



CITY OF JACKSONVILLE BEACH

FLORIDA

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council on **Monday, May 6, 2013, at 7:00 P.M. in the Council Chambers, 11 North Third Street, Jacksonville Beach, Florida.**

**Opening Ceremonies: Invocation
 Salute to the Flag**

Roll Call

1. **APPROVAL OF MINUTES:**

- Regular City Council Briefing held April 15, 2013
- Regular City Council Meeting held April 15, 2013
- New Council Orientation Tour held April 17, 2013

2. **ANNOUNCEMENTS:**

3. **COURTESY OF THE FLOOR TO VISITORS:**

4. **MAYOR AND CITY COUNCIL:**

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Approve the City Manager's Appointment of Pat Dooley as the Chief of Police of the City of Jacksonville Beach.

- (b) Approve a Partnership with the Sulzbacher Center by Funding \$28,000 for the Chronically Homeless Offender Project
- (c) Approve an Additional Corporal Position for the Downtown Cape Program
- (d) Approval to Declare the City's MTX and MTS Motorola Radios and Equipment Surplus and Allow Sunny Communications to Purchase Them for \$500 Plus Shipping
- (e) Approval of Bid Number 1213-07 for Padmounted Switchgear

7. **RESOLUTIONS:**

(a) **RESOLUTION NO. 1913-2013**

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA RELEASING, VACATING, AND ABANDONING A TWELVE (12) FOOT WIDE PUBLIC UTILITIES EASEMENT LOCATED IN A FORMER PUBLIC ALLEY CLOSED BY ORDINANCE NO. 6142, AND RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH BLOCK 18, *MUNDY DRIVE TERRACE* SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS BOOK OF DUVAL COUNTY, FLORIDA. **(Former George Moore Chevrolet dealership)**

8. **ORDINANCES:**

(a) **ORDINANCE NO. 2013-8027 – First Reading (Public Hearing)**

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. **(This request is for a veterinary clinic to be located on a vacant 0.49 acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A1A)**

(b) **ORDINANCE NO. 2013-8028 – First Reading**

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING THE EASTERLY SEVENTY-FIVE (75) FEET OF A CERTAIN TWELVE (12) FOOT WIDE PUBLIC ALLEY RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH THAT CERTAIN PROPERTY IN THE CITY OF JACKSONVILLE BEACH, FLORIDA, KNOWN AS BLOCK 19, *MUNDY DRIVE TERRACE* SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. **(Former George Moore Chevrolet dealership)**

(c) **ORDINANCE NO. 2013-8026 – Second Reading**

AN ORDINANCE ESTABLISHING A *PLANNED UNIT DEVELOPMENT: PUD* ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 – LAND DEVELOPMENT CODE, OF THE JACKSONVILLE BEACH CODE OF ORDINANCES. **(Former George Moore Chevrolet dealership property)**

Respectfully submitted,

/s/George D. Forbes
CITY MANAGER

GDF:cmm
05/02/13

If a person decides to appeal any decision made by the City Council with respect to any matter considered at any meeting, such person may need a record of the proceedings and, for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, ext 10, no later than 12:00 PM, Friday, May 3, 2013.

Minutes of City Council Briefing
Monday, April 15, 2013 – 6:30 PM
City Council Chambers
11 North 3rd Street, Jacksonville Beach, FL

The Council Briefing began at 6:30 PM.

The following City Council members attended:

Mayor Charlie Latham

Keith Doherty
Steve Hartkemeyer
Christine Hoffman
Tom Taylor
Phil Vogelsang
Jeanell Wilson

Also present were City Manager George Forbes, City Department Directors, and Cathy Martinich, City Clerk's Office

Purpose of the Briefing

The purpose of the Briefing is to update the Council Members on projects, recent developments, upcoming issues, and review of agenda items.

City Manager

Low Speed Vehicles –

Mr. Forbes stated that the low speed vehicle markings are almost completed.

Beach Tilling for Turtles –

The City Manager explained that on April 23rd "*Tiger Hole, Inc.*" would begin tilling the beach, which softens the sand for the sea turtles, as part of the beach nourishment requirements. They will till the entire 4.2 miles of the beach, and will use 16th Avenue South to store their heavy equipment. There will be a 10 foot section left at the dune line for emergency vehicle access. Tilling will begin in the early morning until 11:00 pm. With this schedule, the work should take only a few days in Jacksonville Beach.

East Coast Greenway Signs -

Mr. Forbes said that the Greenway signs will go up the first part of May, along A1A and 1st Street. He stated that this is a marketing program for our area. The signs show bike paths and beautiful Greenway path from the Jacksonville Beach's community to Mayport, and working to connect the pathway from the Florida Keys to Maine.

Council Priority/Vagrancy & Downtown Safety -

Mr. Forbes spoke of the following items regarding the vagrancy problem and safety in the downtown area.

- 1.) Police Department is taking over the parking lot security and keeping downtown safe.

- 2.) Working with the Sulzbacher Center on an innovative program to get frequently arrested vagrants into treatment and housing. The Sulzbacher Center will place people for a five to six month period of time, in housing, and work toward rehabilitating them into the community and not jail. The City will be expected to pay for these services, which will cost approximately \$29,000 thousand dollars.
- 3.) Requesting funds from the CRA (Community Redevelopment Agency) to pay for a downtown CAPE supervisor to be added to the team. The newly appointed Corporal will work closely with the Sulzbacher Center, Mission House, BEAM (Beaches Emergency Assistance Ministry.) A short discussion ensued regarding the proposed addition of the Downtown CAPE supervisory position and duties.

Open Access Tariff Agreement -

Mr. Forbes stated that an agreement regarding an Open Access Transmission Tariff Agreement would be on the agenda within the next month. This involves a Federal Law that requires a tariff if someone wants to use Beaches Energy Transmission lines. Mr. Forbes said that he would like to do this in conjunction with the FMPA power partners so that everyone signs the same agreement.

Fire Works –

Mr. Forbes gave the Council an update regarding funds donated towards the fireworks display. He said there will be fireworks on July 4th. Mr. Forbes said that rumors of the City not paying for fireworks and that donation from the community needed to pay the \$25,000 cost for fireworks, was not true. He explained the City is trying to raise money to help off-set the cost of the fireworks display. Mr. Forbes said there is a place on the City webpage for donations to be made toward the July 4th event. He said the City is working toward adding a button on the webpage to accept donations by credit card. It was noted that Mr. Sam Veal has fundraising experience and plans to collect donations for fireworks.

Mayor Latham stated that the previous council eliminated fireworks in the current budget, but we have reinstated money for fireworks. He said it is important to take into consideration the event cost and crowd behavior. Discussion ensued regarding the event.

Mr. Doherty recommended a reduction in the speed limit on A1A during some special events, such as the 4th of July, because citizens have been hit by cars crossing A1A. He pointed out the number of accidents with injuries that have happened during past events. Mr. Forbes stated that the City does not set the speed limit on A1A, but that the police department would monitor the downtown area, slowing and directing traffic as necessary.

Amazon Registry –

Patricia Roberts explained the City is adding a button to the City website which will connect to Amazon's Registry. This will allow on-line donations to be made for fireworks. Implementation is expected soon.

Former George Moore Chevrolet Property -

Bill Mann explained that the PUD rezoning ordinance on the agenda for tonight would require the closure of an alleyway and an easement on two of the properties. He distributed handouts to Council showing both the utility easement and alley abandonment locations, and a copy of the PUD Preliminary Development Plan Standards (LDC Sec 34-348(j)(3)). He said there are old sewer lines within both abandonments that will need to be grouted or removed, and a new manhole must be constructed, all of which will have to happen prior to the properties being redeveloped.

Mr. Forbes explained there would be a “Findings of Fact” presented with the ordinance at the next meeting and also explained the Quasi-Judicial decision making process. He also stated that any discussion council members have regarding this subject must be disclosed, so that both sides have due process. Discussion ensued about the rezoning process.

Fire Department –

Mr. Doherty commented he felt the City would be in extended disagreement/impasse with the Fire Union and asked if there is a possibility of merging the departments with Jacksonville. Mr. Forbes explained that this subject would be discussed in labor negotiations, and at an Executive Session.

Paid Parking –

Mr. Vogelsang said he would like to have discussion and make an amended motion tonight prior to the vote on the paid parking plan. He feels strongly that residents should be able to park for free, by simply showing their identification, proving their residence in the 32250 zip code.

Dog Park –

Mr. Doherty said he has received several calls about the dog park. He recommended an annual fee be paid by residents to use the park. Mr. Doherty said that other Cities have annual membership fees for their dog parks and a gated key fob system could be installed. Mr. Forbes discussed improvements needed at the dog park. Mr. Meadors explained that the cost would be approximately \$12,000 to install the key fob system. He said the plan for updating the dog park was scheduled to be discussed in the upcoming budget meetings.

The briefing adjourned at 7:04pm.

Submitted by: Cathy Martinich
City Clerk’s Office

Approved:

William C. Latham, Mayor

Date: May 6, 2013

**Minutes of Regular City Council Meeting
held Monday, April 15, 2013, at 7:10 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order.

OPENING CEREMONIES:

Invocation was by Council Member Wilson; followed by the Salute to the Flag.

ROLL CALL:

Mayor: Charlie Latham

Council Members: Keith Doherty Steve Hartkemeyer Christine Hoffman
Tom Taylor Phil Vogelsang Jeanell Wilson

Also present was City Manager George Forbes, City Department Directors, and City Clerk Judy Bullock.

APPROVAL OF MINUTES

It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, and passed, to approve the following minutes, as presented:

- Regular City Council Briefing held April 1, 2013
- Regular City Council Meeting held April 1, 2013

ANNOUNCEMENTS

Councilmember Tom Taylor

- Mr. Taylor expressed his appreciation to Event Promoter Sam Veal for the work put into the 2013 Springing the Blues Concert.

Mr. Taylor encouraged everyone to visit the vegetable garden at BEAM and advised that volunteers are needed to assist with the garden.

Councilmember Christine Hoffman

- Ms. Hoffman announced that Mr. Vogelsang, Mr. Doherty and herself had recently graduated from the Jacksonville Beach Citizens Police Academy. She added that it is a great program and extended her appreciation to the staff for an excellent program.

Mayor Charlie Latham

- Mayor Latham advised that he participated in a great meeting with the three Beach City Mayors and City Managers on April 5, 2013. He added that they continue to work together to push for

legislative initiatives and Mayor Borno has asked Atlantic Beach to donate \$5,000 towards our July 4, 2013, fireworks display.

- He enjoyed meeting the local Kiwanis Club for their annual “One Day” celebration at the Beaches Historical Society.

The Mayor gave a hearty ‘well done’, to the city staff, most noteworthy the City’s Police, Fire and Rescue and the Parks and Recreation Department for another successful Springing the Blues Festival. Congratulations also went to Sam Veal for his efforts that went in to putting on a great show.

- He announced that he enjoyed participating in the ribbon cutting for one of Jacksonville Beach’s newest business, *Century Ambulance Services*. The Mayor also congratulated CEO John Glover and new Station Captain Zack Beck and welcomed them to the growing family of businesses in Jacksonville Beach.
- Mayor Latham advised, out of necessity, he has postponed his office hours this week, due to a staff project. He added that he would be available during early mornings and late evenings this week.
- The Mayor provided a report on the Sea Turtle nests. He advised that there were 105 documented nests this year, which is a major increase over the 62 nests in 2010. It is anticipated that the sea turtle nests will continue to increase at a rate of 13% per year.

Councilmember Jeanell Wilson

- Ms. Wilson advised that the “HGTV Smart Home” located in Paradise Key will be opening soon for tours. The Beaches Historical Society will be the tour guides for the home, which will be a fund raiser for the organization.

COURTESY OF THE FLOOR TO VISITORS

- Roger West, 120 South 1st Avenue, Jacksonville Beach
Mr. West expressed concerns regarding the roundabout at the intersection of 2nd Street and Beach Boulevard.

He also requested signage to detour the persons who sit on their cars consuming alcoholic beverages and cause a lot of noise during late night.

MAYOR AND CITY COUNCIL

CITY CLERK

- (a) Appointment of One Member to the Planning Commission and Two Alternates.

Motion #1: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Dave Dahl as a Regular member (from 1st Alternate) to the Planning Commission to complete the unexpired term, which will expire on June 30, 2016.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

Motion #2: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Georgette Dumont as the 1st Alternate member (from 2nd Alternate) to the Planning Commission to complete the unexpired term, which will expire on January 31, 2015.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

Motion #3: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Rick Knight as the 2nd Alternate member to the Planning Commission to complete the unexpired term, which will expire on January 31, 2015.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham; motion carried unanimously.

CITY MANAGER

(a) Monthly Financial Reports – Month of March 2013

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Financial Reports for the Month of March 2013.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

(b) Approve a Fee for the 2013 Parking Program and Authorize \$10,000 in Expenditures for this Program. (The recommended fee is \$3.00)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to set the parking fee of \$3.00 for the 2013 downtown paid parking program and authorize the expenditure of \$10,000 from General Fund Unanticipated as described in a memo from the City Manager, dated April 5, 2013.

Mr. Forbes stated that the downtown is looking better than it has for many years. However, paid parking remains to be an undecided issue. The paid parking program implemented to help fund additional security in the parking lots, has been successful.

On April 3, 2013, a meeting of the downtown merchants/business owners was held. The majority were against any kind of paid parking. However, if there was going to be paid parking the business owners recommended a self-validation program with a parking fee of \$3.00 per vehicle.

Minutes of Regular City Council Meeting
held Monday, April 15, 2013

Mr. Forbes advised the recent “Springing the Blues” concert; private parking was being charged \$10.00 or \$20.00 per vehicle.

Mr. Forbes explained that the self-validation program would not involve the City with reimbursements. The City would charge the parking fee of \$3.00 and then the merchants would choose if they wished to offer any rebates for the parking fee. In addition the City would be required to purchase two-part tickets so the customer would receive a dated receipt to present to the merchant.

Mr. Forbes went on to list the benefits that that the parking customers receive without cost: free festivals, movies, jazz series, a beautiful beach, restrooms, and showers.

Speakers:

- Mike Stang, 1020 North 19th Street, Jacksonville Beach
Mr. Stang suggested that residents be allowed to park without charge and during festivals, the City lots should charge the going rate. (\$10 or \$20 per vehicle)
- Gary Lyon, 1217 North 4th Avenue, Jacksonville Beach
Mr. Lyon spoke in opposition to charging residents for public parking; since residents pay annual taxes to the City.

Before bringing the item back to the Council for discussion, Mayor Latham reminded councilmembers that this is a “short-term” solution and the program will be reviewed at the end of the year.

Mr. Doherty asked what type of expenses the requested \$10,000 would cover.

Mr. Forbes responded that approximately \$6,000 would be used to pay for the printed tickets and the remainder would possibly be used for a marketing campaign or for other incidental costs. He added that the tickets are also necessary for proper internal controls.

Mr. Doherty asked why the current receipt issued by Republic wouldn’t suffice. He further stated that he is not in favor of the City spending funds on tickets for the parking program.

Interim Police Chief Pat Dooley explained that the City’s tickets would also provide statistics on the number of vehicles going into each lot and it becomes an excellent way for a check and balance. He added that a logo matching the tickets could be displayed in the window of the businesses who wish to validate the parking.

A lengthy discussion ensued regarding purchase of special tickets, residents not charged to park, and that the current program has succeeded in providing additional security to visitors.

Ms. Wilson advised that she was not in favor of the parking program.

Mr. Vogelsang spoke in opposition of purchasing special tickets and charging residents to park. He did suggest that non-residents be charged \$5.00 to park in the City lots during special events.

Minutes of Regular City Council Meeting
held Monday, April 15, 2013

Mr. Vogelsang asked Mr. Forbes if he had the authority to alter the cost for parking during special events.

Mr. Forbes responded that he does not have that ability unless the Council authorizes him to change the fees.

Mr. Vogelsang stated that he was going to make an amended motion whereby, Republic would not charge residents, after the driver displayed a valid driver's license showing that they are a resident of Jacksonville Beach.

Amended Motion #1: It was moved by Mr. Vogelsang, seconded by Mr. Doherty, to amend what is currently on the table with regard to residents being able to park free upon the driver showing the Republic Parking attendant a driver's license with the zip code 32250, then they would be able to park free in the three main lots where the City has parking attendants.

Mayor Latham stated that the City Manager should have the ability to make a decision on whether or not the program using the City's tickets should continue or if they find that it is the best way. He added that the business owners are not in favor of paid parking, but the numerous residents that have contacted him do want to continue with the paid parking for security reasons.

Amended Motion #2: It was moved by Mr. Vogelsang, to amend what is currently on the table with regard to residents being able to park free upon the driver showing the Republic Parking attendant a driver's license with the zip code 32250, then they would be able to park free in the three main lots where the City has parking attendants; also to give authority to the City Manager to increase the parking fee at special events to \$5.00 and residents would have to pay to park during special events.

Amended Motion #2 died for lack of a second.

Mr. Doherty stated that residents should be able to park without charge immediately.

Mr. Taylor asked if the paid parking was only on Friday, Saturday, and Sunday.

Mr. Forbes replied yes and if the Council should approve the \$3.00 fee the hours would be moved up by next weekend (during peak times on the three days).

Mr. Hartkemeyer advised if the City is going to allow residents to park without charge then the City should issue parking decals.

Ms. Wilson questioned if the City would be losing money with the \$3.00 fee.

Mr. Forbes commented that the City needs a program in place for the season and not revisit it every month. He added that the City may lose money based on which parking program is approved.

Mr. Doherty asked when the contract with Republic expires.

Mr. Forbes responded that the contract runs through this season. He added that the City receives 60% and Republic receives 40% of the fee charged.

Roll call vote on Amended Motion #1: Ayes: Vogelsang, Doherty, Hoffman, and Taylor;
Nays: Wilson, Hartkemeyer, and Mayor Latham.
Motion passed by a vote of 4 to 3.

Motion: It was moved by Mr. Hartkemeyer, to increase the parking fee to \$5.00 per vehicle.

Motion died for lack of a second.

Roll call vote on Original Motion: Ayes: Doherty, Hartkemeyer and Mayor Latham;
Nays: Hoffman, Taylor Vogelsang, and Wilson.
Motion failed by a vote of 4-3.

- (c) Approve the Attached Submerged Land Lease for Rose and Ken, Inc. (Beach Marine)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Mayor and City Manager to execute a ten-year submerged land lease agreement between the City of Jacksonville Beach and Rose and Ken, Inc., in conformance with a memo written by the City Manager, dated April 1, 2013, and titled "Submerged Land Lease for Beach Marine (Rose and Ken, Inc.)."

Mr. Forbes explained that the City has several submerged land leases. The one under consideration is approximately 100 ft. wide and 635 ft. long, and is being used by Beach Marine for docks, boat and boat slip rentals.

The proposed lease would be for ten years, October 1, 2013 through September 2023. The amount of rent for submerged land is stipulated by state law and will provide an annual amount of \$7,116.12. Additionally, the premises must be used solely for the public purpose of launching, docking, storing, servicing, and repairing watercraft.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

RESOLUTIONS

- (a) **RESOLUTION NO. 1910-2013**

Mayor Latham requested that Resolution No. 1910 - 2013, be read by title; whereupon Ms. Bullock read the following:

“A RESOLUTION ESTABLISHING RATES AND FEES FOR THE HUGUENOT TENNIS CENTER.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1910-2013, establishing rates and fees for Huguenot Tennis Center, as described in the memorandum from the Recreation and Parks Director, dated April 8, 2013.

Speaker: Gil Gibbs, 1309 Trailwood Court, Neptune Beach
Mr. Gibbs complimented the City on the Tennis Center and advised that he is in favor of the proposed fee increase.

