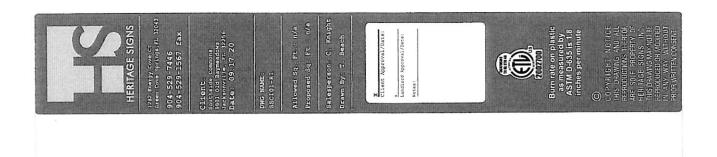
904-529-7446 904-529-1567 fax

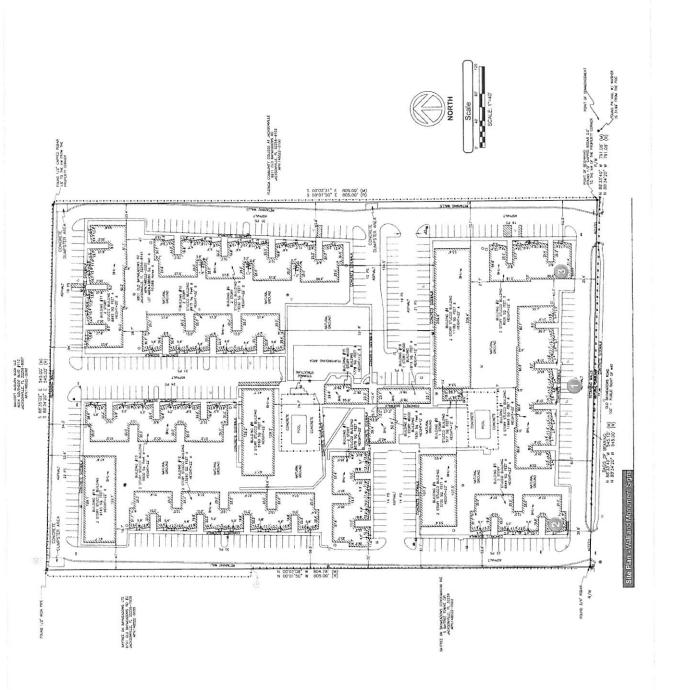


Salesperson: C. Knight Drawn By: T. Beach













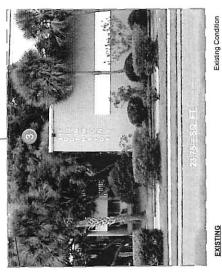












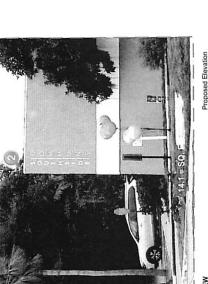




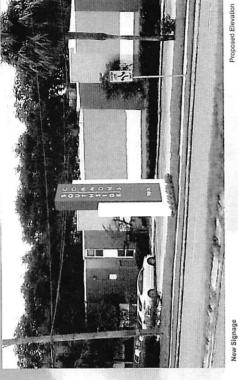
ATY: 1







OTY: 1



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904-529-7446 904-529-1567 fax

Drawn By: T. Beach

# Scope Of Work:

F

540. (50.-0.)

And Automotive Grade Painted Finish (color Tbd). Copy To Be 1" Thick Push Pylon To Be Fabricated Aluminum Skin With Internal Aluminum Tube Frame Vinyl. Internal Illumination By White L.e.d. Modules. Address Numbers To Through Routed Clear Acrylic With Surface Applied Translucent White Be 3/8" Thick Routed White Acrylic Installed Flush To Sign Body With Aluminum Studs. Pylon Installed With Single Steel Support Tube Into Manufacture And Install One Internally Illuminated Pylon Sign. Concrete Footer (sizes Tbd By Engineering).

P1 SATIN WHITE

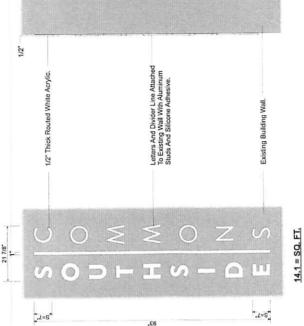
9801

P2 SATIN GREEN (TBD)

23.75 = SQ. FT.

Front Elevation and End View - Internally illuminated Pylon Sign







1/2" = 1'-0" QTY: 1