Mr. Forbes explained that the proposed resolution has three types of fees and the goal is to make the City facilities as self-supporting as possible. He stated that the Tennis Center will never be totally self-supporting due to the necessary maintenance of the courts. He then reviewed the fee structure and advised that the contract with the Tennis Pro will include the monthly rental of the Pro Shop.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

City Manager – Item (b) Parking Program

As a Point of Order, Mr. Forbes advised that the item on the Parking Program had to be revisited. He explained that one of the amendments passed, but the main motion failed so the item is dead. Mr. Forbes expressed his appreciation to Ms. Hoffman for bringing the problem to Council's attention.

Motion: It was moved by Mr. Vogelsang, seconded by Ms. Hoffman, to approve a parking fee of \$3.00 per vehicle, and allow residents to park for free after showing a valid driver's license.

Roll call vote: Ayes: Doherty, Hoffman, Taylor, And Vogelsang;
Nays: Hartkemeyer, Wilson, and Mayor Latham
Motion carried by a vote of 4 to 3.

Mayor's Statement

Mayor Latham requested that Councilmembers with questions or concerns regarding an item coming before the council not to wait until the council meeting, but contact the City Manager for answers to their questions, possible options and to determine if a workshop should be held before the item is placed on the agenda for action.

ORDINANCES

(a) Ordinance No. 2013-8026 – FIRST READING – PUBLIC HEARING

Mayor Latham requested that Ordinance No. 2013-8025, be read by title; whereupon Ms. Bullock read the following:

**“AN ORDINANCE ESTABLISHING A *PLANNED UNIT DEVELOPMENT: PUD ZONING DISTRICT* WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 – LAND DEVELOPMENT CODE, OF THE JACKSONVILLE BEACH CODE OF ORDINANCES.”
(Former George Moore Chevrolet dealership property)**

Rezoning Hearing Statement – Mayor Latham

“This ordinance for the rezoning of property is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an application for the rezoning of property is handled as a ‘quasi-judicial’ proceeding. A quasi-judicial proceeding means that a governing body is now functioning in a manner similar to a court with the Mayor and Council sitting as impartial decision makers hearing testimony and questioning presenters, who are to provide substantial and competent evidence to support their side of the issue. It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed use on the neighborhood, especially where the input is fact-based and not a simple expression of opinion.

It is the applicant’s burden to demonstrate that their application is consistent with the Land Development Code and the Comprehensive Plan. If the applicant is successful in showing consistency, then it is up to the local government to produce competent, substantial evidence of record that the application should be denied. The Council’s decision on a rezoning application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

In addition, the Council has received a copy of the application and the staff and Planning Commission reports on this rezoning request.

Public Hearing

I will now open the public hearing on Ordinance No. 2013-8026.

He asked if there was an applicant or a spokesperson for the applicant present to review their proposal.

T. R. Hainline, 1301 Riverplace Boulevard, Jacksonville, agent for the applicant Tribridge Residential, LLC, came forward and reviewed the proposed multi-family development. The development will cover approximately 4.41 acres, with 176 units and the buildings will not exceed the 35 ft. height limit. Additionally, the development is below the maximum density of 40 units, currently allowed by the 2030 Comprehensive Plan. In regards to the recreational/open space, there will be an interior courtyard, pool, and open lawn areas throughout the development. Mr. Hainline added that 352 parking spaces are required and the proposed development will have 358 off-street parking spaces and 26 on-street spaces. He assured councilmembers that they have worked closely with City staff to ensure that they meet the City’s requirements.

At this time, Mayor Latham announced the opening of the public hearing for testimony from other interested parties.

Minutes of Regular City Council Meeting
held Monday, April 15, 2013

Speakers:

- Peter Sapia, 1655 Selva Marina Drive, Atlantic Beach
Mr. Sapia spoke in favor of the development.
- David Shupe, 820 North 3rd Avenue, Jacksonville Beach
Mr. Shupe voiced his concerns regarding crime, safety, and utilities.
- Mick Durocher, 41 Millie Drive, Jacksonville Beach
Mr. Durocher spoke in opposition to the development and requested that the developers meet EPA requirements. (previous uses of property – gas station, car dealership with repair department)
- Gary Lyon 1217 North 4th Avenue, Jacksonville Beach
Mr. Lyon spoke in opposition to the development.

At this time, Mayor Latham opened the floor to any other persons wishing to speak in favor of the ordinance; no one came forward.

He then opened the floor to any other persons wishing to speak in opposition to the ordinance; no one came forward.

Mayor Latham asked if there was anyone else who wished to speak for or against the application; no one came forward.

Mayor Latham asked if the City Manager or the Director of Planning and Development if they wished to respond to any of the comments by the applicant or the public.

Senior Planner Bill Mann came forward and explained that, in terms of land use, Parcel B, is currently zoned C-2 and is actually an intrusion into a multi-family neighborhood. Parcels E, D, A, and C are zoned C-2. The predominant adjacent use properties are multi-family and institution use. Mr. Mann added that the proposed development is consistent with the City's Zoning and Comprehensive Plans. Additionally the applicant secured a Concurrency Reservation Certificate on February 13, 2013, which was reviewed by all City departments. It indicates that adequate public facilities, including roadway capacity, and utilities exist to serve the proposed development. Mr. Mann also explained that the developers have requested permission to install a slightly larger sign on Parcel "A", which would still be smaller than the permissible sign that could be permitted for a commercial development.

Mr. Forbes advised that the City must adopt and adhere to the regulations in the State's Building Code.

Mayor Latham asked the applicant to respond to any of the testimony by the staff or the public.

Mr. Hainline responded to the comments and/or concerns. He advised that they were required to provide traffic data. A traffic Study was completed and they have received a Concurrency Certificate. In regards to utilities, they have met with the Public Works Departments and will be

required to make some upgrades. He also assured that they are aware of previous uses of the property and will respond to any issues.

There being no further speakers, Mayor Latham closed the Public Hearing.

Ex Parte Communications

Mayor Latham read the following statement for the record:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record ***both the names of persons and the substance*** of any *ex parte* communications regarding this application. An *ex parte* communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

- Mayor Latham None
- Councilmember Hoffman None
- Councilmember Doherty None
- Councilmember Wilson None
- Councilmember Taylor Spoke with Mick Durocher regarding generalities about the development
- Councilmember Hartkemeyer Spoke with Staff
- Councilmember Vogelsang Received an e-mail from Thomas Bennett providing his views on whether or not the development should be approved

Mayor Latham asked the City Clerk if she had received any correspondence regarding the development; to which she replied that she had not.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8026, establishing a Planned Unit Development: PUD Zoning District, to allow a 176-unit multi-family residential apartment community on the former *George Moore Chevrolet* dealership properties.

Mayor Latham read the following statement for the record:

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, and the Council is required to approve a clear statement of specific findings of fact stating the basis upon which such facts were determined and the decision was made.”

Discussion with the members of the Council ensued. Their comments included density, traffic, size of the units, rental fees, calls for police service, sound issues between units, and environmental hazards.

Mr. Hainline responded that the proposed development will consist of approximately 55% one-bedroom units, 35% two-bedroom units and 10% three-bedroom units.

Minutes of Regular City Council Meeting
held Monday, April 15, 2013

Ms. Catherine Mosely advised that the approximate unit sizes are as follows:

- One-bedroom 750 sq. ft.
- Two-bedroom 1050 sq. ft.
- Three-bedroom 1200 sq. ft.

Interim Police Chief Pat Dooley advised, if the residents are similar to those residing in the Broadstone Development, minimal problems are anticipated.

Mr. Hainline advised, in regards to the environmental concerns, they have completed phase one and will be starting phase two. Additionally, before beginning any construction they expect to obtain a “No Further Action” letter from FDEP.

Roll call vote: Ayes – Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:50 p.m.

Submitted by: Judy L. Bullock
City Clerk

Approval:

William C. Latham, Mayor

Date: May 6, 2013

MINUTES
New Council Orientation Tour
DEPARTMENT OF PUBLIC WORKS
Wednesday, April 17, 2013, 3:30pm-5:45pm

The Department of Public Works conducted an orientation tour with two City Council members on Wednesday, April 17, 2013, from 3:30pm to 5:45pm. The City Council Members attending were Keith Doherty and Christine Hoffman. George Forbes, the City Manager, also attended.

- **Operations and Maintenance Building** (1460 Shetter Ave.):
 - The orientation began in the building entrance lobby. Mr. Edwards handed out the tour schedule and Public Works Missions Chart and gave a brief overview of the department.
 - The first stop was the 2nd floor offices. The council members met the Public Works secretaries. A brief overview of their responsibilities was given.
 - The next area visited was the Public Works areas on the 1st floor. The offices of the Streets Division and the Distribution and Collection (D&C) Division were pointed out.
 - Met division supervisors and received overview of various infrastructure maintenance programs (water, sewer, stormwater, sidewalks, roadway, traffic signage) in the Public Works Training Room at the west end of the 1st floor hallway.
 - Toured the Public Works outside (vehicle parking) area and met several crew supervisors and equipment operators. Given overview of critical large equipment used by these 2 divisions and the replacement process for these critical (one-deep) pieces of equipment.
 - After embarking in the Police Van, drove slowly through the back area pointing out the wash rack and the fuel pumping station.
 - While driving to our next stop (Water Plant 1), we discussed several past significant infrastructure improvements projects and grants obtained for some of these projects.
- **Water Production Facility #1** (337 South 1st Ave.):
 - Disembarked at the Water Production Facility No. 1 and met the Water Plant Supervisor and Operations Training Specialist.
 - Overview was presented of the Water Distribution System, 2 water plants, 6 raw water wells and the 2 elevated water tanks. Also briefly discussed the recently received 20-year water Consumptive Use Permit issued by the St. Johns River Water Management District.
 - Overview was presented of the stormwater collection system –21 ponds and 8 pump stations. Briefly discussed the 5-year federal Stormwater National Pollutant Discharge and Elimination System permit that allows the City to discharge stormwater to the waters of the state.
- **Windshield (Driving) Tour:** Drove by and briefly discussed the following Public Works facilities.
 - Sewage Lift Station 1 (363 S. 1st Ave.): Rehabilitation project design is underway. Construction project advertisement, award and start are scheduled for later this year.
 - South Water Tower (2120 Gordon Ave.): Elevated tank maintenance continuing contract has been extremely beneficial in maintaining our decades-old elevated tanks. The elevated tanks maintain the water distribution system's pressure at approximately 45psi.
 - Water Production Facility #2 (1050 Osceola Ave.): Operates essentially identical to WP #1 and is on higher ground than WP#1. Each plant has its own raw water wells (3 each). Production is routinely alternated between the 2 plants to spread out the raw water flows from the Floridan Aquifer throughout the City. Noted the new roof installed on the facility within the past year. Also, discussed the new Storage and Utility Building that is under design. It is scheduled for construction bid, award and start later this year. It is to be constructed on the higher grounds of Water Production Facility #2.
 - Raw Water Well #22 (900 Seabreeze Ave.): Pointed out the facility, which provides raw water for the Water Production Facility #2. Noted the new roofing installed within the past year.

- Lake Mildred Stormwater Pump Station (dead-end of S. 6th St., near 16th Ave.): Briefly discussed the history of localized flooding in this area. Explained that the new pump station was constructed within the past couple of years. This project found a new use for an abandoned force main that empties into the Central Stormwater Basin. The new stormwater pump station combined with the forcemain diminished the localized flooding. Also noted the nearby vacant low lying land that the City is attempting to purchase.
- Central Stormwater Stilling Basin & Pump Station (S. 12th Ave., 4th to 10th Streets): As we drove by, pointed out the stilling basin, the pumping station location and the weir. Discussed very briefly that this was one of the first major stormwater projects constructed about 2 decades ago to begin improving drainage and stormwater treatment within the City.
- **Wastewater Treatment Facility** (910 South 10th St.):
 - Disembarked for a quick tour of the new advanced wastewater treatment facility, which was constructed with about fifty-fifty city funds and grants.
 - Briefly discussed before – during – after snapshots of the construction and that the plant staff worked heroics in operating the old, tired wastewater treatment facilities while the new advanced wastewater treatment facilities were being constructed followed by the demolition of the old facilities.
 - Staff is working through the adjustments and corrections needed in the transition to such complex new facilities, with continuous improvement occurring.
 - In the decision stages of the new plant design, it was decided to program the 3 digesters for automation integration after the new advanced facilities were constructed. This work is scheduled into the 2014 Capital Improvement Plan.
 - The new advanced wastewater treatment process uses an approach that has a long and solid track record. It is called sequential batch reactors, which are the 4 each 1.4 million gallon capacity tanks, about 28 feet tall. The sweet spot for treatment process, based on the city's average daily influent flow, is the use of the 3-tank strategy. The 4th tank is then available for maintenance, alternating with the other tanks in the 3-tank process strategy, and ready to become operational for storage or treatment when the influent flows are significantly heavier than normal.
 - Discussed the 5-year federal Wastewater National Pollutant Discharge and Elimination System permit that allows the City to discharge treated effluent to the waters of the state.
 - Discussed City's Fats-Oils-Grease Reduction Program and the severe clogging impact of fats-oils-grease on the sewer pipes and lift stations. Discussed the critical importance of properly sized grease interceptors installed outside of eating establishments. Also, discussed the issue of rag type materials that severely impact pump impellers, clogging the pumps at lift stations.
- **Operations and Maintenance Building** (1460 Shetter Ave.):
 - Returned to start location, disembarked, and ended the tour at approximately 5:45pm.

Respectfully submitted by: Ty Edwards, Public Works Director

APPROVED:

William C. Latham, Mayor

Date: May 6, 2013

City of

Jacksonville Beach

2508 South Beach

Parkway

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FL 32250

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www.jacksonvillebeach.org

TO: Mayor and City Council

FROM: George D. Forbes
City Manager

DATE: April 30, 2013

SUBJECT: Approve the City Manager's appointment of the Chief of Police

ACTION REQUESTED:

Approve the City Manager's appointment of Pat Dooley as the Chief of Police of the City of Jacksonville Beach.

BACKGROUND:

I have conducted an intensive process to select a new Chief of Police that involved two assessment centers, and substantial citizen involvement. **First, 17 citizens were interviewed** to help identify what we are looking for in a new police chief. From these interviews a profile of what we are looking for was produced. The position was advertised nationally.

Second, a citizen and staff team consisting of Human Resources Director Karen Nelson, Bruce Thomason, Joe Mitrick, and David Coffman reviewed and **rated the applications**.

Third, this same team held **telephone interviews** with 5 semi-finalists and from these interviews, selected 4 finalists to attend an intensive assessment center in Jacksonville Beach.

Fourth, an assessment center was conducted through the Police Chief Selection Advantage program run by the International City/County Management Association. This process was designed because many current processes used to select a police chief were not meeting the unique needs of communities. For this reason they selected as their technical advisor the Pittman-McLenagan Group, a highly experienced leader in the testing and selection field, to design a valid selection process that involves a close collaboration with the City to ensure the best candidates are identified.



The Pittman-McLenagan Group conducted an **assessment center for the 4 finalists** on April 11, 2013. This was an intensive process that required a full day of training for the assessors, and then one full day of running the candidates through the assessment center. The City Manager selected two citizen/staff teams to serve as assessors for this process that consisted of Human Resources Director Karen Nelson, David Coffman, Sandy Golding, Ray Fisher, and Finance Officer Harry Royal. These assessors found that two candidates clearly came out on top of this process. These candidates were Pat Dooley, a Commander and Interim Chief of Police of Jacksonville Beach, Florida, and Bryan Jarrell, the Deputy Chief of Police of Southfield, Michigan.

Fifth, these two finalists were invited to attend a **second assessment center**, this one conducted by the City Manager on April 25, 2013. The assessment team consisted of the City Manager, David Coffman, and Budget Officer Trish Roberts. The conclusion of this team was that Pat Dooley was the best fit for the City and would be the better choice to lead our city into the future. For this reason I have appointed Pat Dooley the Police Chief of Jacksonville Beach, pending the approval of the City Council.

Mr. Dooley has over 30 years of progressive policing experience and has been with the Jacksonville Beach Police Department since May of 1991, the last twelve years at a command position. He is also a graduate of the FBI academy.

RECOMMENDATION:

Approve the City Manager's appointment of Patrick Dooley as the Chief of Police of the City of Jacksonville Beach.

City of

Jacksonville Beach

City Hall

11 North Third Street

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FL 32250

Phone: 904.247.6268

Fax: 904.247.6276

www.jacksonvillebeach.org

Memorandum

To: Mayor and City Council

From: George D. Forbes, City Manager

Subject: Approve funding for a partnership with the Sulzbacher Center for the Chronically Homeless Offender Project

Date: April 24, 2013

Action Requested:

Approve a partnership with the Sulzbacher Center by funding \$28,000 for the Chronically Homeless Offender Project.

Background:

One of the Council priorities is to review departmental policy, ordinances, and partner with other agencies in order to assist vagrants to reduce their presence, and make sure our citizens feel safe. For this reason on March 6, 2013, the City hosted a joint meeting with BEAM, the Sulzbacher Center, and the Mission House to find out what programs are currently being administered and how we can reduce vagrancy.

One idea that came out of this meeting was an innovative program for homeless persons that are continually arrested. We know that just arresting these citizens does not work because we have arrested some of the homeless over 100 times. They are sentenced to time served and back at the beach in just a few days.

In order to improve this situation, we could partner with the Sulzbacher Center for an innovative new program called the Chronically Homeless Offender Project (CHOP). This program requires a partnership with the City of Jacksonville Beach, the Sulzbacher Center, and the Court system with the goal of getting these individuals the help they need to get off the street permanently in order to live an independent life.

The Chronically Homeless Offender Project includes:

The Jacksonville Beach Police will identify 10 of the "frequent flyers", homeless individuals who are arrested many times per year. The Sulzbacher Center will



identify people who would be appropriate for their services (i.e. no sexual offenders).

- The next time one of these individuals is arrested and comes before the Court, they will be given a choice of either a diversionary program at the Sulzbacher Center or they will be given the maximum sentence possible (over 21 days).
- The goal in either case is to get the person into the treatment program that they need to help with their major barrier (i.e. substance abuse, mental health).
- If the person chooses the Sulzbacher Center, our goal is to get the person into permanent supportive housing with wraparound services. This will be in line with the new community initiative that a working group (including COJ, JSO, the V.A., and service providers) is currently embarking on. It is called "100 Homes" and the goal is to get all homeless veterans and chronically homeless individuals off the streets of our community and into permanent supportive housing by 2015.

The proposal is for Jacksonville Beach to fund housing for up to 10 Chronically Homeless Offender Project program tenants for 5 months. This is estimated to cost \$28,000 and the funds would be from General Fund Unanticipated.

- If the person chooses our program and does not complete the program (leaves either voluntarily or involuntarily) then we will be alerted and an arrest warrant will be issued for that person, who will then be given the maximum sentence and put in jail.
- If the person does not choose our program, then they will go to jail for the maximum sentence and while there, be admitted to the treatment program offered by the jail system.
- When they are finally discharged from jail, the Sulzbacher Center will be alerted and they will be there to get them into services/housing immediately upon release.
- The bottom line is the person will be put into a treatment program either way and will be given the opportunity for permanent supportive housing.

This program would be a twelve (12) month pilot project, at which time we will review the outcomes to see how many of these repeat offenders completed treatment and were permanently housed. For more information, please see the attached proposal from Cindy Funkhouser, CEO of the Sulzbacher Center.

Recommendation:

Approve funding for the Chronically Homeless Offender Project as described in a memo from City Manager George Forbes dated April 24, 2013.



611 E. Adams St.
Jacksonville, FL 32202
(904) 359-1356
www.sulzbachercenter.org

Mr. George Forbes
City Manager
City of Jacksonville Beach
11 Third Street
Jacksonville Beach, FL 32250

April 12, 2013

Dear George,

Although there are many barriers that lead to homelessness and a variety of interventions that have been proven to be effective, there is one group of homeless individuals that prove to be the most challenging for Providers, the Police and the community at large. This group is collectively known as "Chronically Homeless". This is the group that is the least open to services and the least likely to ever seek emergency shelter or any group residential setting. The HUD definition and the one that Providers use is:

A "chronically homeless" person is defined as "an unaccompanied homeless individual with a disabling condition who has either been continuously homeless for a year or more, or has had at least four episodes of homelessness in the past three years."

Nationwide, a quarter of this population are Veterans. The "disabling conditions" can be mental health issues, substance abuse issues or physical disabilities. Many people in this population cannot tolerate a shelter environment due to these issues. For this reason, they remain on the street, sometimes for years and many dying there. Some of these individuals wind up being arrested many times each year for misdemeanor crimes, such as panhandling, trespassing etc. They also have a high Emergency Room usage rate. This is the group among the homeless that take up the most community resources, even though they represent a small percentage of the overall homeless population.

As a result, what we experience with this group is a revolving door of jail stays and ER visits. Each time that a person is booked into our County jail, the booking charge alone is almost \$900. This population remains the biggest challenge for the community at large. In an effort to break this on-going cycle, JSO came to the Sulzbacher Center with an idea called the "CHOP" program (Chronically Homeless Offender Project). Understanding that both the police and the Sulzbacher Center have the same goal-getting these individuals the help that they need to get off the street permanently in order to live a dignified and independent life. Together, we have developed this pilot program.

A major problem has been that in order for inmates to receive mental health or substance abuse treatment in our jail-they must remain there for over 21 days. In the vast majority of misdemeanor arrests, the jail time given is far less than the 21 days-this creates a barrier to actually getting the person the help that they need. This has been an on-going source of frustration for the Sheriff-who understands that continuing to re-arrest people is a waste of time and most importantly, resources. So, the gist of the CHOP program is this:

-
- JSO and Sulzbacher together will identify 20 of the “frequent flyers”, homeless individuals who are arrested over 10 times per year. We will identify people who would be appropriate for our services (i.e.-no sexual offenders)
 - The next time one of these individuals is arrested and comes before the Court-they will be given a choice of either a diversionary program at the Sulzbacher Center or they will be given the maximum sentence possible (over 21 days).
 - The goal in either case is to get the person into the treatment program that they need to help with their major barrier (i.e.-substance abuse, mental health)
 - If the person chooses the Sulzbacher Center, our goal is to get the person into permanent supportive housing with wraparound services. This will be in-line with the new community initiative that a working group (including, COJ, JSO, the V.A., and service providers) are currently embarking on. It is called “100 Homes” and the goal is to get all homeless Veterans and chronically homeless individuals off the streets of our community and into permanent supportive housing by 2015.
 - If the person chooses our program and does not complete the program (leaves either voluntarily or involuntarily) then JSO will be alerted and an arrest warrant will be issued for that person-who will then be given the maximum sentence and put in jail.
 - If the person does not choose our program, then they will go to jail for the maximum sentence and while there be admitted to the treatment program offered by the jail system.
 - When they are finally discharged from jail, the Sulzbacher Center will be alerted and we will be there to get them into services/housing immediately upon release.
 - The bottom line- the person will be put into a treatment program either way and will be given the opportunity for permanent supportive housing either way.

Although there may be some providers or advocates who do not agree with this program, who will call it paternalistic or coercive-we feel that it is worth a try. The thing that makes this program acceptable in our view is that the person who chooses our services will not be put into an emergency shelter long term, a place that truly cannot tolerate. They will be given the opportunity for a private and permanent housing option and be given the support services that they need to maintain that housing. This is a best practice nationwide and is known as the “housing first” model.

In order for us to offer these individuals the permanent housing option, we need funding to pay for deposits and 5 months- worth of rent. In order to truly make a change and end this cycle of arrests and release, we need to understand that resources need to be used more effectively. Does it make more sense to arrest someone once and book them at a cost of \$884 or does it make sense to use that same \$884 and pay for 2 months-worth of rent getting the person off the street permanently?

In the end, other cities have seen that permanently housing chronically homeless people is far cheaper in the long run than continuing to try to arrest their way out of this problem.

Our proposal to Jacksonville Beach is to join us in the pilot CHOP program. We would recommend that Jax Beach police identify with the Sulzbacher Center, 10 chronically homeless frequent flyers, people that would be a good fit for this program. We would ask that you identify one person in the Police Department to be the point person, this person would attend the monthly meetings downtown with JSO and the Sulzbacher Center and would coordinate the court appearances and the follow up. We would like for this program to be a 12 month pilot. At which time, we will review the outcomes to see how many of these repeat offenders completed treatment and were permanently housed. We would request that the City of Jacksonville Beach

allocate funding to pay for the housing piece for the 10 individuals that you identify. Our recommendation would be \$28,000 for the first year. This funding would pay for deposits and the first 5 months of rent for each person. During the 5 months, we will be identifying other benefits or funding options moving forward.

Sulzbacher Center and JSO are very excited about the possibilities of this new program. We would love for Jacksonville Beach to be a partner with us in this innovative approach. We also would invite the City of Jax Beach to identify a person to be involved with the other area stakeholders in the **100 Homes Campaign**. It is only by working together, Cities, Police, businesses and service providers that we are ever going to truly solve the issue of homelessness. We would welcome the opportunity to have you join this coalition of problem solvers.

I am attaching the description of the program put together by Assistant Chief Andre Ajoub, Commander of Zone #1-downtown Jacksonville. He has given some preliminary results of our first attempt at this project last year. We learned some lessons from this first short attempt and we have since added several layers in the process, particularly in the communication area. We do plan to kick the program off again as soon as possible with the new procedures in place. This would be an opportune time for Jacksonville Beach to get involved as well.

Both Mayor Latham and Interim Police Chief Dooley met with me and Assistant Chief Cook from JSO a couple of weeks ago and learned firsthand about this program. I am sure that they can share their personal impressions as well. Please let me know if you have any questions. I am happy to come to City Council to present this program in person if you feel that is beneficial.

Best Regards,



Cindy Funkhouser, MSW
President and CEO, Sulzbacher Center



City of

Jacksonville Beach

Police Department

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www.jacksonvillebeach.org

To: George D. Forbes, City Manager
From: Patrick K. Dooley, Interim Chief of Police
Subject: Request Funding for Downtown CAPE Corporal Position
Date: April 23, 2013

ACTION REQUESTED

Approve an additional Corporal position for the Downtown Cape program.

BACKGROUND

In FY2007, the Community Redevelopment Agency approved funding two full-time police officers assigned to the Downtown CAPE program. The program proved to be helpful in addressing quality-of-life type crimes in the downtown area. In FY2009, the Community Redevelopment Agency provided funding for two additional officers, bringing the total to four officers in the program.

The Downtown CAPE program has experienced continued success. In keeping with the City Council's priorities, and information obtained through city workshops, the Police Department has identified a multi-phase approach to continue to improve security in the downtown area. Working with the Sulzbacher Center, the city intends to assist in providing temporary housing for people who are in need of rehabilitative services. The Police Department is also working closely with the Mission House to assist people in need of services.

The Downtown CAPE officers do not currently have any direct supervision. The creation of a Police Corporal position will allow the unit to coordinate more effectively with service providers to reduce the number of people living on the streets. A supervisor in the unit would also be able to identify times and locations in need of additional directed patrols.

Therefore, the Community Redevelopment Agency, at their May 6, 2013, meeting is scheduled to approve funding for a Police Corporal to supervise the officers and schedule all assigned overtime. The initial expense of a vehicle and equipment for the corporal is required.

A 2013 Chevrolet Impala, marked and equipped	\$27,105
All equipment; uniforms, radio, weapon, etc.	\$ 9,771
Salary and benefits for remaining FY2012/2013	\$35,388
Total FY2012/ 2013	\$72,264

The annual cost of the corporal salary and benefits for FY 2013 /2014	\$92,010.
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One of the Council priorities is to ensure the Downtown CAPE program is enhancing the safety of our citizens. The additional Corporal position will assist with this mission.

RECOMMENDATION

Approve funding for a Downtown CAPE Police Corporal position and all required equipment as described in a memo from Interim Chief Dooley dated April 23, 2013.



City of

Jacksonville Beach

Fire Department

325 2nd Avenue South

Jacksonville Beach

FL 32250

Phone: 904.247.6201

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MEMORANDUM

TO: George Forbes, City Manager
FROM: Gary Frazier, Fire Chief
DATE: April 21, 2013
SUBJECT: Surplus 800 MHz Radios

ACTION REQUESTED:

Approval to declare the City's MTX and MTS Motorola radios and equipment surplus and allow Sunny Communications to purchase them for \$500 plus shipping.

BACKGROUND:

As a result of the upgrades to the City's digital radio system and new frequencies added to correct interference, we have replaced all of the 15-18 year old Motorola MTX model radios for all departments as well as a few other models. These radios will not work with our new system and have very limited value due to their age and condition. Approximately 88 of these older radios are in minimal serviceable condition with 37 additional radios missing parts or not serviceable. Due to their age, poor condition, and inability to work in a digital system, we tried to find an alternative to having to pay to have the programming removed or the radios destroyed.

At the recommendation of our Motorola dealer, we contacted Sunny Communications, a company who focuses on used radio equipment. They advised they could use them for parts and would remove our programming. They agreed to pay \$500, or approximately \$5.00 per serviceable radio for the radios and surplus equipment and also agreed to pay the shipping. The City could not sell these radios to the public without first removing the programming at a cost of approximately \$25-\$35 each which is cost prohibitive.

RECOMMENDATION

Declare the listed Motorola radios as surplus and approve the sale of the radios and surplus equipment to Sunny Communications as described in a memo from Fire Chief Gary Frazier dated April 21, 2013.



Useable radios

Model	Number
D35MWA5GC3AK	37
D35MQA5GG5AK	17
D35MWA5GC5AK	6
D35MWA5GB7AK	1
H01UCF6DB5AN	25
H01UCH6DB7AN	1
H01UCD6PW1BN	1
<hr/>	
Total	88

Non-useable radios

Model	Number
H01UCF6DB5AN	13
H01UCD6PW1BN	15
H01UCF6PW1BN	7
D35MWA56GB7AK	1
H01UCH6DB7AN	1
<hr/>	
Total	37
Grand Total	125

Chargers

NTN 1171 A	5
NT8831A	1
NLN8858A	1

Speaker Mikes

HMN1056D	31
HMN4069E	4
HMN3174B	7
HMN1074B	2
HMN1038A	5
HMN3031C	1
HMN3596A	2

Speakers

HSN9326A	4
HSN4039A	2
HSN4024A	1



MEMORANDUM

To: George D. Forbes
City Manager

From: Roy Trotter ^{RT}
Director of Beaches Energy Services

Date: April 12, 2013

Re: Bid for Purchase of Padmounted Switchgear – 12 months requirement.

ACTION REQUESTED:

Approval of Bid Number 1213-07 for Padmounted Switchgear.

BACKGROUND:

On March 27, 2013, bids were received for the purchase of padmounted switchgear for Beaches Energy Services. This bid covers a configuration of padmounted switchgear stocked in the City Storeroom for Beaches Energy Services. The switchgear is used in electric distribution areas serviced by underground cables. The switches offer circuit protection and allow circuits to be isolated and transferred in the event of equipment failure.

EVALUATION:

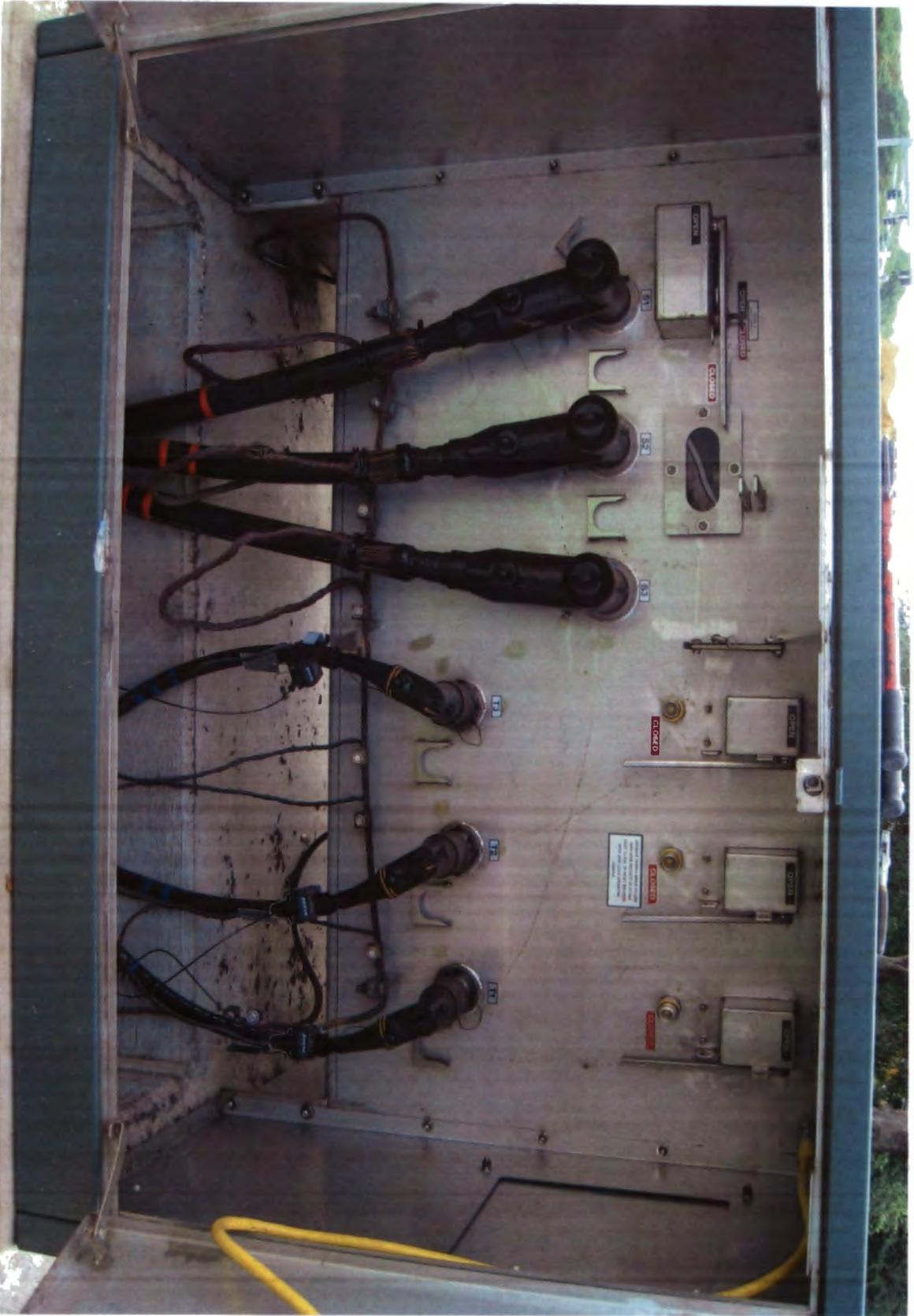
The Purchasing and Procurement Division e-mailed 109 requests for bidders and 3 bidders responded. The bid established a unit price for the padmounted switchgear and was evaluated on conformance to Beaches Energy Services specifications.

Funds are available in the Beaches Energy Services budget.

RECOMMENDATION:

Award Bid Number 1213-07 for the purchase of padmounted switchgear to Trayer Engineering for a period of 12 months as recommended in a memorandum from the Director of Beaches Energy Services dated April 12, 2013.

Dead-Front Pad-Mounted Switch



City of Jacksonville Beach

City Hall

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MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Resolution No. 1913-2013, abandoning a 12-foot wide utilities easement in Block 18, *Mundy Drive Terrace* subdivision.

Date: April 23, 2013

ACTION REQUESTED:

Adoption of the attached Resolution, No. 1913-2013, abandoning a 12-foot wide utilities easement located in Block 18, *Mundy Drive Terrace* Subdivision. (*Tribridge Residential, LLC*, applicant)

BACKGROUND:

This request was received from the developers of the proposed new PUD apartment complex on the former *George Moore Chevrolet* properties. (Reference PUD Ordinance 2013-8026). Block 18 is the block that contained the former car dealership's main showroom and repair shops, and is bounded by Beach Boulevard, 1st Avenue North, and 7th and 8th Streets North. The apartment project will occupy all of Block 18, and the developer has requested that the City abandon a 12-foot wide utility easement lying in that block, that is no longer needed by the City. The location of the easement is shown on the attached survey and on the attached PUD site plan.

There are no longer any active utilities within the easement. This request has been routed to the Public Works, Electric, Fire and Police Departments and all have approved the abandonment of the easement. The only condition of approval of this easement abandonment is that the applicant will be required to either grout or remove an existing unused sewer line and manhole within the easement. This work will be performed in conjunction with the construction of the apartments.



RECOMMENDATION:

Adopt Resolution No. 1913-2013, abandoning and closing the 12-foot wide public utilities easement reserved by Ordinance No. 6142 and located in Block 18, *Mundy Drive Terrace* Subdivision.

RESOLUTION NO. 1913-2013

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA RELEASING, VACATING, AND ABANDONING A TWELVE (12) FOOT WIDE PUBLIC UTILITIES EASEMENT LOCATED IN A FORMER PUBLIC ALLEY CLOSED BY ORDINANCE NO. 6142, AND RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH BLOCK 18, *MUNDY DRIVE TERRACE* SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

WHEREAS, The City of Jacksonville Beach adopted Ordinance No. 6142, on September 16, 1963, abandoning and closing the platted twelve (12) foot wide public alley located in Block 18 *Mundy Drive Terrace* subdivision, subject to the reservation unto the City of a public utilities easement over said abandoned alley, and

WHEREAS, said reserved easement is not utilized by the City for public utilities or drainage, and serves no other beneficial public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF JACKSONVILLE BEACH AS FOLLOWS:

SECTION 1. That the twelve (12) foot wide public utilities easement located in a former public alley closed by Ordinance No. 6142, and running in an Easterly and Westerly direction in Block 18, *Mundy Drive Terrace* Subdivision, as recorded in Plat Book 15, Page 96 of the current public records of Duval County is hereby abandoned as a public utilities easement, and the owner of the property containing the aforesaid abandoned easement is hereby authorized to enter upon and use the land herein described to the same extent and purpose as if the same had never been platted.

SECTION 2. This resolution shall take effect upon its passage and publication as required by law.

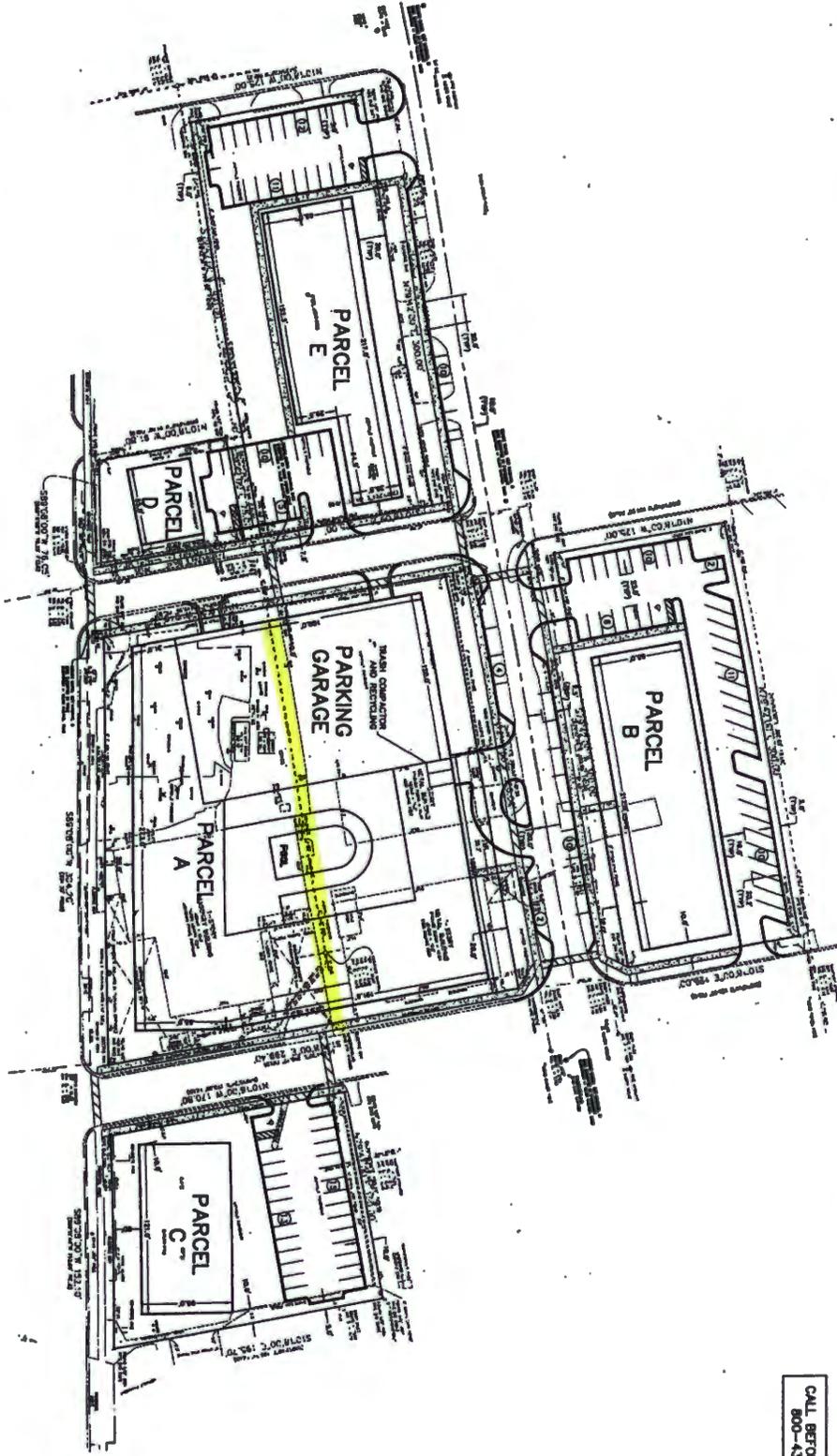
AUTHENTICATED this 6th day of May, A. D. 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

STORMWATER MANAGEMENT

THE STORMWATER WILL BE COLLECTED ON SITE VIA A NETWORK OF DRAINAGE CANALS AND STORMWATER COLLECTION SYSTEMS. THE STORMWATER WILL BE STORED IN A STORMWATER STORAGE TANK LOCATED AT THE DEVELOPMENT. THE STORMWATER WILL BE TREATED AND REUSED FOR IRRIGATION AND OTHER NON-POTABLE USES. THE STORMWATER WILL BE DISCHARGED TO THE STORMWATER SYSTEM VIA A CONNECTION TO THE NEAREST EXISTING MET WITH SUFFICIENT OPEN FLOW CAPACITY FROM AROUND NORTH STREET NORTH. THE EXISTING DRAINAGE SYSTEM FROM NORTH STREET NORTH WILL BE MAINTAINED AND IMPROVED. EACH OF THE OUTFALLS WILL BE FOLLOWING THE SLOPE DRAINAGE PATTERNS AS BEST AS POSSIBLE TO DRAINAGE THE SLOPE DRAINAGE SYSTEM TO THE NEAREST EXISTING MET WITH SUFFICIENT OPEN FLOW CAPACITY FROM AROUND NORTH STREET NORTH. THE STORMWATER WILL BE STORED IN A STORMWATER STORAGE TANK LOCATED AT THE DEVELOPMENT. THE STORMWATER WILL BE TREATED AND REUSED FOR IRRIGATION AND OTHER NON-POTABLE USES. THE STORMWATER WILL BE DISCHARGED TO THE STORMWATER SYSTEM VIA A CONNECTION TO THE NEAREST EXISTING MET WITH SUFFICIENT OPEN FLOW CAPACITY FROM AROUND NORTH STREET NORTH.



PARKING TABULATION

UNIT TYPE	# UNITS	# AUTO SPACES	REQUIRED PARKING SPACES	PROVIDED PARKING SPACES	DEFICIT
TOTAL	178	-	240	352	-
ON-STREET PARKING					
STREET PARKING	-	-	-	-	-
OFF-STREET PARKING	-	-	-	-	-
TOTAL	-	-	-	-	-
OVERALL TOTALS					
OVERALL TOTAL	178	-	240	352	-
OVERALL DEFICIT	-	-	-	-	-
OVERALL SURPLUS	-	-	-	-	-
OVERALL TOTAL	178	-	240	352	-

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BEACH BLVD MF

THORNOCK RESIDENTIAL

PRELIMINARY

PUD SITE PLAN

Planning • Engineering • Landscape Architecture

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 (904) 265-3030 FAX: (904) 265-3031 www.cweng.com
 C.A. Number: 3650 L.A. Number: LC2600311

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City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No. 2013-8027, rezoning a vacant 0.49 acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A-1-A, from *Commercial professional office: CPO* to *Planned Unit Development: PUD* to allow a 7,500 s.f. veterinary practice.

Date: April 22, 2013

ACTION REQUESTED:

Adoption of Ordinance No. 2013-8027, establishing a *Planned Unit Development: PUD* Zoning District within the City of Jacksonville Beach, Florida, as provided under Chapter 34 - Land Development Code of the Jacksonville Beach Code of Ordinances. (Applicant – *Waters Side*, LLC)

BACKGROUND:

This application is essentially the re-filing of a successful 2010 PUD rezoning of the subject property (PC#21-09). That rezoning was subsequently nullified when a required development plan application for the proposed veterinary clinic was not filed by the property owner within the one year time limit to do so. That condition was placed on the PUD's approval by the Planning Commission, along with the requirement that the then existing modular office buildings on-site be demolished. That condition was met, but for whatever reason, the property owner did not follow through with plans to build the clinic at that time.

PUD rezoning is required (1) because veterinary clinics are not a permitted use in the *Commercial, Professional Office: CPO* district that the subject property lies in, and (2) because the location of the proposed building does not conform to CPO setbacks. The latter is due primarily to the geometry of the subject property, and the location of the existing parking lot on the property that the applicant intends to use as part of his proposed development.



There are several differences between this application and the rezoning approved in 2010. One is that the building is now a two-story building, so it is larger (7,500 s.f. compared with 4,500 s.f.), and the outside pet walk/observation area has been brought indoors, to now occupy the entire second floor of the building. The other significant difference from the formerly approved PUD is that the applicant is not requesting a range of other uses for the building, in addition to veterinary services. He is limiting the permitted uses of the property to veterinary services, including indoor kennel and indoor exercise area, all to be provided in a soundproof and odor controlled building. The incorporation of the kennel and exercise into the building space is what is driving the change from a one-story structure to a two-story structure. The former PUD site plan had an outdoor exercise/observation area for the animals.

Staff has reviewed the application against Land Development Code PUD and site development standards, and concurs with the presentments contained in the application narrative. The application is also consistent with relevant Comprehensive Plan *Commercial Professional Office (CPO)* land use policies and objectives. The property is under single ownership. Safe and adequate access is available to the subject property. Public facilities, including transportation, are in place to serve the development. The 22 parking spaces shown on the site plan for the proposed use are adequate, based on a variance approved for the applicant by the Board of Adjustment on February 19, 2013. (Ref. BOA#13-100008).

The project provides the minimum required open space, including a public access easement along the west side of the property granted to the City. This easement was a critical component of the recently completed rework and signalization of the intersection of A-1-A and Jacksonville Drive, and now provides access to Jacksonville Drive from the properties to the north of the subject property.

Adjacent uses remain as they were in 2010, including a two-story office building to the immediate north, a bank and office park to the south across Jacksonville Drive, and residential neighborhoods to the west beyond the public access easement, and to the east across 3rd St. The subject property had a history of use as professional offices, before the two former modular buildings were removed in 2011. A proposed new building, together with new landscaping and allowable monument signage will positively contribute to the character of the

area. The incorporation of the kennel and exercise area indoors also helps to ensure compatibility with the surrounding neighborhood.

The Jacksonville Beach Planning Commission conducted a required public hearing on April 8, 2013 to consider this application. The Planning Commission voted unanimously to recommend the approval of this rezoning by the City Council. Staff has also incorporated the applicant's proposed development schedule into the ordinance, so that the property would revert back to its current CPO zoning, should the applicant fail to obtain development plan approval within one year following this rezoning, or if they subsequently fail to obtain a building permit within two years following development plan approval.

RECOMMENDATION:

Adopt Ordinance No. 2013-8027, rezoning a 0.49 acre parcel of land located on the north side of Jacksonville Drive, 50 feet west of State Road A-1-A, from *Commercial, Professional Office: CPO* to *Planned Unit Development: PUD* to allow the development of a 7,500 square foot veterinary practice.

Introduced by: _____
1st Reading: May 6, 2013
2nd Reading: _____

ORDINANCE NO. 2013-8027

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the owners of certain lands more particularly described herein have applied to the City Council for rezoning of those lands from *Commercial professional office: CPO* to *Planned Unit Development: PUD*;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

LEGAL DESCRIPTION

A part of Block 2, Hanna's Replat of Atlantic Shores as recorded in Plat Book 38, Page 81 of the current public records of Duval County, Florida, together with Lot 18, Block 16 and part of Lots 15, 16, and 17, all in Block 16 of Atlantic Shores Unit No. 1 as recorded in Plat Book 14, Page 40 of the current public records of Duval County, Florida, and being more particularly described as follows: For a point of reference, commence at the intersection of the Westerly right of way line of Third Street (State Road A-1-A, a 100-foot right of way as now established) with the Northerly right of way line of Jacksonville Drive (A variable width right of way); Thence South 88°36'45" West, along said Northerly right of way line, a distance of 58.20 feet to the Point of Beginning; Thence continue South 88°36'45" West, along said Northerly right of way line, a distance of 187.07 feet to the Southeast corner of Block 4 of said

Hanna's Replat of Atlantic Shores: Thence North 01°05'50" West, along said Easterly line of Block 4, a distance of 113.26 feet to the Southerly right of way line of Lower 36th Avenue South: Thence North 88°54'10" East, along said Southerly right of way line, a distance of 25.00 feet: Thence South 01°05'50" East, a distance of 17.34 feet; Thence North 88°45'28" East parallel with the Southerly line of said Block 2, Hanna's Replat of Atlantic Shores, a distance of 77.49 feet: Thence North 01°14'32" West, a distance of 39.58 feet: Thence North 88°45'28" East, parallel with the Southerly line of said Block 2, a distance of 93.11 feet to the Easterly line of said Block 2, Hanna's Replat of Atlantic Shores: Thence South 05°48'12" East, along said East line of Block 2, a distance of 11.03 feet to the Southeast corner of said Block 2: Thence South 88°45'28" West, along the Southerly line of said Block 2, a distance of 9.94 feet to the Northeast corner of said Lot 18, Block 16, of Atlantic Shores Unit No. 1: Thence South 01°23'15" East, along the Easterly line of said Lot 18, a distance of 123.95 feet to the Point of Beginning, containing 21,730 square feet, or 0.499 acres, more or less and subject to a 25 foot Easement over the Westerly 25 feet to the City of Jacksonville Beach.

Heretofore zoned as *Commercial professional office: CPO*, be and the same is hereby designated as *Planned Unit Development: PUD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the *Planned Unit Development: PUD* zone as provided in Article VII of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

- A. The rezoning application dated February 26, 2013, PUD written description dated February 27, 2013 (revised April 3, 2013), attached hereto as Exhibit A, together with the preliminary PUD development plan dated October 21, 2009, and revised through January 22, 2010, attached hereto as Exhibit B, which have been submitted to the City of Jacksonville Beach Planning and Development Department are hereby adopted and incorporated as parts of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.
- B. The project shall be generally carried out in accordance with the presentments of the preliminary PUD development plans, rezoning application and PUD written description, and in accordance with the following:
 1. Permitted uses within the PUD shall be limited to those uses listed in Exhibit A, including "Veterinary Services for Animal Specialties", provided that animals are housed and services are provided in an enclosed soundproof and odor controlled building. Boarding of animals, except as required for their medical care, shall not be permitted.
 2. Total building area shall not exceed 7,500 gross square feet.

3. Parking – a minimum of 22 on-site parking spaces shall be provided, including a minimum of one ADA accessible parking space.
4. Maximum building height – 35’
5. Open Space– A minimum 20% open space shall be provided. Open space areas may consist of pervious surfaces, and impervious surfaces other than vehicular uses areas, except that, notwithstanding Land Development Code Section 34-348(j)g.1, shall also include the 25’ wide public access easement granted to the City, along the westerly boundary line of the PUD.
6. Signage – wall and ground signage within the PUD development shall conform to Land Development Code Article VIII, Division 4 standards.
7. Landscaping and tree protection– landscaping within the PUD development shall conform to Land Development Code Article VIII, Division 3 standards.
8. Development Plan approval for the PUD project shall be obtained within one year of PUD approval. A building permit for the PUD project shall then be obtained within two years following development plan approval. If such building permit is not obtained within this prescribed period, then the PUD rezoning shall be rendered null and void, and the zoning of the subject property will revert back to *Commercial professional office: CPO*.

SECTION 2. Except as provided herein, all other portions of the Jacksonville Beach Land Development Code and Zoning Atlas remain in effect and applicable to this *Planned Unit Development: PUD* district.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK



REZONING/TEXT AMENDMENT APPLICATION

PC No. 7-13

AS/400# 13-100049

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: Waters Side, LLC
Mailing Address: 7530 Merrill Road
Jacksonville, Florida 32277

Telephone: N/A
Fax: N/A
E-Mail: N/A

Applicant Name: Greg S. Kupperman
Mailing Address: 200 First Street, Suite B
Neptune Beach, Florida 32266

Telephone: 904/241-6611
Fax: 904/241-2950
E-Mail: gkupperman@200firststreet.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: Greg S. Kupperman/Green & Kupperman, Inc.
Mailing Address: 200 First Street, Suite B
Neptune Beach, Florida 32266

Telephone: 904/241-6611
Fax: 904/241-2950
E-Mail: gkupperman@200firststreet.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: 0 37th Avenue South/180599-0100 301 JACKSONVILLE DR

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See Attached

Current Zoning Classification: CPO Future Land Use Map Designation: CPO

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: N/A

	REQUESTED INFORMATION		Attached?	
	Yes	No	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;	X			
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;	X			
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;	X			
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.	X			
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	X			

Applicant Signature: [Signature]

Date: 2/20/13

EXHIBIT "A"

UNIT No's. A, B, C, D, E AND F, MARISOL OFFICE PLAZA, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM AS RECORDED IN OFFICIAL RECORDS VOLUME 6455, PAGE 1858 AS AMENDED BY AMENDMENT TO DECLARATION OF CONDOMINIUM IN OFFICIAL RECORDS VOLUME 6712, PAGE 20 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS APPURTENANT THERETO.

ALSO DESCRIBED AS:

A PART OF BLOCK 2, HANNA'S REPLAT OF ATLANTIC SHORES AS RECORDED IN PLAT BOOK 38, PAGE 81 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH LOT 18, BLOCK 16 AND PART OF LOTS 15, 16, AND 17, ALL IN BLOCK 16 OF ATLANTIC SHORES UNIT NO. 1 AS RECORDED IN PLAT BOOK 14, PAGE 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF THIRD STREET (STATE ROAD A-1-A, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE NORTHERLY RIGHT OF WAY LINE OF JACKSONVILLE DRIVE (A VARIABLE WIDTH RIGHT OF WAY); THENCE SOUTH 88°36'45" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 58.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°36'45" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 187.07 FEET TO THE SOUTHEAST CORNER OF BLOCK 4, OF SAID HANNA'S REPLAT OF ATLANTIC SHORES; THENCE NORTH 01°05'50" WEST, ALONG SAID EASTERLY LINE OF BLOCK 4, A DISTANCE OF 113.26 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF LOWER 36th AVENUE SOUTH; THENCE NORTH 88°54'10" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.00 FEET; THENCE SOUTH 01°05'50" EAST, A DISTANCE OF 17.34 FEET; THENCE NORTH 88°45'28" EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK 2, HANNA'S REPLAT OF ATLANTIC SHORES, A DISTANCE OF 77.49 FEET; THENCE NORTH 01°14'32" WEST, A DISTANCE OF 39.58 FEET; THENCE NORTH 88°45'28" EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID BLOCK 2, A DISTANCE OF 93.11 FEET TO THE EASTERLY LINE OF SAID BLOCK 2, HANNA'S REPLAT OF ATLANTIC SHORES; THENCE SOUTH 05°48'12" EAST, ALONG SAID EAST LINE OF BLOCK 2; A DISTANCE OF 11.03 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTH 88°45'28" WEST, ALONG THE SOUTHERLY LINE OF SAID BLOCK 2, A DISTANCE OF 9.94 FEET TO THE NORTHEAST CORNER OF SAID LOT 18, BLOCK 16, OF ATLANTIC SHORES UNIT NO. 1; THENCE SOUTH 01°23'15" EAST, ALONG THE EASTERLY LINE OF SAID LOT 18, A DISTANCE OF 123.96 FEET TO THE POINT OF BEGINNING. CONTAINING 21,730 SQUARE FEET, OR 0.499 ACRES, MORE OR LESS.

SUBJECT TO PERPETUAL EASEMENT FOR ACCESS AND SWALE, PARCEL 826 (AS DESCRIBED IN LIS PENDENS RECORDED IN OFFICIAL RECORDS BOOK 14422, PAGE 1217) OF DECLARATION OF TAKING BY STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 14333 PAGE 627, ALL OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ALSO SUBJECT TO 25 FOOT EASEMENT TO CITY OF JACKSONVILLE BEACH FOR ELECTRICAL TRANSMISSION AND DISTRIBUTION LINES AS RECORDED IN OFFICIAL RECORDS VOLUME 5638, PAGE 410 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



WATERS SIDE, LLC. PUD
February 27, 2013 (revised April 3, 2013)

PUD Written Description

Permitted uses. The permitted uses in this PUD shall be limited to the following:

- (1) Veterinary Services for animal specialties including kennels and indoor exercise/walk area enclosed in a soundproof and odor controlled building to insure no outside impact to adjacent properties from this use (per City of Jacksonville Beach, Land Development Code).

Accessory uses. The following uses are permitted as accessory uses in this PUD zoning district.

- (1) Any use customarily accessory to the permitted use in this PUD zoning.

Additional development standards. The following are additional development standards for this PUD zoning district.

1. The development of the subject property shall occur in accordance with the Waters Side, LLC., Preliminary PUD Development Plan, dated January 22, 2010, attached hereto and made a part of this PUD rezoning ordinance (the "Site Plan"). In addition, other requirements applicable to the Waters Side, LLC., PUD shall include:
 - a.) Maximum building square footage shall be 7,500 square feet;
 - b.) Notwithstanding the open space requirements, open spaces shall be as depicted on the PUD Site Plan. The easement for access and swale is included as open space;
 - c.) Minimum building setbacks from property boundary lines shall be 30 feet rear yard (north property line), 10 feet side yard (east and west property lines) and 15 feet front yard (south property line), as shown on the PUD Site Plan. Increased setbacks may be allowed consistent with final civil engineering design. Reduction of setbacks shall not be permitted;
 - d.) Off-street parking and loading standards shall be as shown on the PUD Site Plan for the veterinary services permitted under this PUD zoning. A variance (BOA #13-100008) was approved to allow the subject property to reduce the required parking spaces from 25 spaces to 22 spaces;

**Waters Side, LLC. PUD
Written Description**

**February 27, 2013 (revised April 3, 2013)
Page 2**

- e.) Maximum height of the building shall be 35 feet;
 - f.) Landscaping plant and tree materials shall be provided in accordance with the requirements of the Jacksonville Beach Land Development Code. Green space and planting areas shall be generally consistent with those areas depicted on the Site Plan. Additional palm trees shall be installed along or near the north property line contiguous to the existing office building where sparse vegetation exists;
 - g.) Air conditioning compressors and other like equipment shall be placed in either the eastern, or southern, or western sides of the building;
 - h.) A fence of approximately 4 feet in height presenting a physical access barrier shall be placed along the north property line contiguous to the existing parking lot and continuing approximately forty (40') feet northward along the property line, with a landscaping buffer being provided on the north side of the fence by existing landscaping on the adjacent property, supplemented where needed to achieve 85% opacity. The fence and landscaping shall then extend eastward along the north property line approximately sixty (60') feet and then extend northward to connect to the adjacent building with a gate;
 - i.) No building shall have a flat roof or a slope of less than 10 degrees; no air condition compressors or other like equipment shall be placed on the roof so long as designed and built as a one story building. The building is intended to be designed as a 2 story building and in that case the aforementioned will not be applicable;
 - j.) There shall be no outdoor kennels or other outdoor veterinary service activities; and
 - k.) The second floor will be limited to kennels, related kennel uses including indoor pet walk, storage and mechanical. Kennels are limited to boarding related to veterinary medical care services.
2. The development of the proposed facilities for Waters Side, LLC will take place in one phase estimated beginning in 2013/2014. If a Development Plan for a veterinary clinic use is not filed and approved within one (1) year of PUD approval or if building permits for horizontal and vertical improvements are not issued within two (2) years thereafter, without extension as may be

permitted under the Jacksonville Beach Land Development Code, the permitted use for veterinary services shall terminate and the uses shall be consistent with the CPO zoning district.

3. Signage shall be in accordance with the requirements of Article VIII, Division 4. Sign Standards of the Jacksonville Beach Land Development Code.
4. The western portion of the subject property, west of the parking field, contains a Declaration of Taking for a perpetual easement for public access and drainage (existing swale).
5. This PUD rezoning represents the entire zoning applicable to the Property and supersedes all prior zoning classifications.

Current Zoning and Land Use Designation

The property is currently zoned Commercial Professional Office: CPO, the zoning district as described in Section 34-341 of the Land Development Code. The CPO district is intended to apply to commercial areas targeted for limited commercial and office development adjacent arterial roadways.

The Future Land Use Map designation is CPO. This land use category is intended to apply to commercial areas targeted for limited commercial and office development adjacent to arterial roadways. Business and professional offices, health offices and clinics, institutional, and low-rise multi-family housing development are allowed within this land use category.

Utilities

Adequate public facilities for potable water, sanitary sewer, solid waste, roads and electricity are available to serve the development. There will not be an additional demand on recreational services generated by the development. The utilities to serve the proposed PUD development are Beaches Energy Service for electricity and the City of Jacksonville Beach for water and sewer.

Agent Authorization

Date: 1/17/13

City of Jacksonville Beach
City Council / Planning and Development Department
11 North Third Street
Jacksonville Beach, Florida 32250



RE: Agent Authorization for the following site location:
352 36th Avenue South RE # 180599-0100

City Council / Planning and Development Department:

You are hereby advised that the undersigned is the owner (Waters Side, LLC) of the property described herein. Said owner (Waters Side, LLC) hereby authorizes Greg Kupperman, Green & Kupperman, Inc. to act as agent to file Application for Rezoning to PUD (Planned Unit Development) and Zoning Variance 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.

[Signature]
Owner's Name (Signature)

JEFF C. Woods, Managing Partner
Owner's Name and Title (Print)
for Waters Side, LLC

STATE OF FLOIRDA
COUNTY OF DUVAL

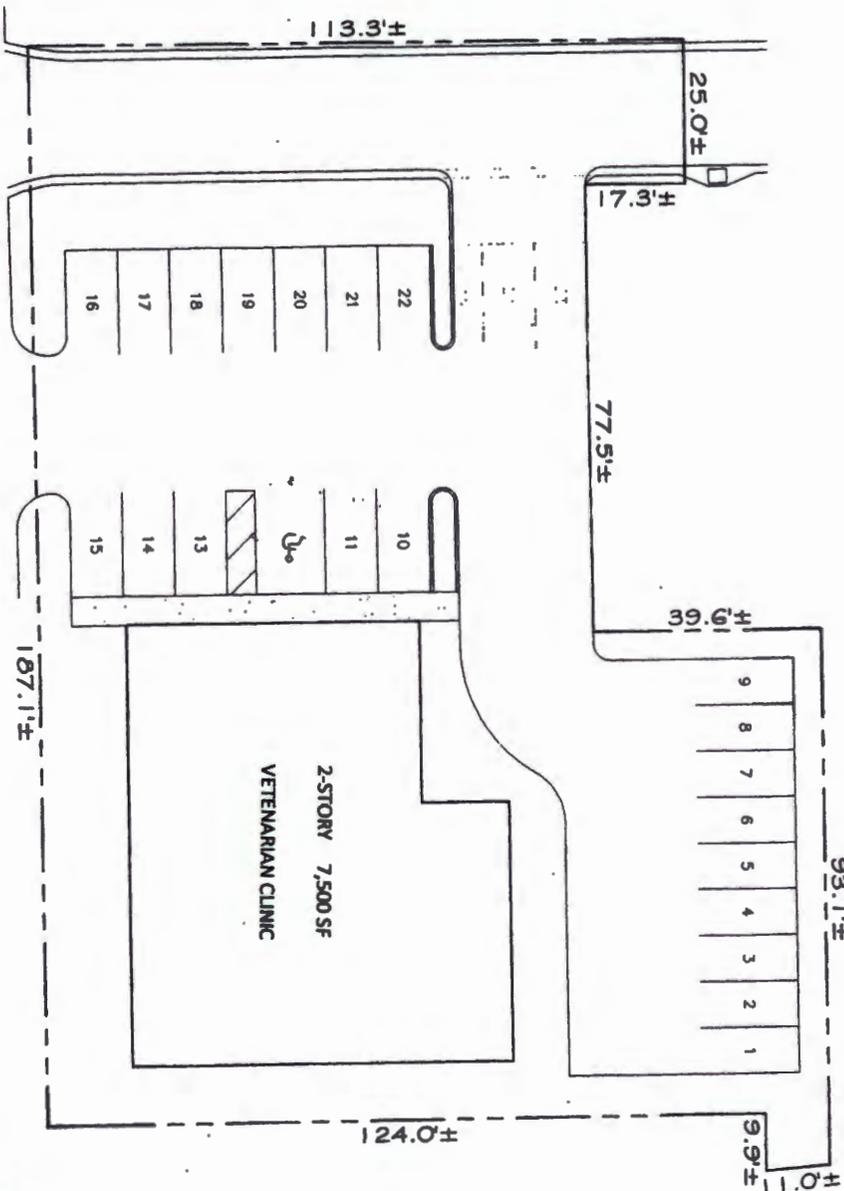
The foregoing affidavit was sworn and subscribed before me this 7th day of Jan (month), 2013 (year) by JEFF C. Woods

who personally known to me has produced _____
as identification.

Angela V. Scarborough
(Notary Signature)







RECEIVED

FEB 27 2013

PLANNING & DEVELOPMENT

DATE	BY
10-27-09	GM
1-11-10	SA
06-10-13	SA
2	

GREEN & KUPPERMAN, INC.
LAND DEVELOPMENT & PLANNING CONSULTANTS
200 FIRST STREET, SUITE B
NEPTUNE BEACH, FLORIDA 33846
PHONE 841-6611 FAX 888-641-8888

WATERS SIDE, LLC.

APPROVED	DATE
	12-11-09
	06-11-10
	06-20-10

City of Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

[Phone] 904.247.6231

[Fax] 904.247.6107

[E-Mail

Planning@jaxbchfl.net]

www.jacksonvillebeach.org



MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No.2013-8028, abandoning the Easterly 75 feet of the 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* subdivision.

Date: April 23, 2013

ACTION REQUESTED:

Adoption of the attached Ordinance, No. 2013-8028, abandoning the Easterly 75' of a 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* Subdivision. (*Tribridge Residential, LLC*, applicant)

BACKGROUND:

This request was received from the developers of the proposed new PUD apartment complex on the former *George Moore Chevrolet* properties. (Reference PUD Ordinance 2013-8026). The portion of Block 19 owned by the car dealership was used exclusively for new car storage. Block 19 is bounded by Beach Boulevard, 1st Avenue North, and 8th and 9th Streets North. As shown on the attached PUD site plan, the portion of the alley proposed to be closed is the Easterly 75', which divides Parcels D and E.

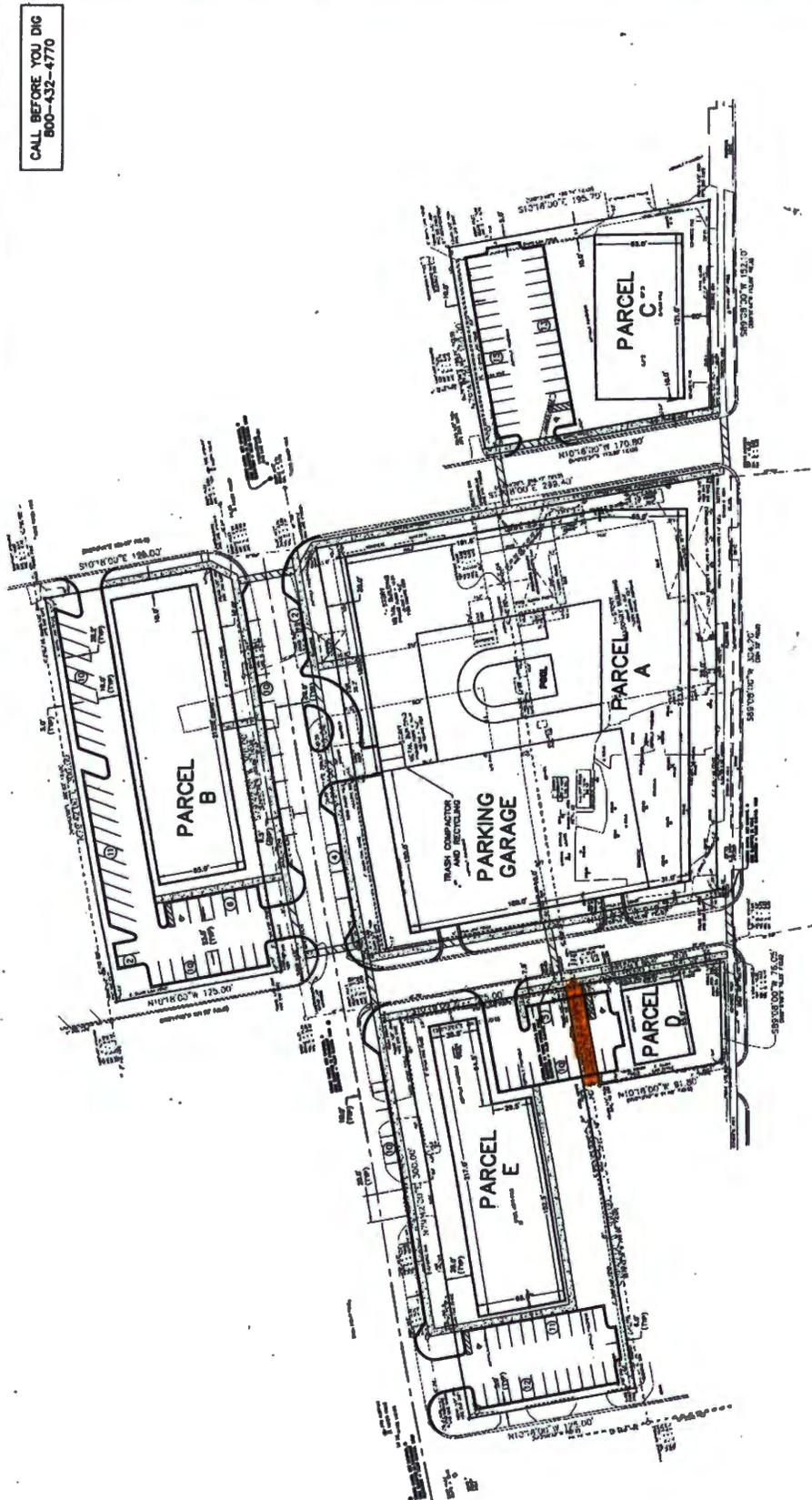
This request has been routed to the Public Works, Electric, Fire and Police Departments and all have approved the abandonment of the referenced portion of the subject alley. The only utility in the alley is an 8" sewer line, which crossed 8th Street to serve the *George Moore* dealership buildings in Block 18 to the East. The only condition of approval of this partial alley abandonment is that the applicant will be required to either grout or remove the existing unused sewer line in the abandoned portion of the alley, and will also be required to construct a new manhole at the new terminus of the sewer line in the balance of the alley, just west of the 75-foot abandoned section. This work will be performed in conjunction with the construction of the apartments.

RECOMMENDATION:

Adopt Ordinance No. 2013-8028, abandoning and closing the Easterly 75 feet of the 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* Subdivision.

STORMWATER MANAGEMENT

THE STORMWATER WILL BE COLLECTED ON-SITE VIA A NETWORK OF INLETS AND STORMWATER COLLECTION SYSTEMS. THE STORMWATER WILL BE TREATED TO A SUBSURFACE DETENTION CHAMBER SYSTEM LOCATED AT VARIOUS LOCATIONS ON-SITE FOR TREATMENT OF THE STORMWATER. EACH VARIOUS LOCATIONS ON-SITE FOR TREATMENT OF THE STORMWATER WILL BE CONNECTED TO THE NEAREST EXISTING INLET WITH SUFFICIENT DEPTH FOR GRAVITY FLOW. THE STORMWATER COLLECTION SYSTEM WILL BE LOCATED ALONG NORTH STREET NORTH, ON NORTH STREET NORTH, THE EXISTING DRAINAGE PATTERNS AS BEST AS POSSIBLE TO LOCATE THAT PRE-DEVELOPED ALONG WITH THE BEACH DEVELOPMENT. ANY CONNECTION MADE TO THE INLETS WITHIN THE BEACH DEVELOPMENT MUST-OF-WAY WILL MEET THE NECESSARY FOOT REQUIREMENTS.



PARKING TABULATION

UNIT TYPE	# UNITS	100% ACCESS	REQUIRED PARKING SPACES	SECURED PARKING SPACES	PROPOSED PARKING SPACES
PAYMENT & SINK	34,129 S.F.	-	-	-	-
BUILDINGS	84,123 S.F.	-	-	-	-
TOTAL	118,252 S.F. (4.8E Ac.)	-	-	-	-
ON-STREET PARKING	-	-	-	-	38
SURFACE PARKING	-	-	-	-	108 (4 ADA)
GARAGE PARKING	-	-	-	-	230 (4 ADA)
TOTAL	688	-	-	-	376
SPEROUS	-	-	-	-	354
OPEN SPACE	64,848 S.F.	-	-	-	-
TOTAL	182,200 S.F. (4.1E Ac.)	-	-	-	-
TOTAL SITE AREA	4.4E Ac.	-	-	-	-
ZONING	C-2/PUD	-	-	-	-

CALL BEFORE YOU DIG
800-432-4770

W. Connelly & Wicker Inc.
 Planning • Engineering • Landscape Architecture
 10000 Shiloh Lane, Suite 200, Jacksonville, Florida 32246
 (904) 265-3030 FAX (904) 265-3031
 www.connellywicker.com
 C.A. Number: 3550 L.A. Number: 3550

No.	Date	Revision

PRELIMINARY
 PUD SITE PLAN
 BEACH BLVD MF
 MIXED RESIDENTIAL

Project No. 2007-0001
 Date: 04/04/07
 Scale: 1" = 40'
 Sheet 1 of 1

City of
Jacksonville Beach

City Hall
11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No. 2013-8026, rezoning the former George Moore Chevrolet dealership properties from *Commercial general: C-2* to *Planned Unit Development: PUD*.

Date: April 22, 2013

ACTION REQUESTED:

Adoption of Ordinance No. 2013-8026, establishing a *Planned Unit Development: PUD* Zoning District within the City of Jacksonville Beach, Florida, as provided under Chapter 34 - Land Development Code of the Jacksonville Beach Code of Ordinances. (Applicant –Tribridge Residential, LLC)

BACKGROUND:

The applicant is under contract to purchase the five properties of the former *George Moore Chevrolet* dealership on the north side of Beach Boulevard at 7th and 8th Streets North, with the intention of developing a 176-unit rental apartment complex. Normally, multifamily residential uses require only conditional use approval for location in the city's *C-2* district. However, even though the exact square footage of the apartment buildings is not provided, it will exceed 50,000 s.f., so the applicant was instructed that *PUD* rezoning would be required in order to develop the residential use.

The proposed development encompasses a total of five separate parcels. Parcel A on the Preliminary PUD Site Plan is the largest parcel, at roughly 1.9 acres. It consists of the entire block bounded by Beach Boulevard, 1st Avenue North, and 7th and 8th Streets North. It would contain a three-story apartment structure with apartment units, parking garage, and an interior courtyard with swimming pool.



Parcel Parcels B, C, and E, at 0.9, 0.7, and 0.9 acres respectively, would each contain a three-story apartment building and surface parking. Parcel D, the smallest parcel at just under 0.2 acres, would contain the development's leasing office and amenity/recreation center.

The Land Development Code off-street parking requirement for the proposed development, at two spaces per unit, is 352 spaces. Data on the PUD site plan indicates the provision of a total of 358 off-street parking spaces provided, consisting of 108 surface spaces and 250 spaces in the parking garage on Parcel A. The applicant is also proposing to provide an additional 26 on-street parking spaces on 1st Avenue, adjacent to Parcels A, B, and D. If these on-street spaces are installed, they will exist as public parking spaces. The provision of these spaces is subject to Public Works approval and permitting, outside of this rezoning application, and does not affect the applicant's compliance with the overall off-street parking requirement.

Staff has reviewed the rezoning application materials and preliminary site plan against relevant Land Development Code and Comprehensive Plan requirements. The overall density of the proposed development is 176 units over 4.41 acres, or 39.9 units per acre. Multifamily residential use, up to 20 units per acre, is currently allowed by conditional use approval in the C-2 zoning district. Our recently adopted 2030 Comprehensive Plan actually encourages the development of higher density residential uses proximate to our major transportation corridors, and provides for a density increase up to 40 units per/acre for locations that lie within one block of established mass transit routes. All of the parcels of the proposed development lie within one block of the established bus routes of the Jacksonville Transportation Authority on Beach Boulevard. The overall density of 39.9 units per acre for the proposed development is consistent with that Comprehensive Plan provision.

Maximum building height for all structures within the proposed development is 35'. The applicant has provided an initial concept elevation for the south face of the largest apartment building, located on Parcel A. The building design will be consistent between the five parcels, to visually tie the overall development together, and will include pitched roofs, and both varying wall textures and architectural relief. Recreation and open space for the development will be provided through a combination of an Amenity/Leasing Center, the interior courtyard and pool on Parcel A, and the open lawn areas on Parcels E and C. Together, these areas exceed the minimum 20% requirement for PUDs.

The applicant was issued a Concurrency Reservation Certificate for the project on February 13, 2013, indicating that adequate public facilities, including roadway capacity, exist to serve the proposed 176 apartment units. It is proposed that the project be built in a single phase in 2013 and 2014.

The general setting of the area surrounding the proposed development is that of mixed residential, institutional and commercial uses. Across 9th Street to the west of Parcel E is a medical office. Adjacent to the north of Parcel E, across 1st Avenue, are residential uses and a fraternal organization meeting hall, with residential uses across the alley to the north of Parcel B. Facilities of *St. Paul's Catholic Church* lie north of Parcel C. To the south across Beach Boulevard are a variety of commercial uses including a gas station, a restaurant, a bowling alley and a vacant retail building. The proposed addition of multifamily residential use at this location would not be incompatible with this mix of uses. As stated previously, this location is served by mass transit. It is also within walking and biking distance to a grocery store, the beach, and the Wingate Park recreational facilities.

Given the current state of, and the former use of, the subject five parcels as an automotive dealership, the proposed development should actually enhance the value of its surrounding properties, and could serve to help expand the customer base of surrounding businesses.

The Jacksonville Beach Planning Commission conducted a required public hearing on March 25, 2013 to consider this application. The Planning Commission voted unanimously to recommend the approval of this rezoning by the City Council.

RECOMMENDATION:

1. Amend PUD Ordinance No. 2013-8026 to state that the applicant shall remove or grout the extents of the existing manhole and the 8" sewer line lying in the abandoned easement in Block 18, in the 8th Street North right-of-way, and in the abandoned portion of alley in Block 19, and shall also construct a new manhole at the Easterly terminus of the sewer line in the balance of the alley in Block 19.

2. **Adopt Ordinance No. 2013-8026, as amended, establishing a *Planned Unit Development: PUD* Zoning District, to allow a 176-unit multifamily residential apartment community on the former *George Moore Chevrolet* dealership properties.**
3. **Approve Findings of Fact - Ord. No. 2013-8026, dated April 22, 2013**

FINDINGS OF FACT - ORD. NO. 2013-8026

SUBJECT: Ordinance No. 2013-8026, rezoning the former George Moore Chevrolet dealership properties from *Commercial general: C-2* to *Planned Unit Development: PUD*, to allow redevelopment of the subject properties into an 176-unit residential apartment complex.

Pursuant to Article VI, Section 34-211(c) of the Land Development Code of the Jacksonville Beach Code of Ordinances, the City Council shall consider the adoption of an ordinance enacting an amendment to the Zoning Atlas or Code based on only one (1) or more of the following factors, provided however, that in no event shall an amendment be approved which will result in an adverse community change in which the proposed development is located.

- (1) Whether the proposed amendment is consistent with the comprehensive plan;
- (2) Whether the proposed amendment is in conflict with any portion of the LDC;
- (3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;
- (4) Whether and the extent to which there are any changed conditions that require an amendment;
- (5) Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the comprehensive plan;
- (6) Whether, and the extent to which, zoning district boundaries are not properly drawn on the official zoning atlas;
- (7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the coastal environment;
- (8) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
- (9) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;

- (10) Whether it is impossible to find other lands in the city for the proposed use in a zoning district that permits such use as of right.

Based on a review of the rezoning application, staff analysis of the information submitted, and the public hearing on the proposed rezoning conducted on April 15, 2013, the City Council has found that the applicant has fulfilled his burden to show that the project should be approved as follows:

1. There are adequate public facilities available to serve the proposed uses of the subject property.
2. The proposed use of the property by the applicant is consistent with surrounding development and will not negatively impact adjacent properties.
3. The proposed maximum residential density for the subject property is consistent with Comprehensive Plan land development density and intensity standards.
4. On-site parking and open space provision within the subject property are compliant with minimum Land Development Code standards.
5. The proposed rezoning was reviewed and recommended to be approved by staff and by the Jacksonville Beach Planning Commission, prior to consideration of the application by the City Council.
6. There was no factual testimony presented at the Planning Commission public hearing or the City Council public hearing to dispute the presentments of the applicant or staff.



SITE DATA: Five Buildings as follows

PARCEL A	79 units w/parking structure	TOTAL UNITS = 176
PARCEL B	40 units	PARKING = 365 spaces
PARCEL C	24 units	75% Lot Coverage
PARCEL D	Clubhouse	35' Maximum Bldg. Height
PARCEL E	33 Units	Rezone from C-2 to PUD

Introduced by: _____
1st Reading: April 15, 2013
2nd Reading: _____

ORDINANCE NO. 2013-8026

AN ORDINANCE ESTABLISHING A *PLANNED UNIT DEVELOPMENT: PUD* ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 - LAND DEVELOPMENT CODE, OF THE JACKSONVILLE BEACH CODE OF ORDINANCES.

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the owners of certain lands more particularly described herein have applied to the City Council for rezoning of those lands from *Commercial general: C-2* to *Planned Unit Development: PUD*;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

LEGAL DESCRIPTION

Lots 12, 13, 14 and 15, Block 17; All of Block 18 together with a 12.00 foot alley closed by the City of Jacksonville Beach Ordinance No. 6142; Lots 1, 2, 3, 4, 5, 6, 7, and the East 25.00 feet of Lot 8, Block 19, Mundy Drive Terrace, according to the plat thereof recorded in Plat Book 15, Page 96 of the current public records of Duval County, Florida; together with Lots 7, 8, 9, 10, 11, and 12, Block 28, Atlantic Park, according to the plat thereof recorded in Plat Book 9, Page 15 of said current public records of Duval County, Florida.

Heretofore zoned as *Commercial general: C-2*, be and the same is hereby designated as *Planned Unit Development: PUD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the Planned Unit Development: PUD zoning district as provided in Article VII of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

- A. The rezoning application dated February 8, 2013, including PUD Written Description dated March 19, 2013, and Preliminary PUD Site Plan dated February 4, 2013, collectively attached hereto as Exhibit A, which have been submitted to the City of Jacksonville Beach Planning and Development Department are hereby adopted and incorporated as parts of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.

B. The project shall be generally carried out in accordance with the presentments of the PUD Rezoning application, PUD written description and preliminary PUD development plan, and in accordance with the following:

1. Permitted uses within the PUD shall be limited to those uses listed in Exhibit A, including a maximum of 176 multiple-family dwelling units, parking structure, leasing office, amenity/recreation center, and exercise/fitness facilities. Accessory uses and structures are also permitted within the PUD, subject to Land Development Code Article VIII, Division 2, Section 34-392(c) *Residential Accessory Uses* standards.
2. Parking – a minimum of two off-street (2) parking spaces per dwelling unit shall be provided, in accordance with Land Development Code Article VIII, Division 1 standards.
3. Maximum building height – Thirty-five (35) feet.
4. Open Space– A minimum twenty (20) percent open space shall be provided.
5. Signage – Except as provided in Exhibit A, signage within the PUD development shall conform to Land Development Code Article VIII, Division 4 standards.
6. Landscaping and tree protection– Landscaping within the PUD development shall conform to Land Development Code Article VIII, Division 3 standards, except that a maximum of fifteen (15) parking spaces may be provided in an uninterrupted row without a landscape break in Parcel C, and a maximum of twelve (12) parking spaces may be provided in an uninterrupted row without a landscape break in Parcel E.

SECTION 2. Except as provided herein, all other portions of the Jacksonville Beach Land Development Code and Zoning Atlas remain in effect and applicable to this Planned Unit Development: PUD district.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS _____ DAY OF _____, 2013

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

EXHIBIT A

Ordinance No. 2013 8026

Exhibit A Contents:

- Application Rezoning/Text Amendment Form - 1 page
- Exhibit "A" Agent Authorization/Consent - 1 page
- Exhibit "B" PUD Written Description - 5 pages
- Exhibit "B-1" Preliminary PUD Development Plan - 1 page
- Exhibit "B-2" Conceptual Building Elevations - 1 page
- Exhibit "C" Legal Description - 1 page
- Exhibit "C-1" Property Survey (Existing Conditions) - 1 page
- Exhibit "C-2" Property Ownership Information - 9 pages



REZONING/TEXT AMENDMENT APPLICATION

PC No. 5-13
AS/400# 13-100036

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: George Moore Chevrolet, Inc.
Mailing Address: See Exhibit "A"

Telephone: _____
Fax: _____
E-Mail: _____

Applicant Name: Tribridge Residential, LLC
Mailing Address: 1575 Northside Dr., Bldg. 100, Ste. 200, Atlanta, GA 30318

Telephone: (404) 367-6549
Fax: (678) 420-5349
E-Mail: katherinem@tribridgeresidential.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: T.R. Hainline, Jr.
Mailing Address: Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500, Jacksonville, FL 32207

Telephone: (904) 346-5531
Fax: (904) 396-0663
E-Mail: thainline@rtlaw.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: See Exhibit "B" 711 Beach Blvd

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See Exhibit "C" for Legal Description; see Exhibit "C-1" for survey; see Exhibit "C-2" for deeds, etc.

Current Zoning Classification: C-2 Future Land Use Map Designation: Commercial

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: N/A

	REQUESTED INFORMATION		Attached?	
	Yes	No	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked; see Exhibit "D"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An 8½" x 11" vicinity map identifying the property proposed for amendment; see Exhibit "E"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked; see Exhibit "F"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC. see Exhibit "B"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicant Signature: [Signature] Date: 2/8/13



EXHIBIT "A"

Agent Authorization/Consent

Date: FEBRUARY 7, 2013

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Agent Authorization for the following site location:

Beach Boulevard at 7th/8th/9th Street

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

GEORGE MOORE CHEVROLET, INC.

By: [Signature]
Its: PRESIDENT

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 7th day of February by George H. Moore, who is personally known to me or has produced as identification.

[Signature]
(Notary Signature)



EXHIBIT "B"

PUD Written Description

Dated: March 19, 2013

BEACH BOULEVARD AT 7TH/8TH/9TH STREET PUD

I. PROJECT DESCRIPTION

This Planned Unit Development (PUD) proposes a redevelopment of the former automobile dealership use on the north side of Beach Boulevard at 7th, 8th, and 9th Streets North. The property consists of five (5) parcels: Parcel A, 82,427.15 sq. ft./1.89 acres located on the north side of Beach Boulevard between 7th and 8th Streets North at 711 Beach Boulevard (RE # 175466-0000 and 175470-0000); Parcel B, 37,506.61 sq. ft./0.86 acres located on the north side of 1st Avenue North (RE# 173812-0000); Parcel C, 27,517.53 sq. ft./0.63 acres located on the east side of 7th Street North at 629 Beach Boulevard (RE # 175465-0000); Parcel D, 7,363.60 sq. ft./0.17 acres located on the west side of 8th Street at 807 Beach Boulevard (RE # 175475-0000); and Parcel E, 37,493.46 sq. ft./0.86 acres located on the south side of 1st Avenue North (RE ## 175475-0000, 175474-0000, and 175473-0000)(collectively, the "Property"). The Property is within the Commercial land use category in the Comprehensive Plan and is zoned Commercial-2 (C-2). The Property was formerly used as an automobile dealership but has been vacant for several years. The use proposed on the Property is a multifamily residential development, including a parking garage, leasing office, clubhouse, recreation, and amenities. The development will include up to 176 residential units in up to five buildings (not including the parking garage).

Attached as Exhibit B-1 is a Preliminary Site Plan dated February 4, 2013, for the proposed redevelopment of the Property ("Site Plan").

Also attached as Exhibit B-2 are conceptual building elevations submitted to illustrate the architectural themes proposed by the applicant.

II. USES AND RESTRICTIONS

A. Multifamily Residential Permitted Uses (and, where specified, Uses Permissible by Exception)

1. Permitted Uses

a. Multiple-family dwellings. Minimum units sizes are as follows:

i. One bedroom unit: 500 sq. ft.

ii. Two bedroom unit: 900 sq. ft.

iii. Three bedroom unit: 1,100 sq. ft.

b. Parking structure.

- c. Leasing office, amenity/recreation center, which may include a pool, clubhouse, fitness/exercise facility, and similar uses.
- d. Essential Services, including water, sewer, gas, telephone, radio, television and electric.

2. Permitted Accessory Uses

Utility sheds and workshops; gazebos, cabanas, and other similar structures; non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line; barbecue pits; vegetable gardens, non commercial greenhouses, and similar uses; any other use customarily accessory to multifamily use.

3. Minimum Lot Requirements (Width and Area):

As shown on the Site Plan.

4. Maximum Lot Coverage (by all buildings and structures):

Seventy-five percent (75%). Maximum lot coverage shall be applied cumulatively as to all Parcels, taking into consideration the entire PUD.

5. Minimum Yard Requirements

a. Parcel A

- i. Front—Twenty (20) feet.
- ii. Corner Side—Ten (10) feet.
- iii. Rear—Twenty (20) feet.

b. Parcel B

- i. Front—Twelve (12) feet.
- ii. Corner Side—Ten (10) feet.
- iii. Rear—Twelve (12) feet..

c. Parcel C

- i. Front—Ten (10) feet.
- ii. Side—Ten (10) feet.
- iii. Corner Side—Ten (10) feet.
- iv. Rear—Twenty (20) feet.

- d. Parcel D
 - i. Front— Ten (10) feet.
 - ii. Side—Ten (10) feet.
 - iii. Corner Side—Ten (10) feet.
 - iv. Rear—Twenty (20) feet.
- e. Parcel E
 - i. Front—Twenty (20) feet.
 - ii. Corner Side—Ten (10) feet.
 - iii. Rear—Twenty (20) feet.

6. **Maximum Height of Structures:** Thirty-five (35) feet.

7. **Gross Density**

Gross residential density shall not exceed forty (40) units per acre.

B. Common Recreation and Usable Open Space: Active recreation/amenities (including active recreational facilities such as an amenity/recreation center, pool, clubhouse, fitness/exercise facility, and similar uses) shall be provided as shown on the Site Plan. Such common recreation and usable open space comprises a minimum of twenty percent (20%) of the gross land area in the PUD, measured cumulatively as to all Parcels, and will comply with the standards in Section 34-348(j)(3)(h), Jacksonville Beach Ordinance Code.

C. Access

Access will be from Beach Boulevard, 1st Avenue North, 8th Street North, and 7th Street North. The final design of the access will be subject to the review and approval of the Planning and Development Department.

By separate applications, the applicant may seek the closure and abandonment by the City of certain alleys within the PUD.

D. Adequate Public Facilities

The applicant has received a concurrency certificate for the proposed development (CRC 13-100019), and is in compliance Chapter 34, Article X, Jacksonville Beach Code of Ordinances.

E. Supplemental Standards

Unless otherwise provided herein, the Supplemental Standards provided in Chapter 34, Article VIII, Division 2, Jacksonville Beach Code of Ordinances, shall apply.

F. Signage

The purpose of these sign criteria standards is to establish a uniform and coordinated signage program that provides for directional communication for all development Parcels. All project identity and directional signs shall be architecturally compatible with each other and with the buildings represented. Signs may be located within front or side yards.

1. Identity Monument Signs

Identity monument signs are permitted as follows: One internally or indirectly illuminated identity sign with two sides (or two single faced signs) will be permitted on Parcel A for the PUD and multifamily uses therein. This sign will be oriented to Beach Boulevard and will not exceed eight (8) feet in height and thirty-two (32) square feet in area (each side).

Additionally, an internally or indirectly illuminated identity sign with two sides (or two single faced signs) will be permitted on Parcels B, C, and E for the multifamily use on the respective Parcel. These signs will be oriented to a street on which the Parcel has frontage and will not exceed six (6) feet in height and twenty-four (24) square feet in area (each side). An internally or indirectly illuminated identity sign with two sides (or two single faced signs) will be permitted on Parcel D or E (at the access point to Parcel D) for the leasing office use on Parcel D. This sign will be oriented to Beach Boulevard and/or 8th Street and will not exceed six (6) feet in height and twenty-four (24) square feet in area (each side).

2. Other Signs

Directional signs, internally or indirectly illuminated, indicating buildings, common areas, recreation areas, parking, driveways, and access points will be permitted on all Parcels. These signs may include the multifamily use logo and name. For predominately vehicle directional signage, such signs shall be a maximum of four (4) square feet in area per sign face. For pedestrian directional signage, such signs shall be a maximum of three (3) square feet per side and a maximum of three (3) feet in height.

Other signs as permitted pursuant to Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, will be permitted in this PUD.

Because all identity and directional signs are architectural features intended to be compatible with and complimentary of the buildings in the Parcels. 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.

Unless otherwise provided in this Section F, the provisions in Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, shall apply.

G. Landscaping

Site clearing and landscape standards as provided in Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, shall apply, with the following additional provision: landscape standards shall be applied within the PUD without regard to Parcel boundaries.

H. Parking

Parking will be provided at a ratio of two (2) spaces per residential unit, as shown on the Site Plan and Parking Tabulation key therein. For the proposed 176 residential units, 352 parking spaces are required. The applicant proposes a parking garage providing 250 parking spaces and 106 surface parking spaces. Additionally, the applicant proposes (and plans to seek the necessary approvals for) 26 on-street parking spaces.

Parking for disabled persons will be provided as required in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances.

Parking standards shall be applied taking into consideration the entire redevelopment. For Parcels A, B, C, D, and E, required parking may be provided "on site" on another Parcel and may be shared with another Parcel, so long as Parcels A, B, C, D, and E in their entirety provide the required parking described above.

Unless otherwise provided in this Section H, the provisions in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances, shall apply.

I. Environmental Standards

Stormwater shall be treated as described on Site Plan and will comply with the Environmental Standards provided in Chapter 34, Article VIII, Division 5, Jacksonville Beach Code of Ordinances.

J. Development Schedule

Currently, the applicant proposes to construct the proposed improvements in 2013-2014.

THIS DRAWING IS THE PROPERTY OF CONNELLY & WICKER INC. AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED ON REQUEST.

PRELIMINARY PUD SITE PLAN	BEACH BLVD MF <small>THREEFOLD RESIDENTIAL</small>	Project No.: Drawing No.: Date: Scale: Sheet 1 of 1
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Connelly & Wicker Inc.
 Planning • Engineering • Landscape Architecture
 10000 Shaker Lane Drive Suite 500 Jacksonville, Florida 32246
 Phone: 904.325.1515 Fax: 904.325.1511
 Website: www.connelly-wicker.com
 L.A. Number: 3650 L.A. Number: 3650

PARKING TABULATION

UNIT TYPE	# UNITS	# BAYS	REQUIRED PARKING	EXISTING PARKING	NET PARKING
IMPROVED PAVEMENT & SWK	178	-	2,000	382	1,618
DRIVE-THRU SURFACE PARKING	178	-	-	-	-
GARAGE PARKING	-	-	-	-	-
TOTAL	356	-	-	-	1,618

6000 34128 S.F. OPEN SPACE 64,948 S.F.
 127,281 S.F. (2,822 Ac.) POOL AREA N/A
 TOTAL SITE AREA 4.61 Ac.
 ZONING C-2/PUD

CALL BEFORE YOU DIG
900-432-4770



STORMWATER MANAGEMENT:
 THE STORMWATER WILL BE COLLECTED ON-SITE VIA A NETWORK OF INLETS AND STORMWATER PIPES. THIS NETWORK WILL THEN ROUTE THE STORMWATER TO A TREATMENT FACILITY. THE TREATMENT FACILITY WILL BE LOCATED AT VARIOUS LOCATIONS ON-SITE FOR TREATMENT OF THE STORMWATER. EACH OF THE VARIOUS STORMWATER PIPES WILL BE INSTALLED TO THE TREATMENT FACILITY. FOR GRAVITY FLOW WITHIN THE ADJACENT RIGHT-OF-WAY OF OTHER BEACH STREET NORTH, ON NORTH STREET NORTH, THE EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED. THE EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED AND FOLLOWING THE SAME DRAINAGE PATTERNS AS BEST AS POSSIBLE TO ENSURE THAT THE DEVELOPED FLOWS TO BE TREATED AT THE TREATMENT FACILITY. THE EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED AND FOLLOWING THE SAME DRAINAGE PATTERNS AS BEST AS POSSIBLE TO ENSURE THAT THE DEVELOPED FLOWS TO BE TREATED AT THE TREATMENT FACILITY. THE EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED AND FOLLOWING THE SAME DRAINAGE PATTERNS AS BEST AS POSSIBLE TO ENSURE THAT THE DEVELOPED FLOWS TO BE TREATED AT THE TREATMENT FACILITY.

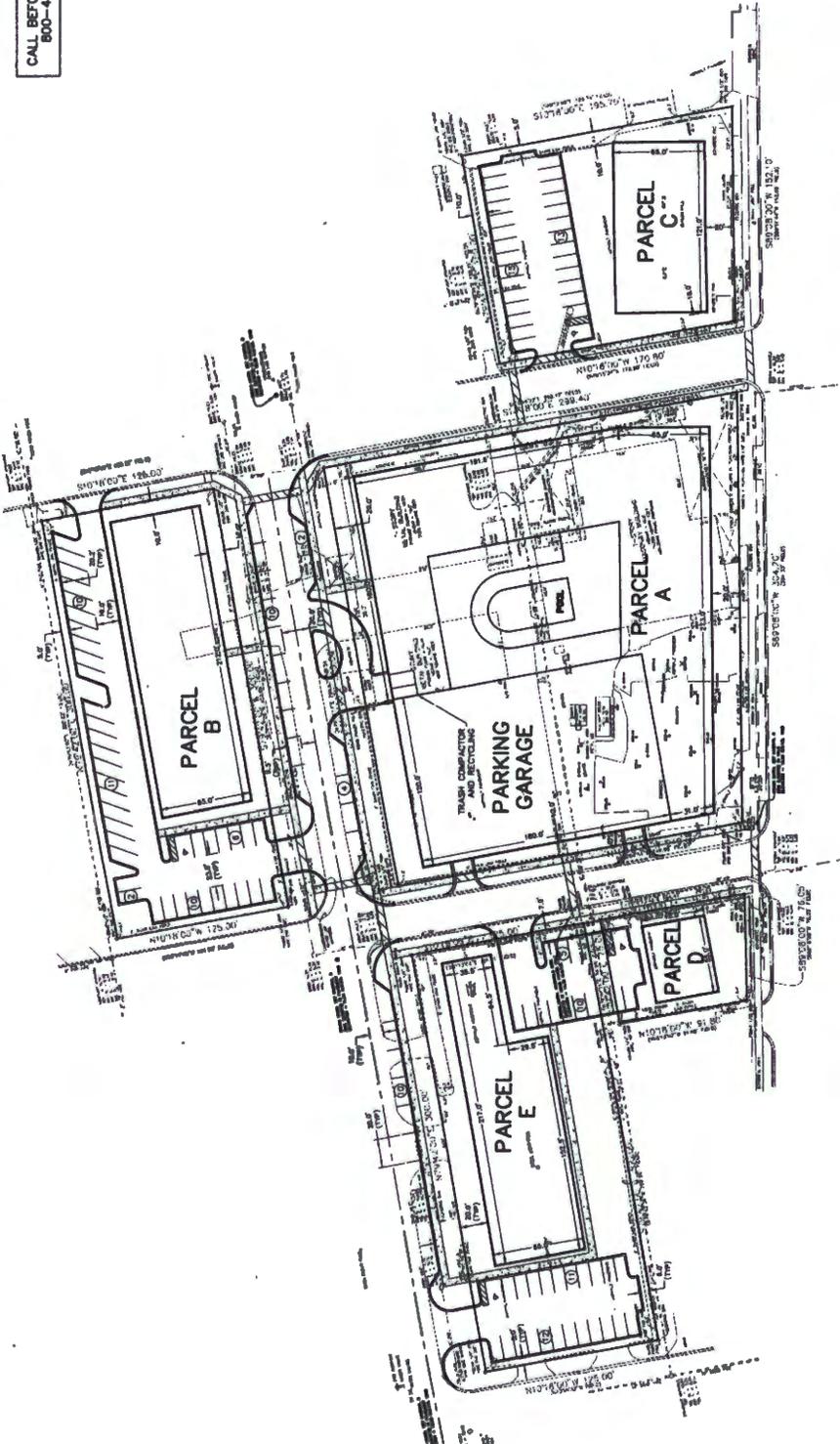
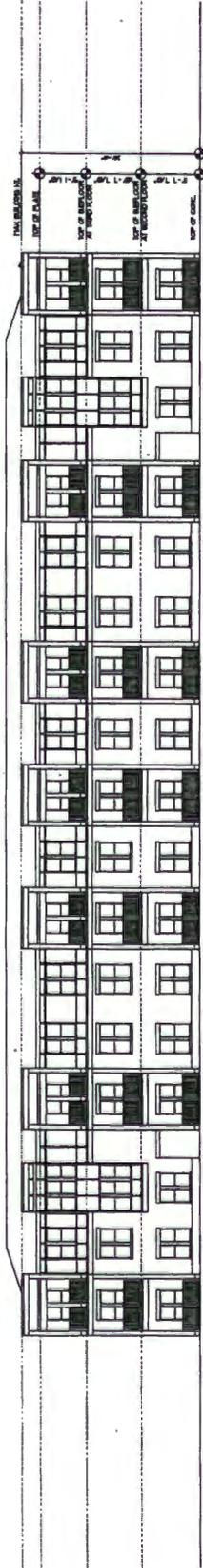


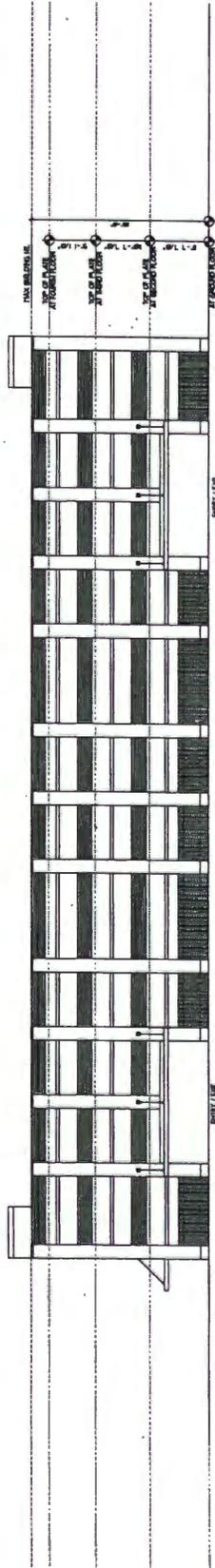
EXHIBIT "B-2"



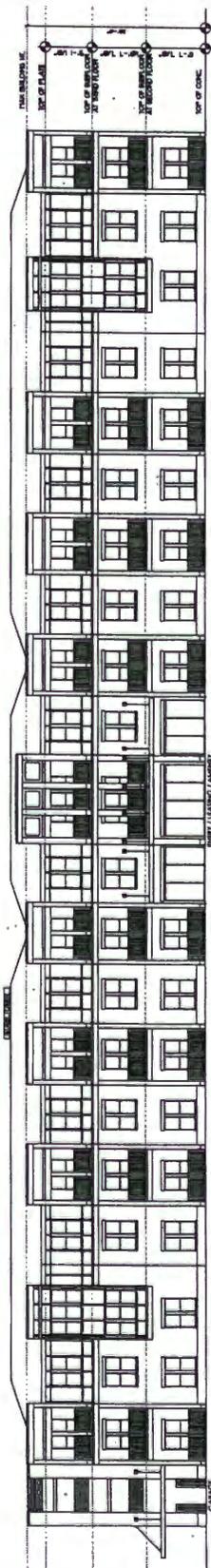
Multiple Residential



③ Parcel B, South Elmwood / End Avenue North
Scale: 3/32" = 1'-0"



② Parcel A, Grosvenor West Elmwood / Eighth Street North
Scale: 3/32" = 1'-0"



① Parcel A, South Elmwood / Beech Blvd
Scale: 3/32" = 1'-0"

Exhibit "C"

Legal Description

Lots 12, 13, 14 and 15, Block 17; all of Block 18 together with a 12.00 foot alley closed by City of Jacksonville Beach Ordinance No. 6142; Lots 1, 2, 3, 4, 5, 6, 7 and the east 25.00 feet of Lot 8, Block 19, Mundy Drive Terrace, according to the plat thereof recorded in Plat Book 15, Page 96; together with Lots 7, 8, 9, 10, 11 and 12, Block 28, Atlantic Park, according to the plat thereof recorded in Plat Book 9, Page 15, all of the Current Public Records of Duval County, Florida.

EXHIBIT "C-1"

MAP SHOWING SURVEY OF:

LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12 OF BLOCK 18, LOT 13, 14, 15, 16, 17 AND 18 OF BLOCK 19, LOT 19, 20, 21, 22 AND 23 OF BLOCK 20, LOT 24, 25, 26 AND 27 OF BLOCK 21, LOT 28, 29, 30 AND 31 OF BLOCK 22, LOT 32, 33, 34 AND 35 OF BLOCK 23, LOT 36, 37, 38 AND 39 OF BLOCK 24, LOT 40, 41, 42 AND 43 OF BLOCK 25, LOT 44, 45, 46 AND 47 OF BLOCK 26, LOT 48, 49, 50 AND 51 OF BLOCK 27, LOT 52, 53, 54 AND 55 OF BLOCK 28, LOT 56, 57, 58 AND 59 OF BLOCK 29, LOT 60, 61, 62 AND 63 OF BLOCK 30, LOT 64, 65, 66 AND 67 OF BLOCK 31, LOT 68, 69, 70 AND 71 OF BLOCK 32, LOT 72, 73, 74 AND 75 OF BLOCK 33, LOT 76, 77, 78 AND 79 OF BLOCK 34, LOT 80, 81, 82 AND 83 OF BLOCK 35, LOT 84, 85, 86 AND 87 OF BLOCK 36, LOT 88, 89, 90 AND 91 OF BLOCK 37, LOT 92, 93, 94 AND 95 OF BLOCK 38, LOT 96, 97, 98 AND 99 OF BLOCK 39, LOT 100, 101, 102 AND 103 OF BLOCK 40, LOT 104, 105, 106 AND 107 OF BLOCK 41, LOT 108, 109, 110 AND 111 OF BLOCK 42, LOT 112, 113, 114 AND 115 OF BLOCK 43, LOT 116, 117, 118 AND 119 OF BLOCK 44, LOT 120, 121, 122 AND 123 OF BLOCK 45, LOT 124, 125, 126 AND 127 OF BLOCK 46, LOT 128, 129, 130 AND 131 OF BLOCK 47, LOT 132, 133, 134 AND 135 OF BLOCK 48, LOT 136, 137, 138 AND 139 OF BLOCK 49, LOT 140, 141, 142 AND 143 OF BLOCK 50, LOT 144, 145, 146 AND 147 OF BLOCK 51, LOT 148, 149, 150 AND 151 OF BLOCK 52, LOT 152, 153, 154 AND 155 OF BLOCK 53, LOT 156, 157, 158 AND 159 OF BLOCK 54, LOT 160, 161, 162 AND 163 OF BLOCK 55, LOT 164, 165, 166 AND 167 OF BLOCK 56, LOT 168, 169, 170 AND 171 OF BLOCK 57, LOT 172, 173, 174 AND 175 OF BLOCK 58, LOT 176, 177, 178 AND 179 OF BLOCK 59, LOT 180, 181, 182 AND 183 OF BLOCK 60, LOT 184, 185, 186 AND 187 OF BLOCK 61, LOT 188, 189, 190 AND 191 OF BLOCK 62, LOT 192, 193, 194 AND 195 OF BLOCK 63, LOT 196, 197, 198 AND 199 OF BLOCK 64, LOT 200, 201, 202 AND 203 OF BLOCK 65, LOT 204, 205, 206 AND 207 OF BLOCK 66, LOT 208, 209, 210 AND 211 OF BLOCK 67, LOT 212, 213, 214 AND 215 OF BLOCK 68, LOT 216, 217, 218 AND 219 OF BLOCK 69, LOT 220, 221, 222 AND 223 OF BLOCK 70, LOT 224, 225, 226 AND 227 OF BLOCK 71, LOT 228, 229, 230 AND 231 OF BLOCK 72, LOT 232, 233, 234 AND 235 OF BLOCK 73, LOT 236, 237, 238 AND 239 OF BLOCK 74, LOT 240, 241, 242 AND 243 OF BLOCK 75, LOT 244, 245, 246 AND 247 OF BLOCK 76, LOT 248, 249, 250 AND 251 OF BLOCK 77, LOT 252, 253, 254 AND 255 OF BLOCK 78, LOT 256, 257, 258 AND 259 OF BLOCK 79, LOT 260, 261, 262 AND 263 OF BLOCK 80, LOT 264, 265, 266 AND 267 OF BLOCK 81, LOT 268, 269, 270 AND 271 OF BLOCK 82, LOT 272, 273, 274 AND 275 OF BLOCK 83, LOT 276, 277, 278 AND 279 OF BLOCK 84, LOT 280, 281, 282 AND 283 OF BLOCK 85, LOT 284, 285, 286 AND 287 OF BLOCK 86, LOT 288, 289, 290 AND 291 OF BLOCK 87, LOT 292, 293, 294 AND 295 OF BLOCK 88, LOT 296, 297, 298 AND 299 OF BLOCK 89, LOT 300, 301, 302 AND 303 OF BLOCK 90, LOT 304, 305, 306 AND 307 OF BLOCK 91, LOT 308, 309, 310 AND 311 OF BLOCK 92, LOT 312, 313, 314 AND 315 OF BLOCK 93, LOT 316, 317, 318 AND 319 OF BLOCK 94, LOT 320, 321, 322 AND 323 OF BLOCK 95, LOT 324, 325, 326 AND 327 OF BLOCK 96, LOT 328, 329, 330 AND 331 OF BLOCK 97, LOT 332, 333, 334 AND 335 OF BLOCK 98, LOT 336, 337, 338 AND 339 OF BLOCK 99, LOT 340, 341, 342 AND 343 OF BLOCK 100, LOT 344, 345, 346 AND 347 OF BLOCK 101, LOT 348, 349, 350 AND 351 OF BLOCK 102, LOT 352, 353, 354 AND 355 OF BLOCK 103, LOT 356, 357, 358 AND 359 OF BLOCK 104, LOT 360, 361, 362 AND 363 OF BLOCK 105, LOT 364, 365, 366 AND 367 OF BLOCK 106, LOT 368, 369, 370 AND 371 OF BLOCK 107, LOT 372, 373, 374 AND 375 OF BLOCK 108, LOT 376, 377, 378 AND 379 OF BLOCK 109, LOT 380, 381, 382 AND 383 OF BLOCK 110, LOT 384, 385, 386 AND 387 OF BLOCK 111, LOT 388, 389, 390 AND 391 OF BLOCK 112, LOT 392, 393, 394 AND 395 OF BLOCK 113, LOT 396, 397, 398 AND 399 OF BLOCK 114, LOT 400, 401, 402 AND 403 OF BLOCK 115, LOT 404, 405, 406 AND 407 OF BLOCK 116, LOT 408, 409, 410 AND 411 OF BLOCK 117, LOT 412, 413, 414 AND 415 OF BLOCK 118, LOT 416, 417, 418 AND 419 OF BLOCK 119, LOT 420, 421, 422 AND 423 OF BLOCK 120, LOT 424, 425, 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526 AND 527 OF BLOCK 146, LOT 528, 529, 530 AND 531 OF BLOCK 147, LOT 532, 533, 534 AND 535 OF BLOCK 148, LOT 536, 537, 538 AND 539 OF BLOCK 149, LOT 540, 541, 542 AND 543 OF BLOCK 150, LOT 544, 545, 546 AND 547 OF BLOCK 151, LOT 548, 549, 550 AND 551 OF BLOCK 152, LOT 552, 553, 554 AND 555 OF BLOCK 153, LOT 556, 557, 558 AND 559 OF BLOCK 154, LOT 560, 561, 562 AND 563 OF BLOCK 155, LOT 564, 565, 566 AND 567 OF BLOCK 156, LOT 568, 569, 570 AND 571 OF BLOCK 157, LOT 572, 573, 574 AND 575 OF BLOCK 158, LOT 576, 577, 578 AND 579 OF BLOCK 159, LOT 580, 581, 582 AND 583 OF BLOCK 160, LOT 584, 585, 586 AND 587 OF BLOCK 161, LOT 588, 589, 590 AND 591 OF BLOCK 162, LOT 592, 593, 594 AND 595 OF BLOCK 163, LOT 596, 597, 598 AND 599 OF BLOCK 164, LOT 600, 601, 602 AND 603 OF BLOCK 165, LOT 604, 605, 606 AND 607 OF BLOCK 166, LOT 608, 609, 610 AND 611 OF BLOCK 167, LOT 612, 613, 614 AND 615 OF BLOCK 168, LOT 616, 617, 618 AND 619 OF BLOCK 169, LOT 620, 621, 622 AND 623 OF BLOCK 170, LOT 624, 625, 626 AND 627 OF BLOCK 171, LOT 628, 629, 630 AND 631 OF BLOCK 172, LOT 632, 633, 634 AND 635 OF BLOCK 173, LOT 636, 637, 638 AND 639 OF BLOCK 174, LOT 640, 641, 642 AND 643 OF BLOCK 175, LOT 644, 645, 646 AND 647 OF BLOCK 176, LOT 648, 649, 650 AND 651 OF BLOCK 177, LOT 652, 653, 654 AND 655 OF BLOCK 178, LOT 656, 657, 658 AND 659 OF BLOCK 179, LOT 660, 661, 662 AND 663 OF BLOCK 180, LOT 664, 665, 666 AND 667 OF BLOCK 181, LOT 668, 669, 670 AND 671 OF BLOCK 182, LOT 672, 673, 674 AND 675 OF BLOCK 183, LOT 676, 677, 678 AND 679 OF BLOCK 184, LOT 680, 681, 682 AND 683 OF BLOCK 185, LOT 684, 685, 686 AND 687 OF BLOCK 186, LOT 688, 689, 690 AND 691 OF BLOCK 187, LOT 692, 693, 694 AND 695 OF BLOCK 188, LOT 696, 697, 698 AND 699 OF BLOCK 189, LOT 700, 701, 702 AND 703 OF BLOCK 190, LOT 704, 705, 706 AND 707 OF BLOCK 191, LOT 708, 709, 710 AND 711 OF BLOCK 192, LOT 712, 713, 714 AND 715 OF BLOCK 193, LOT 716, 717, 718 AND 719 OF BLOCK 194, LOT 720, 721, 722 AND 723 OF BLOCK 195, LOT 724, 725, 726 AND 727 OF BLOCK 196, LOT 728, 729, 730 AND 731 OF BLOCK 197, LOT 732, 733, 734 AND 735 OF BLOCK 198, LOT 736, 737, 738 AND 739 OF BLOCK 199, LOT 740, 741, 742 AND 743 OF BLOCK 200, LOT 744, 745, 746 AND 747 OF BLOCK 201, LOT 748, 749, 750 AND 751 OF BLOCK 202, LOT 752, 753, 754 AND 755 OF BLOCK 203, LOT 756, 757, 758 AND 759 OF BLOCK 204, LOT 760, 761, 762 AND 763 OF BLOCK 205, LOT 764, 765, 766 AND 767 OF BLOCK 206, LOT 768, 769, 770 AND 771 OF BLOCK 207, LOT 772, 773, 774 AND 775 OF BLOCK 208, LOT 776, 777, 778 AND 779 OF BLOCK 209, LOT 780, 781, 782 AND 783 OF BLOCK 210, LOT 784, 785, 786 AND 787 OF BLOCK 211, LOT 788, 789, 790 AND 791 OF BLOCK 212, LOT 792, 793, 794 AND 795 OF BLOCK 213, LOT 796, 797, 798 AND 799 OF BLOCK 214, LOT 800, 801, 802 AND 803 OF BLOCK 215, LOT 804, 805, 806 AND 807 OF BLOCK 216, LOT 808, 809, 810 AND 811 OF BLOCK 217, LOT 812, 813, 814 AND 815 OF BLOCK 218, LOT 816, 817, 818 AND 819 OF BLOCK 219, LOT 820, 821, 822 AND 823 OF BLOCK 220, LOT 824, 825, 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BLOCK 270, LOT 1024, 1025, 1026 AND 1027 OF BLOCK 271, LOT 1028, 1029, 1030 AND 1031 OF BLOCK 272, LOT 1032, 1033, 1034 AND 1035 OF BLOCK 273, LOT 1036, 1037, 1038 AND 1039 OF BLOCK 274, LOT 1040, 1041, 1042 AND 1043 OF BLOCK 275, LOT 1044, 1045, 1046 AND 1047 OF BLOCK 276, LOT 1048, 1049, 1050 AND 1051 OF BLOCK 277, LOT 1052, 1053, 1054 AND 1055 OF BLOCK 278, LOT 1056, 1057, 1058 AND 1059 OF BLOCK 279, LOT 1060, 1061, 1062 AND 1063 OF BLOCK 280, LOT 1064, 1065, 1066 AND 1067 OF BLOCK 281, LOT 1068, 1069, 1070 AND 1071 OF BLOCK 282, LOT 1072, 1073, 1074 AND 1075 OF BLOCK 283, LOT 1076, 1077, 1078 AND 1079 OF BLOCK 284, LOT 1080, 1081, 1082 AND 1083 OF BLOCK 285, LOT 1084, 1085, 1086 AND 1087 OF BLOCK 286, LOT 1088, 1089, 1090 AND 1091 OF BLOCK 287, LOT 1092, 1093, 1094 AND 1095 OF BLOCK 288, LOT 1096, 1097, 1098 AND 1099 OF BLOCK 289, LOT 1100, 1101, 1102 AND 1103 OF BLOCK 290, LOT 1104, 1105, 1106 AND 1107 OF BLOCK 291, LOT 1108, 1109, 1110 AND 1111 OF BLOCK 292, LOT 1112, 1113, 1114 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338, LOT 1296, 1297, 1298 AND 1299 OF BLOCK 339, LOT 1300, 1301, 1302 AND 1303 OF BLOCK 340, LOT 1304, 1305, 1306 AND 1307 OF BLOCK 341, LOT 1308, 1309, 1310 AND 1311 OF BLOCK 342, LOT 1312, 1313, 1314 AND 1315 OF BLOCK 343, LOT 1316, 1317, 1318 AND 1319 OF BLOCK 344, LOT 1320, 1321, 1322 AND 1323 OF BLOCK 345, LOT 1324, 1325, 1326 AND 1327 OF BLOCK 346, LOT 1328, 1329, 1330 AND 1331 OF BLOCK 347, LOT 1332, 1333, 1334 AND 1335 OF BLOCK 348, LOT 1336, 1337, 1338 AND 1339 OF BLOCK 349, LOT 1340, 1341, 1342 AND 1343 OF BLOCK 350, LOT 1344, 1345, 1346 AND 1347 OF BLOCK 351, LOT 1348, 1349, 1350 AND 1351 OF BLOCK 352, LOT 1352, 1353, 1354 AND 1355 OF BLOCK 353, LOT 1356, 1357, 1358 AND 1359 OF BLOCK 354, LOT 1360, 1361, 1362 AND 1363 OF BLOCK 355, LOT 1364, 1365, 1366 AND 1367 OF BLOCK 356, LOT 1368, 1369, 1370 AND 1371 OF BLOCK 357, LOT 1372, 1373, 1374 AND 1375 OF BLOCK 358, LOT 1376, 1377, 1378 AND 1379 OF BLOCK 359, LOT 1380, 1381, 1382 AND 1383 OF BLOCK 360, LOT 1384, 1385, 1386 AND 1387 OF BLOCK 361, LOT 1388, 1389, 1390 AND 1391 OF BLOCK 362, LOT 1392, 1393, 1394 AND 1395 OF BLOCK 363, LOT 1396, 1397, 1398 AND 1399 OF BLOCK 364, LOT 1400, 1401, 1402 AND 1403 OF BLOCK 365, LOT 1404, 1405, 1406 AND 1407 OF BLOCK 366, LOT 1408, 1409, 1410 AND 1411 OF BLOCK 367, LOT 1412, 1413, 1414 AND 1415 OF BLOCK 368, LOT 1416, 1417, 1418 AND 1419 OF BLOCK 369, LOT 1420, 1421, 1422 AND 1423 OF BLOCK 370, LOT 1424, 1425, 1426 AND 1427 OF BLOCK 371, LOT 1428, 1429, 1430 AND 1431 OF BLOCK 372, LOT 1432, 1433, 1434 AND 1435 OF BLOCK 373, LOT 1436, 1437, 1438 AND 1439 OF BLOCK 374, LOT 1440, 1441, 1442 AND 1443 OF BLOCK 375, LOT 1444, 1445, 1446 AND 1447 OF BLOCK 376, LOT 1448, 1449, 1450 AND 1451 OF BLOCK 377, LOT 1452, 1453, 1454 AND 1455 OF BLOCK 378, LOT 1456, 1457, 1458 AND 1459 OF BLOCK 379, LOT 1460, 1461, 1462 AND 1463 OF BLOCK 380, LOT 1464, 1465, 1466 AND 1467 OF BLOCK 381, LOT 1468, 1469, 1470 AND 1471 OF BLOCK 382, LOT 1472, 1473, 1474 AND 1475 OF BLOCK 383, LOT 1476, 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1659 OF BLOCK 429, LOT 1660, 1661, 1662 AND 1663 OF BLOCK 430, LOT 1664, 1665, 1666 AND 1667 OF BLOCK 431, LOT 1668, 1669, 1670 AND 1671 OF BLOCK 432, LOT 1672, 1673, 1674 AND 1675 OF BLOCK 433, LOT 1676, 1677, 1678 AND 1679 OF BLOCK 434, LOT 1680, 1681, 1682 AND 1683 OF BLOCK 435, LOT 1684, 1685, 1686 AND 1687 OF BLOCK 436, LOT 1688, 1689, 1690 AND 1691 OF BLOCK 437, LOT 1692, 1693, 1694 AND 1695 OF BLOCK 438, LOT 1696, 1697, 1698 AND 1699 OF BLOCK 439, LOT 1700, 1701, 1702 AND 1703 OF BLOCK 440, LOT 1704, 1705, 1706 AND 1707 OF BLOCK 441, LOT 1708, 1709, 1710 AND 1711 OF BLOCK 442, LOT 1712, 1713, 1714 AND 1715 OF BLOCK 443, LOT 1716, 1717, 1718 AND 1719 OF BLOCK 444, LOT 1720, 1721, 1722 AND 1723 OF BLOCK 445, LOT 1724, 1725, 1726 AND 1727 OF BLOCK 446, LOT 1728, 1729, 1730 AND 1731 OF BLOCK 447, LOT 1732, 1733, 1734 AND 1735 OF BLOCK 448, LOT 1736, 1737, 1738 AND

RECORD AND RETURN TO:
This instrument prepared by:

Robert V. Duss, Esquire
Taylor, Stewart, Houston & Duss, P.A.
1050 Riverside Avenue
Jacksonville, Florida 32204

Doc# 2004365987
Book: 12151
Pages: 1434 - 1435
Filed & Recorded
11/18/2004 01:58:06 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 9.00
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 3,150.00
REC ADDITIONAL \$ 8.00

WARRANTY DEED

THIS DEED, made this 15 day of NOVEMBER, 2004, by VINCENT F. DeSALVO, JR. And MARY S. DeSALVO, husband and wife, (hereinafter called "GRANTOR"), to GEORGE MOORE CHEVROLET, INC., a Florida corporation (hereinafter called "GRANTEE"), whose post office address is 711 Beach Blvd., Jacksonville Beach, FL 32250.

(Wherever used herein the terms "GRANTOR" and "GRANTEE" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns).

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE, all that certain land situate in the County of Duval, State of Florida, described as follows:

18.50
2150
Lots 1, 2, 7 and the East 25 feet of Lot 8, Block 19, MUNDY DRIVE TERRACE, according to plat thereof as recorded in Plat Book 15, page 96, of the current public records of Duval County, Florida.

REAL ESTATE TAX NO. 175475-0000

SUBJECT TO:

1. Ad valorem taxes for the year 2004 and all subsequent years.
2. Covenants, Restrictions and Easements of record.

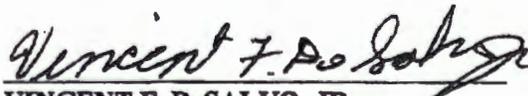
TO HAVE AND TO HOLD, the same in fee simple forever.

AND GRANTOR hereby covenants with said GRANTEE that they hereby fully warrant the title to said land being conveyed hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set their hands and seals the day and year first above written.

Signed and Sealed in Our
Presence:


Print: Robert V. Duss

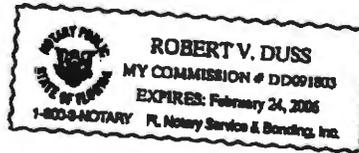

VINCENT F. DeSALVO, JR.

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 13 day of ~~NOVEMBER~~ 2004,
by VINCENT F. DeSALVO, JR. And MARY S. DeSALVO, husband and wife.

Robert V. Duss
(Print) ROBERT V. DUSS
Notary Public, State of Florida
My Commission Expires:

They: (please check appropriate statement)
 are personally known to me
 have produced identification (specify type)



THIS INSTRUMENT PREPARED BY:
John S. Duss, IV
Ford, Jeter, Bowles, Duss, Morgan, Kenney & Safer,
P.A.
10110 San Juan Blvd.
Jacksonville, Florida 32257

RECORD AND RETURN TO:
Ford, Jeter, Bowles, Duss, Morgan, Kenney & Safer,
P.A.
10110 San Juan Blvd.
Jacksonville, Florida 32257

NE PARCEL ID #: 175478-0000
BUYER'S TIN: 59-2617996

Book 10590 Page 1459

Doc# 2002209779
Book: 10590
Pages: 1459 - 1460
Filed & Recorded
07/26/2002 03:16:41 PM
JIN FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 1,043.90
RECORDING \$ 9.00

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, with power of sale under will, is made this ^{13th} day of July, 2002, by Jack D. Austin, as Personal Representative of The Estate of Mary Ella Phillips, (f/k/a Mary E. Austin, Deceased hereinafter called Grantor, and whose address is 9633 Beauclerc Terrace, Jacksonville, Florida 32257 to George Moore Chevrolet, Inc., a Florida corporation, hereinafter called Grantee and whose address is 711 Beach Blvd., Jacksonville Beach, Florida 32250.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH:

THAT the Grantor, pursuant to the power of sale contained in the duly probated Last Will and Testament of the above named decedent, and in consideration of the sum of Ten and NO/100 Dollars and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee the following described land situated, lying and being in Duval County, Florida, to wit:

Lots 11, 12 and 13, Block 18, MUNDY DRIVE TERRACE, according to plat thereof recorded in Plat Book 15, page 96, of the current public records of Duval County, Florida, together with that portion of the Southerly 1/2 of closed alleyway lying Westwary of the Northerly prolongation of the Easterly lot line of said Lot 11.

The real property described in this instrument is not the constitutional homestead nor the primary physical residence of the Grantor.

2

SUBJECT TO taxes accruing subsequent to December 31, 2001.
SUBJECT TO covenants, restrictions and easements of record, if any, however, this reference thereto shall not operate to reimpose same.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

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

AND Grantor hereby covenants to and with said Grantee that Grantor is the duly appointed, qualified and acting Personal Representative as aforesaid, and in all things preliminary to and in and about the sale and conveyance of the property described herein, the orders of the above named court, and the laws of the State of Florida have been followed and complied with in all respects, and that the undersigned Grantor has the full power and authority to execute this deed for the uses and purposes herein expressed; and that said land is free of all encumbrances.

AS 5/11

Book 10590 Page 1460

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature [Signature]
JOHN S. DUSS, IV

Witness Printed Signature

Witness Signature [Signature]
ELIOT J SAFER
Witness Printed Signature

[Signature]
Jack D. Austin, as Personal Representative of the Estate of Mary Ella Phillips (k/a Mary E. Austin, Deceased)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 25th day of July, 2002, by Jack D. Austin, as Personal Representative of The Estate of Mary Ella Phillips (k/a Mary E. Austin, Deceased). He is personally known to me or produced _____ as identification.

Notary Public, State and County Aforesaid

Notary Signature [Signature]

(Title or Rank)

Notary Printed Signature

(Serial No., if any)



Eliot J. Safer
MY COMMISSION # 00007096 EXPIRES
April 28, 2005
BORN & TRUSTEES INSURANCE, INC.

Prepared by:
Buschman, Ahern, Persons & Bankston
2215 South Third Street, Suite 101
Jacksonville Beach, Florida 32250
File 199-249

Record & Return to:
George Moore
711 Beach Blvd.
Jacksonville Beach, FL 32250

Bk: 9301
Pg: 859 - 860
Doc# 99129413
Filed & Recorded
05/25/99
10:02:19 A.M.
HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. \$ 10.50
DEED \$1,050.00

Book 9301 P 859

WARRANTY DEED

THIS WARRANTY DEED is made and executed this 11th day of May, 1999, by BEACHES INTERNAL MEDICINE, LLC, a Florida limited liability company, whose address is 905 Beach Blvd., Jacksonville Beach, Florida, 32250, the "Grantor", to GEORGE MOORE CHEVROLET, INC., a Florida corporation, whose address is 711 Beach Blvd., Jacksonville Beach, Florida 32250, the "Grantee". Wherever used herein the terms "Grantor" and "Grantee" shall include all the parties to this instrument and their heirs, legal representatives, successors and assigns.

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all of that certain land situated in Duval County, Florida, described as:

Lots 3, 4, 5, and 6, Block 19, MONDY DRIVE TERRACE, according to the plat thereof recorded in Plat Book 15, page 96, of the current public records of Duval County, Florida.

Parcel#: 175474-0000
175473-0000

This conveyance is subject to covenants, restrictions and easements of record, reference to which shall not operate to reimpose same and real estate taxes and assessments for the year 1998 and subsequent years.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold the same in fee simple forever.

The Grantor hereby covenants with the Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said lands and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except as to those matters set forth above.

IN WITNESS WHEREOF, the Grantor has caused these presents to

10.50

10.50

10.50.00

Book 9301 Pg 860

be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
First Witness Sign
Fred L. Ahern Jr.
First Witness Print Name

[Signature]
Second Witness Sign
Pianna L. Glasscock
Second Witness Print Name

Beaches Internal Medicine, LLC,
a Florida limited liability company

By: [Signature]
Jorge A. Aguilar
Its Managing Member
905 Beach Blvd.
Jacksonville Beach, FL 32250

STATE OF FLORIDA
COUNTY OF DUVAL

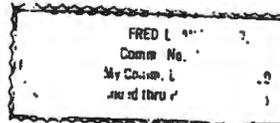
I certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Jorge A. Aguilar, as Managing Member of Beaches Internal Medicine, LLC, a Florida limited liability company, who is personally known to me or who produced a driver's license or as identification.

WITNESS my hand and official seal in the County and State aforesaid, this 11th day of May, 1999.

NOTARY PUBLIC

[Signature]
Print Name _____
Commission expires: _____
Commission #: _____

(seal)



3pg
12 15.00
ds 9450.00

Prepared by and Return to:

Thomas C. Rauch, Esq.
Kemp, Klein, Umphrey & Endelman, P.C.
201 West Big Beaver Road, Suite 600
Troy, Michigan 48099-4300

Bk: 8677
Pg: 1901 - 1903
Doc# 97161807
Filed & Recorded
07/21/97
04:15:15 P.M.
HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. \$ 15.00
DEED \$9,450.00

1901
PH
Book 8677

WARRANTY DEED

THIS WARRANTY DEED, made this 7th day of July, 1997, by SCM REALTY III, INC., a Florida corporation, whose address is 5757 Lake Worth Road, P.O. Box 9500, Lake Worth, Florida 33466-9500, hereinafter call the "Grantor," to GEORGE MOORE CHEVROLET, INC., a Florida corporation, whose address is 711 Beach Boulevard, Jacksonville Beach, Florida, and whose Federal Identification Number is 59-2617998, hereinafter called the "Grantee":

(Whenever used herein, the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, does grant, a lien, remise, release, convey and confirm unto Grantee, its heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Duval, State of Florida, and being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

SUBJECT TO real estate taxes subsequent to December 31, 1996.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

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

AND the Grantor hereby convenience with Grantee and binds itself, its successors and assigns unto Grantee, its successors and assigns, that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land and will defend the same unto grantee, its successors and assigns, against the lawful claims of all persons whomsoever, except as to those matters set forth above.

(3)

EXHIBIT "A"

LEGAL DESCRIPTION

Book 8677 PB 1902

Lots 12, 13, 14 and 15, Block 17, MUNDY DRIVE TERRACE; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 18, MUNDY DRIVE TERRACE, as recorded in Plat Book 15, Page 96 of the current public records of Duval County, Florida; and also Lots 7, 8, 9, 10, 11, and 12, Block 28, ATLANTIC PARK, as recorded in Plat Book 9, Page 15 of the current public records of Duval County, Florida; together with the east half of the alley and the north 1/2 of the west 1/2 of the alley lying within Block 1 of the aforementioned MUNDY DRIVE TERRACE.

64956

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto authorized, the day and year first above written.

Book 8677 PB 1903

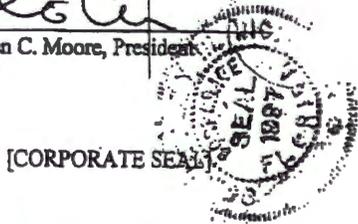
Signed, sealed and delivered corporation in the presence of:

SCM REALTY III, INC., a Florida

Gloria J. Pelletier
Print name: GLORIA J. PELLETIER

By: [Signature]
Stephen C. Moore, President

Kenneth H. August
Print name: KENNETH H. AUGUST



STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 7th day of July, 1997, by Stephen C. Moore, President of SCM Realty III, Inc., a Florida corporation, on behalf of the Corporation, who is personally known to me.

Diane C. Crozier
Print name: Diane C. Crozier
Notary Public, State and County aforesaid

Commission No.:

My commission expires:

