



## 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, October 7, 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:**

- City Council Briefing held September 16, 2013
- Regular City Council Meeting held September 16, 2013

2. **ANNOUNCEMENTS:**

- (a) Certificate of Achievement for Excellence in Financial Reporting

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

4. **MAYOR AND CITY COUNCIL:**

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Approve the Final Plat for the *Hawks Landing* Subdivision (This is a 5 Lot Townhouse Development on the South Side of 7<sup>th</sup> Avenue North, 100' East of 5<sup>th</sup> Street North)

- (b) Approve \$175,000 for the Purchase of 23 Self Contained Breathing Apparatuses, 32 Spare Bottles, Escape Cylinders and Associated Equipment from Ten-8 Fire Equipment
- (c) Authorize Change Order for Construction of the Wingate Park Stormwater Pond Erosion Control Project
- (d) Approve Lease Agreement for Miranda Contracting at the Jacksonville Beach Industrial Park

7. **RESOLUTIONS:**

8. **ORDINANCES:**

(a) **ORDINANCE NO. 2013-8033 – First Reading - Public Hearing**

AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NO. 7411, AS AMENDED, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND PLAN FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. (South Beach Regional Shopping Center – This Will Modify the Approved Planned Unit Development to Allow the Construction of an Additional 12,000 Sq. Ft. of Tenant Space, and a Minor Increase in Wall Signage)

(b) **ORDINANCE NO. 2013-8031 – Second Reading**

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 is for a 59 Lot Residential Subdivision Located at the Northwest Corner of Butler Boulevard and South Beach Parkway)

(c) **ORDINANCE NO. 2013-8032 – Second Reading**

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING PORTIONS OF CERTAIN PUBLIC ALLEYS AND CERTAIN PUBLIC RIGHTS OF WAY KNOWN AS POINCIANA BOULEVARD AND TROPICAL TERRACE LOCATED IN OCEAN TERRACE SUBDIVISION, AS RECORDED IN PLAT BOOK 10, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Respectfully submitted,

/s/George D. Forbes  
CITY MANAGER

GDF: cmm  
10/03/2013

Memorandum, Mayor and City Council  
City Council Agenda for October 7, 2013

*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, October 4, 2013.*

**Minutes of City Council Briefing**  
**Monday, September 16, 2013 – 6:15 PM**  
**City Council Chambers**  
**11 North 3<sup>rd</sup> Street, Jacksonville Beach, FL**

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The Council Briefing began at 6:15 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 Nancy Pyatte, Assistant City Clerk.

**Purpose of the Briefing**

The purpose of the Briefing is to update the Council Members on the City health insurance employee benefits.

**City Manager**

Mr. Forbes explained that this is an item on the agenda. The Human Resources Director, Karen Nelson, addressed the Council stating that the City issued an RFP in July to obtain quotes from insurance carriers for health, dental and voluntary vision insurance. Ms. Nelson introduced Mr. Owen Wingate of Abentras, the City's insurance broker. Ms. Nelson reviewed the process for proposal reviews made by the committee comprised of Harry Royal, Finance Officer, Owen Wingate and herself.

Mr. Wingate reviewed the comparisons between the current carrier, CIGNA, and the proposed carrier, Florida Blue, referring to the charts in the Council agenda, titled Exhibits A, B, C, and D.

The committee recommendations were as follows:

**Florida Blue** for the HMO and PPO medical plans  
**MetLife** for the HMO and PPO dental plans  
**Advantica** for the voluntary vision plan  
**Allstate** for the GAP Care, accident and critical illness, and other voluntary insurance

The City Manager stated that he was very pleased with the proposed plans and anxious to present these options to the employees.

The briefing adjourned at 6:45pm.

Submitted by: Nancy J. Pyatte  
Assistant City Clerk

Approved:

\_\_\_\_\_  
William C. Latham, Mayor

Date: October 7, 2013

**Minutes of Regular City Council Meeting  
held Monday, September 16, 2013, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida.**



**CALL TO ORDER:**

Mayor Charlie Latham called the meeting to order.

**OPENING CEREMONIES:**

Invocation was by Mayor Pro-Tem Tom Taylor; 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, Assistant City Clerk Nancy Pyatte, and Senior Secretary Cathy Martinich.

**APPROVAL OF MINUTES**

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

- Council Workshop held August 28, 2013
- Regular City Council Meeting held September 3, 2013
- Special City Council Meeting held September 4, 2013
- Special City Council Meeting held September 9, 2013

**ANNOUNCEMENTS**

**Mayor Latham**

- Mayor Latham attended his first Transportation Planning Organization last Thursday. He is replacing Mayor Borno as the Beaches Representative. He said this is a very important organization for all three beaches and he is grateful to Mayor Borno for his leadership on the TPO.
- Mayor Latham said that last week he, Mayor Borno and Mayor Pruette signed pledges to "Not Text and Drive". He said beginning October texting while driving becomes a violation of Florida law. Statistics show you are three times more likely to have an accident driving while texting than driving under the influence. Mayor Latham explained that points are automatically assessed on the license if one is texting and driving. He further explained that State Law Enforcement agencies will have instant access to cell phone accounts for proof of texting. He highly recommended that people look over the "I Can Wait" pledge on line and sign it.

Minutes of Regular City Council Meeting  
held Tuesday, September 16, 2013

- Mayor Latham, Mayor Borno and Mayor Pruette attended the flag dedication ceremony for American Legion Post 129. The 70<sup>th</sup> anniversary of the post was also celebrated.
- Mayor Latham congratulated the Fletcher High School football team for their fourth consecutive win over Sandalwood High School.

- **COURTESY OF THE FLOOR TO VISITORS**

- **MAYOR AND CITY COUNCIL**

- **CITY CLERK**

- **CITY MANAGER**

(a) Approve the Monthly Financial Report – Month of August 2013

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Monthly Financial Report as presented.

Discussion: Mr. Forbes explained he is required to give a monthly report to the City Council about the City's financial status. He said the city is in excellent financial condition and has gone through the recession well.

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

(b) Approve Contracts, Effective January 1, 2014, with:

- Florida Blue for Medical Insurance
- MetLife for Dental Insurance
- Advantica for Voluntary Vision Insurance
- Allstate for GAP Care, Accidental & Critical Illness and Individual Voluntary Benefits
- Discovery Benefits for Flexible Spending Administration
- Health Designs for Wellness Services

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the contracts with Florida Blue, MetLife, Advantica, Allstate for employee health, dental, vision and supplemental insurance. Also approve contracts with Discovery Benefits and Health Designs for flexible spending administration and wellness services as stated in the memorandum, dated August 9, 2013, by Human Resources Director Karen Nelson.

Discussion: Mr. Forbes referred to the slides that showed details of the proposed insurance plan. Mr. Forbes said that Florida Blue is the recommendation the committee has made and that this package is much better than the current Cigna agreement.

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

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- (c) Approval of the Memorandum of Understanding Setting Forth a Process and Parameters to Determine the Feasibility of Entering into a Lease Agreement with Grunthal & Schueth Properties, Inc., to Lease Approximately 9,200 Sq. Feet of city-owned Property Adjacent to Water Treatment Plant #1 on South 4<sup>th</sup> Street for Additional Off-street Parking. This would be for the Redevelopment of the Vacant Gas Station at the Southwest Corner of Beach and A1A.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Memorandum of Understanding between Grunthal & Schueth Properties, Inc. and the City of Jacksonville Beach to determine the feasibility of leasing city-owned land on South 4<sup>th</sup> Street for use as additional off-street parking. The Parking would be used for a proposed redevelopment of the vacant gas station at the southwest corner of Beach Boulevard and South 3<sup>rd</sup> Street (SR A1A).

Speakers:

- John Galarneau, 2002 Grove Street, Jacksonville Beach, FL  
Mr. Galarneau spoke against leasing the property and is in favor of selling the property, putting it back on the tax rolls.

Mr. Forbes referred to the slides showing the properties in the discussion. He stated that it was not advisable to sell the property because of its strategic location to the City's Water Plant. He discussed the parking and stormwater responsibilities that would be required by the developers.

- Buzzy Grunthal, of Grunthal & Schueth Properties, 459 Ocean Boulevard, Atlantic Beach, FL  
Mr. Grunthal explained the proposed use for the property. Mr. Grunthal stated development would not include Gas Station/Convenience store, beverage store for off-premises consumption, or a Dollar Store. He distributed two proposed developments to the Council Members (on file) and said there is no tenant currently in place for the property and closing was scheduled for November 15<sup>th</sup>. He discussed the proposals, answered questions from Council Members, and said that at this time the vote is to enter into an understanding, not to make any final decisions.

Mr. Lindorff explained the parking and code requirements. Discussion ensued regarding the proposal and development possibilities.

Roll call vote: Ayes: Taylor, Vogelsang, Doherty, Hartkemeyer, Hoffman, and Mayor Latham  
Nays: Wilson  
Motion carried 6 to 1.

- (d) Award Bid Number 1213-13 for the Purchase of Wire and Cable

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve Bid Number 1213-13, Items 1, 2, and 3 to Gresco Utility Supply, Inc. as described in a memo from Roy Trotter dated September 4, 2013, and titled "Wire and Cable Bid – 12 to 36 Months

Requirement.” This bid award is for a period of one year with the City Manager having the authority to renew the bid for two additional one year extensions.

Discussion: Mr. Forbes said the bid is for wire used in the daily activity of Beaches Energy Services, for our distribution system.

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

(e) Approve the Purchase of a Cemetery Software System from Pontem Software

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the purchase of the Pontem Software system as explained in the memorandum from the Finance Officer dated September 12, 2013.

Discussion: Mr. Forbes explained that currently the cemetery records are still paper records. Scanning of the cemetery documents is in progress, but the new software is necessary for record documentation. The system is compatible with the City's GIS system and will be linked to it, allowing for easy location of lots and on line searches. A temporary part-time employee will scan the back log of documents and the Parks and Recreation employees will scan the documents going forward.

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

## RESOLUTIONS

(a) RESOLUTION NO. 1918-2013

Mayor Latham requested that Resolution No. 1918-2013, be read by title; whereupon Ms. Pyatte read the following:

“A RESOLUTION AMENDING THE OPERATING BUDGET OF THE CITY OF JACKSONVILLE BEACH, FLORIDA FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA THAT: THE FOLLOWING ITEMS OF APPROPRIATIONS FOR THE FUNCTIONS, AGENCIES AND DEPARTMENTS OF THE CITY GOVERNMENT FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2103 BE AMENDED.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution 1918-2013 adopt the year-end budget adjustment.

Discussion: Mr. Forbes referred to the slides outlining the budget adjustment funds and detailed the items he recommended the Council to restrict. Mayor Latham said that the City staff manages the Capital Improvements Program very well.

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

## ORDINANCES

### (a) ORDINANCE NO. 2013-8031 – FIRST READING – PUBLIC HEARING

Mayor Latham requested that Ordinance No. 2013-8031, be read by title; whereupon Ms. Pyatte read the following:

“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”.

Mayor Latham read the following statement for the record:

“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**

Mayor Latham opened the public hearing on Ordinance No. 2013-8031 and asked if the applicant or their agent was present and if they would like to make a presentation.

Speaker:

- Applicant, Josh Wolsey, 4321 Tradewinds Drive, Jacksonville, 32250  
Mr. Wolsey, attorney with RogersTowers representing Richmond American Homes, addressed the Council. He discussed the plans to develop the 9.9 acre vacant parcel,

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into a 59 lot subdivision that is currently zoned RS-1, and request a rezoning to a PUD. Plans are to abandon the current alley ways and streets, with new streets which would be rededicated to the City, and prevent drive through traffic. He discussed the details of street construction, relocation of the traffic light, recreation areas, and described the increased buffer of trees between residents on Palm Way and the development. Mr. Wolsey said the Planning Commission has already unanimously approved the PUD and noted the increased property taxes would benefit the City.

Speakers:

The following people spoke in opposition:

- Charles Nitzel; 4083 Grande Boulevard, Jacksonville Beach, FL
- Ms. Kathleen Gall; 4059 Palm Way, Jacksonville Beach, FL  
Ms. Gall gave a handout to Council Members of her concerns (on file)

Speakers:

The following people spoke in favor:

- C. Ann Freudenthal; 4021 Palm Way, Jacksonville Beach, FL
- L. Scott Freudenthal; 4021 Palm Way, Jacksonville Beach, FL
- Mr. Forbes explained that this property is already platted. He stated the main issue is to develop the property as platted, or as a new PUD. He said the buffered space planned between Palm Way and the plans for the new subdivision vastly improves the area. He showed slides of the area, discussed open spaces, barriers, and reviewed some of the requirements of the homes in the development. Mr. Forbes referred to the current drainage and stated that the developer must review and pay the cost of drainage and runoff, making sure it is adequate.
- Thomas Inman, 2795 Riverwood Lane, Jacksonville, FL  
Mr. Inman, Chief Engineer on the project, addressed the drainage plans. He explained that they have worked with the City and residents addressing their concerns. He stated that the infrastructure is conceptual at this time; with Council approval then the detailed design process will begin.
- Mr. Wolsey stated that even if the Council Members approve this ordinance, the City and St. Johns River Water Management must be assured the stormwater and drainage will be approved.

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

**Ex-Parte Communications**

Mayor Latham read the following statement for the record:

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“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 asked if the City Clerk’s Office had received any additional written communications; Ms. Pyatte responded no.

Mayor Latham stated that he had not received any ex-parte communications and requested that the City Clerk poll the Council members, as follows:

- Mr. Doherty stated he met with Josh Wolsey and T. R. Haneline and had a brief reviewed the site plan.
- Mr. Hartkemeyer - None
- Ms. Hoffman stated on August 2, 2013, had coffee with T. R. Haneline and Josh Wolsey; discussed changes to the site plan based on the feedback from residents.
- Mr. Taylor stated he discussed plans with City staff.
- Mr. Vogelsang stated he spoke with T. R. Haneline and Josh Wolsey; discussed changes to the site plan accommodating resident’s requests.
- Ms. Wilson stated she traded phone calls but never spoke to anyone about the project.
- Mayor Latham – None

Mayor Latham asked for a motion on the application.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8031, as read by title only, establishing a Planned Unit Development: PUD zoning district, pursuant to Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach.

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.”

Ms. Wilson stated she understood the concerns of the citizens and is encouraged that the developer will address the drainage issues and that the PUD will be a pleasant neighborhood.

Mr. Taylor complemented Richmond American Homes and the City staff; speaking as a contractor, he appreciates the concerns of the residents. This community will be an asset to the City of Jacksonville Beach.

Mr. Doherty said he is impressed with the project and appreciates that the developer is aware of the residents’ concerns and their willingness to work with them. He acknowledged traffic might be a concern, but the developer has a good plan for the roads. The drainage issues

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remain to be seen, but with due diligence all demands will be met. This land benefits the City financially and aesthetically.

Mayor Latham said he is in favor of this project. There were three clear considerations he pointed out: increased tax revenue for the City, improved traffic patterns, and the tree barrier that was widened to accommodate the neighboring residents. He asked the developer and staff to be aware of the drainage issues, the vibrating compactors, flooding on Palm Way and that the traffic issues be addressed.

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

**ORDINANCES**

(b) **ORDINANCE NO. 2013-8032 – FIRST READING**

Mayor Latham requested that Ordinance No. 2013-8032, be read by title; whereupon Ms. Pyatte read the following:

“AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING PORTIONS OF CERTAIN PUBLIC ALLEYS AND CERTAIN PUBLIC RIGHTS OF WAY KNOWN AS POINCIANA BOULEVARD AND TROPICAL TERRACE LOCATED IN OCEAN TERRACE SUBDIVISION, AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8032, as read by title only, vacating, discontinuing, abandoning and closing portions of certain public alleys and certain public right-of-way known as Poinciana Boulevard and Tropical Terrace, located in Ocean Terrace subdivision, as recorded in Plat Book 10, Page 2, of the current public records of Duval County, Florida, as described in the memorandum from Bill Mann, Senior Planner.

Discussion: Mr. Forbes explained this ordinance is in regard to the new subdivision in Ocean Terrace. In order to develop the new subdivision the existing streets must be vacated and then the property replat can be done according to the PUD previously discussed.

**ADJOURNMENT**

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:15 p.m.

Submitted by: Cathy M. Martinich  
City Clerk's Office

Approval:

\_\_\_\_\_

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William C. Latham, Mayor

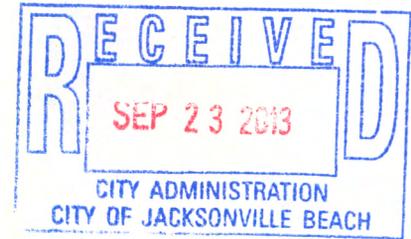
Date: October 7, 2013

DRAFT



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806



September 17, 2013

George D. Forbes  
City Manager  
City of Jacksonville Beach  
11 North Third Street  
Jacksonville Beach FL 32250

Dear Mr. Forbes:

We are pleased to notify you that your comprehensive annual financial report for the fiscal year ended **September 30, 2012** qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The Certificate of Achievement plaque will be shipped to:

**Harry E. Royal, CPA**  
**Finance Officer**

under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, [www.gfoa.org](http://www.gfoa.org).

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,  
Government Finance Officers Association

Stephen J. Gauthier, Director

Technical Services Center

SJG/ds



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

09/17/2013

NEWS RELEASE

For Information contact:  
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Jacksonville Beach** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

**Harry E. Royal, CPA, Finance Officer**

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

City of Jacksonville Beach

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[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

**To:** George D. Forbes, City Manager  
**From:** William C. Mann, Senior Planner   
**Re:** *Hawks Landing* Townhomes - Final Plat Approval  
**Date:** September 25, 2013

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**ACTION REQUESTED:**

Approval of the attached Final Plat document for the *Hawks Landing* subdivision, a five-lot townhouse development on the south side of 7th Avenue North, 100' east of 5th Street North.

**BACKGROUND:**

The applicant owns the subject property on the south side of 7th Avenue North, between 4th and 5th Streets North. The property is located in a *Residential, multiple family: RM-1* zoning district, and the applicant is currently building a five unit townhouse structure on it. Upon completion, the applicant intends to sell each of the five townhomes as an individual fee-simple townhouse unit, each with its own platted lot. This requires that the applicant go through the subdivision platting process, since the subject property and the structure being built on it are actually being divided into five townhouse lots.

This proposed subdivision received conceptual plat approval from the Planning Commission on July 22, 2013 (Ref. Application PC# 22-13). The attached plat document reflects the same five-lot townhouse subdivision as was approved for that application. The project received Development Plan approval on June 26, 2013. The subject property is 100' wide by 125' deep, and the proposed end unit lots for the townhouse project are each 26' by 125', and the three interior unit lots are each 16' by 125'. Each unit will provide the minimum two required on-site parking spaces.

The attached final plat document has been technically reviewed and approved by Public Works, Fire, and Planning and Development Departments, and by Beaches Energy Service (BES). The only easement required for the provision of utilities to the project is a 5' BES easement across the front of the subject property. That easement is shown on the attached plat document.

**RECOMMENDATION:**

Approve the Final Plat for the *Hawks Landing* subdivision.





# HAWKS LANDING

CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA

A REPLAT OF LOTS 3 AND 4, BLOCK 75, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF THE NORTHERN PORTION OF PABLO BEACH, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PLAT BOOK      PAGE       
SHEET 1 OF 1

**CAPTION**

LOTS 3 AND 4, BLOCK 75, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF THE NORTHERN PORTION OF PABLO BEACH, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

**ADOPTION AND DEDICATION**

THIS IS TO CERTIFY THAT HAWKS LANDING OF FLEMING ISLAND II, LLC, IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON, KNOWN AS HAWKS LANDING, HAVING CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY IS HEREBY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS AND THAT THE ELECTRIC UTILITY EASEMENT DENOTED AS "6 FOOT BEACHES ENERGY SERVICES ELECTRIC EASEMENT" IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF JACKSONVILLE BEACH, A MUNICIPAL CORPORATION IN DUVAL COUNTY, FLORIDA, D/B/A/ BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS, FOR ITS USE IN CONJUNCTION WITH ITS ELECTRIC DISTRIBUTION SYSTEM AND APPURTENANCES, AND ARE SUBJECT TO THE FOLLOWING COVENANTS WHICH SHALL RUN WITH THE LANDS:

- 1) NO UTILITIES OTHER THAN BEACHES ENERGY SERVICES MAY BE INSTALLED PARALLEL WITHIN SAID ELECTRIC EASEMENTS;
- 2) ELECTRIC EASEMENTS DEDICATED TO BEACHES ENERGY SERVICES AND WHERE ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES ARE PLACED SHALL REMAIN TOTALLY UNOBSTRUCTED IN COMPLIANCE WITH THE UTILITY'S REQUIREMENTS AND SPECIFICATIONS FOR EQUIPMENT CLEARANCES FROM SHRUBS, TREES, PLANTS, FENCES, AND OTHER OBJECTS.
- 3) THE INSTALLATION OF FENCES, HEDGES, AND LANDSCAPING IS PERMISSIBLE BUT SUBJECT TO REMOVAL BY BEACHES ENERGY SERVICES WITHOUT PRIOR NOTICE, AT THE EXPENSE OF EACH LOT OWNER FOR THE REMOVAL AND REPLACEMENT OF SUCH ITEMS.
- 4) ALL LOTS ARE SUBJECT TO AN EASEMENT FOR ELECTRIC DISTRIBUTION LINES AND ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES OVER, UNDER, ACROSS, AND ALONG A MINIMUM OF FIVE (5) FEET IN WIDTH, STRIP OF LAND ADJACENT TO, ABUTTING, PARALLEL, AND CONCENTRIC WITH THE ROAD RIGHT OF WAY SHOWN ON THIS PLAT.
- 5) A MINIMUM EASEMENT WIDTH OF TEN (10) FEET IS REQUIRED, IN THE CASE WHERE BEACHES ENERGY SERVICES ELECTRIC EASEMENT DOES NOT ABUT, IS NOT ADJACENT TO, AND IS NOT CONTIGUOUS TO SAID RIGHT OF WAY.

THE CITY OF JACKSONVILLE BEACH, D/B/A BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS, RESERVE THE PERPETUAL RIGHT OF INGRESS TO AND EGRESS FROM, OVER, UNDER, AND ACROSS ALL ROADS, STREET WAYS, BOULEVARDS, LANES, AND DEDICATED ELECTRIC UTILITY EASEMENTS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, KEITH PEREAU, MANAGING MEMBER OF HAWKS LANDING OF FLEMING ISLAND II LLC HAS CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013.

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_ KEITH PEREAU  
MANAGING MEMBER  
HAWKS LANDING OF FLEMING  
ISLAND II LLC  
WITNESS \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

STATE OF FLORIDA, COUNTY OF DUVAL  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013, BY KEITH PEREAU, MANAGING MEMBER OF HAWKS LANDING OF FLEMING ISLAND II LLC, WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
PRINT NAME: \_\_\_\_\_  
COMMISSION NO. \_\_\_\_\_

**SURVEYORS CERTIFICATE**

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF FLORIDA STATUTE 177, THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA, SIGNED AND SEALED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013.

DONN W. BOATWRIGHT, P.S.M.  
PROFESSIONAL SURVEYOR and MAPPER  
STATE OF FLORIDA LICENSE No. LS 3285

**CLERKS CERTIFICATE**

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED, AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND SUBMITTED TO ME FOR RECORDING, AND IS RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013.

CLERK OF THE CIRCUIT COURT \_\_\_\_\_ DEPUTY CLERK \_\_\_\_\_

**CITY OF JACKSONVILLE BEACH APPROVAL**

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013.

MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_

**PLAT CONFORMITY REVIEW**

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH PART 1, CHAPTER 177, FLORIDA STATUTES, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2013.

STEPHEN W. CREWS, P.S.M.  
PROFESSIONAL SURVEYOR and MAPPER  
STATE OF FLORIDA LICENSE No. LS 5096



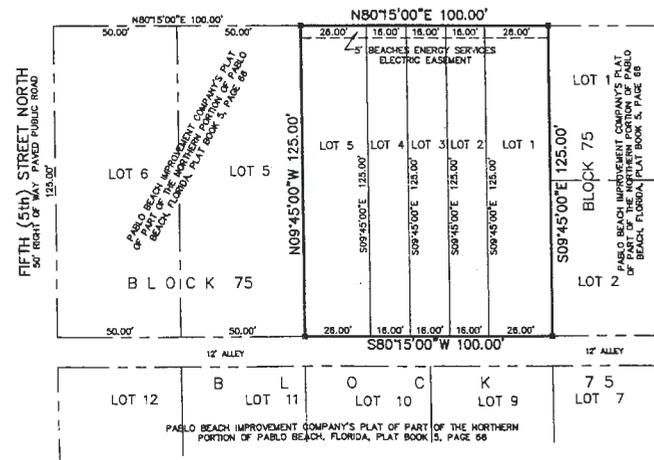
VICINITY MAP  
NO TRUE SCALE

RECEIVED

SEP - 5 2013

PLANNING & DEVELOPMENT

SEVENTH (7th) AVENUE NORTH  
50' RIGHT OF WAY PAVED PUBLIC ROAD  
FORMERLY HERNANDO AVENUE

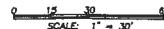


**NOTES**

1. BEARINGS BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF 7th AVENUE NORTH AS BEING N80°15'00"E BASED ON ASSUMED DATUM.
2. NOTICE: THIS PLAT, IN ITS GRAPHIC FORM IS THE DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
3. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**LEGEND**

- DENOTES PERMANENT REFERENCE MONUMENT, SET 4" x 4" x 24" CONCRETE MONUMENT, No. LB 3672



SP# 13-10  
AS/400# 13-10091  
SUBMITTAL INITIAL

PREPARED BY:  
BOATWRIGHT LAND SURVEYORS, INC.  
1500 ROBERTS DRIVE  
JACKSONVILLE BEACH, FLORIDA 32250  
(904) 241-8550

City of

Jacksonville Beach

Fire Department

325 2<sup>nd</sup> Avenue South

Jacksonville Beach

FL 32250

Phone: 904.247.6201

Fax: 904.247.6155

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

## MEMORANDUM

**TO:** George Forbes, City Manager  
**FROM:** Gary Frazier, Fire Chief  
**DATE:** September 19, 2013  
**SUBJECT:** Self Contained Breathing Apparatus Purchase

### ACTION REQUESTED:

Allocate \$175,000 for the purchase of 23 Self Contained Breathing Apparatuses, 32 spare bottles, escape cylinders and associated equipment from Ten-8 Fire Equipment.

### BACKGROUND:

Breathing apparatuses are used for structural firefighting and any time firefighters are required to enter a hazardous or low oxygen atmosphere. The fire department's 2002 model breathing apparatus units (SCBA) have reached the end of their recommended service life which is 10 years. Several significant changes have been made to all breathing apparatuses as a result of the 2007 and 2013 National Fire Protection Association standard changes such as reduced weight, heads up display, improved performance standards, improved pass devices, and other safety changes. We would like to continue utilizing the MSA brand air-pac because of the easy transition for our members and having in-house repair technicians, and since it is being utilized by surrounding fire departments which makes for easy use by field personnel. We will be piggy-backing off of the Lake County contract (12-08060). The following is the equipment to be purchased:

- 23- MSA airpacs w/ 45 minute cylinder
- 32- 45 minute spare cylinders
- 27- Radio interface w/clear command
- 1- 60 minute RIT cylinder and regulator
- 2- Regulators for Escape units
- 13- Extra Self Contained Breathing Apparatus masks (8 will be used by the Auxiliary members)

Note: We will be trading in our old breathing apparatuses/cylinders and masks for credit which is included in the \$175,000 pricing.



Ten-8 Fire equipment is the sole source distributor for Florida. This purchase is budgeted in the 2014 General Capital Projects Fund.

**RECOMMENDATION**

Approve \$175,000 to purchase MSA Self Contained Breathing Apparatuses and equipment as described in a memo from Fire Chief Gary Frazier dated September 19, 2013.

## FireHawk® M7XT Air Mask

- Durability & performance for critical life-safety personnel.
- Designed to exceed the NFPA 1981 and 1982 2013- edition standards.

Through the NFPA, firefighters strive to improve the durability and performance of SCBA and PASS devices. To this end, the new 2013 edition of the NFPA 1981 and 1982 NFPA standards for self-contained breathing apparatus and personal alert safety systems (PASS) call for low pressure alarm set points at 33 percent of cylinder operating pressure, improved facepiece lens performance against radiant heat, 500° F heat exposure, and standard PASS device alarm sound patterns. In addition, NFPA has raised the bar on voice communication capability, now requiring a measurable, minimum Sound Transmission Index (STI) score for both mechanical and electronic communications





October 2, 2013

City of  
Jacksonville Beach  
2508 South Beach  
Parkway  
Jacksonville Beach  
FL 32250

Phone: 904.247.6236

Fax: 904.247.6143

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

**TO:** George D. Forbes, City Manager  
**FROM:** Gary Meadors, Recreation & Parks Director  
**SUBJECT:** Authorize Change Order for Wingate Park Stormwater Pond Erosion Control Project

---

**ACTION REQUESTED:**

Authorize change order for the construction of the Wingate Park Stormwater Pond Erosion Control Project.

**BACKGROUND:**

In August, the Council was briefed on this project during the Council Budget Tour and the Parks & Recreation Department Budget Workshop.

The Wingate Park Stormwater Pond is located adjacent to the southwest corner of the wall surrounding the City's Operations & Maintenance (O&M) Facilities. About a decade ago, the Council approved the addition of a dog park walking trail around the top of the pond bank. This dog park and its trail have proven very popular with dog owners.

The stormwater pond is experiencing an accelerated rate of sedimentation from eroded sediments washing into the pond during rainstorms. This ultimately impacts the pond's effectiveness in reducing nutrients and contaminants in stormwater, prior to its release west toward the Intra-Coastal Waterway. This erosion is primarily from:

- The steep slope between the O&M wall and the pond.
- The worn condition on top of the pond bank due to the use of the dog walking trail.

The primary objective of this project is to stabilize the top of bank and the steep slope to reduce sediment erosion into the pond and to strengthen the pond bulkhead. The following chart summarizes the project work:



<b>PROJECT WORK SUMMARY</b>	
<ul style="list-style-type: none"> <li>• Install 800 feet +/- of sheet pile cap on the top of the bulkhead</li> <li>• Install concrete tie backs as needed along bulkhead</li> <li>• Install hardened walking surface of pavers with concrete border to stabilize the much used dog walking trail on the top of pond bank</li> </ul>	<ul style="list-style-type: none"> <li>• Install 350 SY +/- of fabric form (over 140 feet +/- section) to stabilize the slope between O&amp;M wall and pond.</li> <li>• Replace 4' green vinyl fence around pond (safety)</li> </ul>
<p><b>Note:</b> A pavers system with concrete border was chosen as the harden surface for the top of the pond bank because it will blend with paver sidewalks within Wingate Park and enhance the dog park setting.</p>	

It is important to construct these pond erosion control improvements as quickly as possible to reduce the construction impact on the dog park, and before the installation of the dog park magnetic gate locks and entry system. For this reason, staff recommends accomplishing this work by change order with *G&H Underground Construction, Inc.*

<b>CHANGE ORDER</b> <b>to Unit Price Bid #1213-08,</b> <b>South Beach Area Redevelopment Project</b> <b>(Williams Coastal and Jax Beach Heights Area)</b>		
DESCRIPTION	COST	RECOMMENDATION
<b>Unit Price Bid</b> <i>(based on estimated quantities)</i> 5% Contingency	\$194,900  \$9,100	Authorize Change Order with <i>G&amp;H Underground Construction, Inc.</i>
<b>CONSTRUCTION TOTAL:</b>	<b>\$204,000</b>	
<p>Project is budgeted in FY2014 at \$104,050 in General Capital Projects budget (via the year-end 2013 budget adjustment) &amp; \$85,000 in the ½-Cent Infrastructure Bond Proceeds budget, for a total project budget of \$189,050. The \$14,950 remainder will be added at mid-year from fund balance in the Stormwater Enterprise Fund.</p>		

**RECOMMENDATION:**

Authorize the Wingate Park Stormwater Pond Erosion Control Project by change order to Unit Price Bid 1213-08, South Beach Area Redevelopment Project, with *G&H Underground Construction, Incorporated*, as explained in the memorandum from the Parks and Recreation Director dated October 2, 2013.

# OVERVIEW MAP

## Wingate Park Stormwater Pond Erosion Control Project



**G&H Underground Construction, Inc.**

**1175 Woodlawn Road**

**St. Augustine, Florida 32084**

**Office: (904) 829-8199**

**Fax: (904) 810-0531**

September 24, 2013

Junior Lily  
City of Jacksonville Beach

Project: Paw Park

Thank you for the opportunity to submit a quote on the following work. Estimate will include all Labor, Equipment, and Materials to complete the following project.

Sheet Pile Cap 800' +/- \$94.00 per LF = \$75,200.00

Fabric Form 350SY @ \$76.00 = \$26,600.00

Brick Paver Sodewalk 6' to 10' with 4" Crush Rick Base 1" Fine Base around entire Bulkhead, and 6" x 6" Ribbon Curb 3000 PSI with Fiber . \$60,000.00

2'x2'x2' Concrete Tie Back with ¾ (316 Stainless Steel) all thread rod & nut, 6"x6" Steel Plate. The quantity will be Field Measured. 40x340.00 = \$13,600.00

Remove, replace, and Install new 4' High Green Vinyl Fence with one 4" Gate \$17,000.00

Soil & Concrete Testing \$2,500.00

**Total \$ 194,900.00**

**\* Project will take 90 days to complete. From the time we receive the Notice to Proceed to Final Completion.**

City of

Jacksonville Beach

O&M Facility

1460A Shetter Avenue

Jacksonville Beach

FL 32250

Phone: 904.247.6228

Fax: 904.270.1639

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)



**TO:** George D. Forbes  
City Manager

**FROM:** Diana Pratt  
Property Management Supervisor

**DATE:** October 4, 2013

**RE:** **Industrial Park Lease for Miranda Contracting**

---

**ACTION REQUESTED:**

City Council approval of lease agreement for Miranda Contracting at the Jacksonville Beach Industrial Park.

**BACKGROUND:**

In the spring of 1998 the City staff made the necessary arrangements to operate the former City Yard as an Industrial Park. The property is leased to tenants that meet the area's zoning requirements, Industrial I-1.

Miranda Contracting is a contractor working on City of Jacksonville Beach projects such as the Water Main Replacement Project and Lift Station #1 Project. They are interested in leasing a parcel of land at the Industrial Park for the purpose of storing materials including PVC pipe, lime rock, concrete, precast manholes and associated fittings to be used for these projects. They will also have a temporary construction trailer on this site and construction equipment. The term of this Lease will be from November 1, 2013, until May 31, 2014, with an option to renew for an additional period of time if the project extends beyond the original completion date. The leased property is 7,575 square feet in area and leases for \$1.07 per sq. ft. per year. The monthly amount for leasing this property is \$675.44.

**RECOMMENDATION:**

Authorize the City Manager and Mayor to execute a lease agreement with Miranda Contracting to lease property at the Jacksonville Beach Industrial Park, as described in a memo from Diana Pratt, Property Management Supervisor, dated October 4, 2013.

# **MIRANDA CONTRACTING**

**October 1, 1013**

**Ms. Diana Pratt  
City of Jacksonville Beach  
11 North Third Street  
Jacksonville Beach, FL 32250**

**RE: Lease Property at 674 10<sup>th</sup> Street South**

**Dear Ms. Pratt:**

**Please accept this letter as intent to lease city property for approximately 6 months at the Industrial Park in Jacksonville Beach for the monthly sum of \$675.44.**

**Our company has a construction bid contract with the City of Jacksonville Beach for the Miscellaneous Water Main Replacement Project and Lift Station #1 Modification Project. We will need to store PVC pipe, concrete sewer manholes and associated materials, temporary construction trailer and equipment on this property.**

**We look forward to working with you on this lease.**

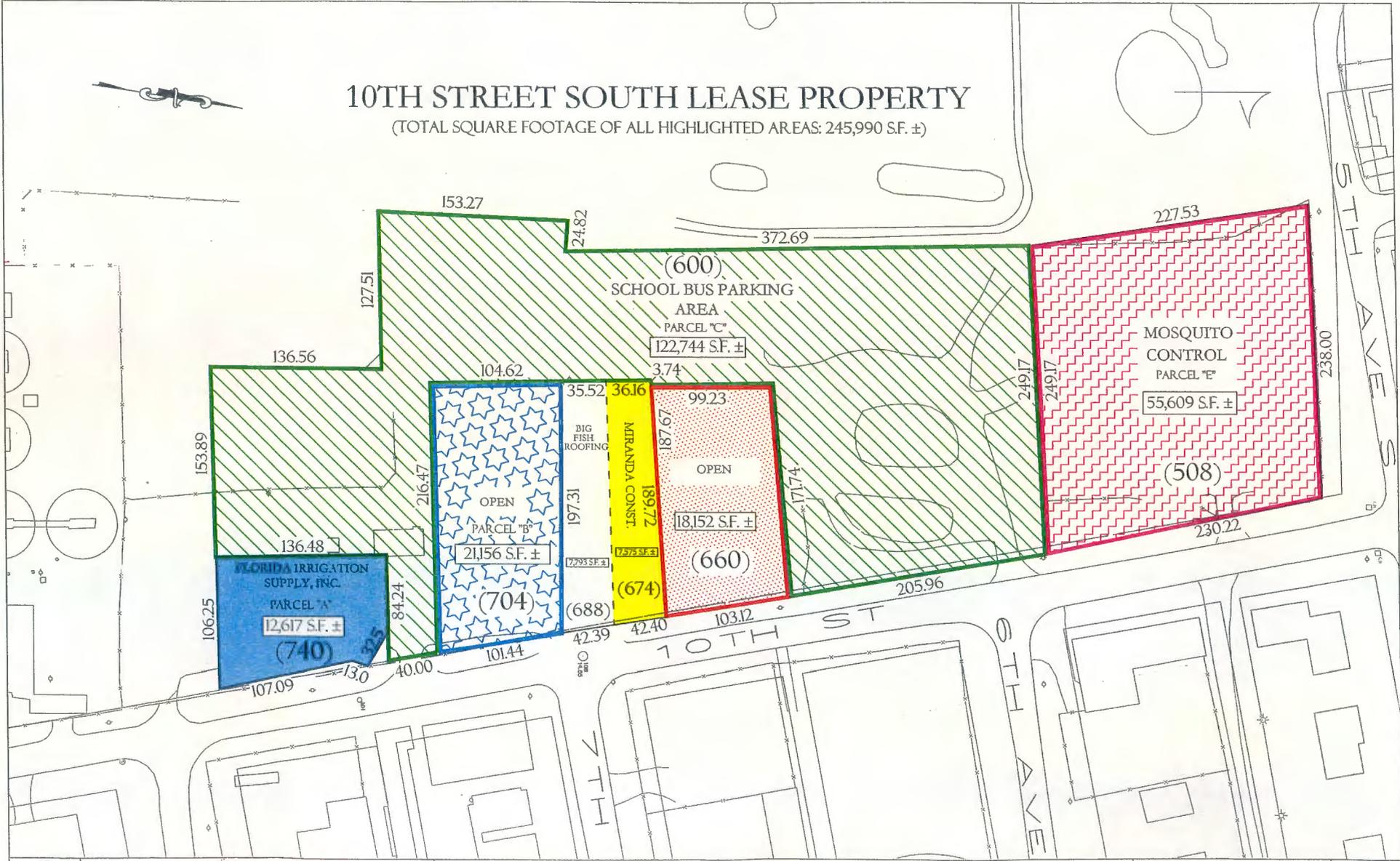
**Sincerely,**



**James A. Garrison, President  
Miranda Contracting**

# ATTACHMENT "A"

## 10TH STREET SOUTH LEASE PROPERTY (TOTAL SQUARE FOOTAGE OF ALL HIGHLIGHTED AREAS: 245,990 S.F. ±)



Z:\DRAWINGS\Drawings\04one Part\Property Management Map Revised 1-17-13.dwg, 10/2/2013 8:52:59 AM, MCH/Alisa MP 03007 PCL 6

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](http://www.jacksonvillebeach.org)

## **MEMORANDUM**

**To:** George D. Forbes, City Manager

**From:** Bill Mann, Senior Planner 

**Re:** Ordinance No. 2013-8033, amending the Planned Unit Development (PUD) Ordinance governing the South Beach Regional Shopping Center, to modify the approved PUD development plan to allow construction of an additional 12,066 s.f. of tenant space, and to allow a minor increase in wall signage for the Sandcastle building.

**Date:** September 25, 2013

---

### **ACTION REQUESTED:**

**Adoption of Ordinance No. 2013-8033**, amending Ordinance no. 7411, as amended, governing the South Beach Regional Shopping Center by modifying the approved Preliminary PUD Development Plan and Landscape Plan for the shopping center to:

- allow a 5,066 square foot tenant space expansion near the east end of the Sandcastle building,
- allow a new 7,000 square foot free-standing tenant building to be built west of the Sandcastle building, and
- allow 90 square feet of additional wall signage on the east end of the Sandcastle building. (Applicant – *Equity One, Inc.*, property owner)

### **BACKGROUND:**

The applicant has applied to amend the existing PUD ordinance governing the South Beach Regional Shopping Center to amend the preliminary PUD development plan, to increase the total square footage allowed within the PUD, and to allow for a 90 square foot increase in the allowable wall signage on the east (3rd Street) side of the Sandcastle center building. The proposed increases in square footage and wall signage are to accommodate a proposed new retail tenant in an expanded tenant space (a 5,066 s.f. addition to the tenant space



immediately west of the existing AT&T tenant space), and to allow the future development of a free-standing 7,000 s.f. commercial use building west of the Sandcastle building. The uses of the combined 12,066 s.f. of new space would be limited to the same uses approved for the overall PUD, including restaurant and retail uses. The applicant has not indicated a specific tenant for either space, but indicated that the initial phase would be to add on to the referenced Sandcastle building tenant space, and then a second phase would be to construct the freestanding 7,000 s.f. building. If this application is approved, the total permitted building area allowed within the PUD would be 315,285 s.f.

Staff has reviewed the application for consistency with relevant Comprehensive Plan and Land Development Code (LDC) regulations. The Comprehensive Plan Future Land Use Map designation of the shopping center is South Beach District, reflective of it being located in the city's Southend Redevelopment Area. The requested commercial additions are consistent with the Southend Community Redevelopment Plan's designation of the subject property for commercial use. Parking within the center will remain consistent with the LDC minimum requirement for shopping centers of one space per 250 s.f. Open space will remain in excess of the required minimum 20%.

In terms of concurrency, a traffic study was required for this application, pursuant to Ordinance No. 2006-7915. Staff secured the services of *Prosser Hallock, Inc.* to perform the study. The study has yielded that the adjacent roads will not exceed their maximum service volumes due to traffic generated by the proposed additions to the existing center. Adequate water supply and sewer treatment capacity are available for the proposed use, and the additional impervious area from the expansion would be handled by the shopping center's existing stormwater management system.

Finally, concerning signage, given the fact that the Sandcastle building is set back over 300' from 3rd Street, the request by the applicant for a minor increase in wall signage along the 3rd Street side of the Sandcastle building is not unreasonable.

The Planning Commission conducted a public hearing on this application on September 23, 2013 and voted unanimously to recommend its approval by City Council, with the condition that the referenced tenant expansion of the Sandcastle Building be completed substantially as shown on the "Sandcastle Building –Schematic Elevations" drawing dated September 19, 2013. This recommended condition has been incorporated into the attached ordinance.

**RECOMMENDATION:**

Adopt Ordinance No. 2013-8033, amending Ordinance No. 7411, as amended, governing South Beach Regional Shopping Center to allow construction of a total of 12,066 square feet of new tenant space, and to allow an additional 90 square feet of wall signage on the east face of the Sandcastle building.

Introduced by: \_\_\_\_\_  
1<sup>st</sup> Reading: \_\_\_\_\_  
2<sup>nd</sup> Reading: \_\_\_\_\_

**ORDINANCE NO. 2013-8033**

**AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NO. 7411, AS AMENDED, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND PLAN FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER 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 City Council approved the rezoning of certain lands in the City from *Residential, single family: RS-1 to Planned Unit Development: PUD* on April 24, 1989, establishing the South Beach Regional Shopping Center; pursuant to Ordinance No. 7411, as amended by Ordinance No. 7436, Ordinance No. 95-7635, Ordinance No. 2006-7928, and Ordinance No. 2009-7972; and

**WHEREAS**, Equity One, Inc., the owner of the property so rezoned has made application to amend PUD Ordinance No. 7411, as amended, to authorize a minor expansion of the South Beach Regional Shopping Center and to amend the approved preliminary PUD Development Plan for the shopping center; and

**WHEREAS**, such proposed expansion will require an amendment to the PUD project narrative, and to the Preliminary Development Plan and Landscape Plan approved as part of the PUD; and

**WHEREAS**, the City Council has considered the application, all relevant support materials, the staff report, the recommendation of the Planning Commission, and public testimony given at the public hearings.

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

**SECTION 1.** The City Council has considered the adoption of this ordinance based on one or more of the factors listed Section 34-211(c) of the Land Development Code and hereby finds that this amendment will not result in an adverse change in the community in which it is located.

**SECTION 2.** The City Council further finds that the Overall Site Plan referenced in Sections 3 and 4 below and attached hereto and made a part hereof as Exhibit A, complies with the standards set forth in Section 34-348(j)(3) of the Land Development Code.

**SECTION 3.** That Section 1, Paragraph A, of the Ordinance No. 7411, as amended, be and the same is hereby further amended and shall henceforth read as follows:

- A. The preliminary development plan labeled "South Beach Regional, Jacksonville Beach, Florida, for the Sofran Company" prepared by Verney Architects and dated March 21, 1988 as amended and revised through November 28, 1988, and amended by Site Plan sheet FL-513u, dated 9-8-06, by the Site Geometry Plan sheet prepared by Skiles, Davis & Baker, P.A. and dated April 17, 2009, and as further amended by the plan titled "Overall Site Plan, Sheet C-1," prepared by Envision Design and Engineering and dated August 9, 2013, attached hereto and made a part hereof as Exhibit A, is hereby adopted and made a part of this supplement to the Comprehensive Zoning Regulations and Plan.

**SECTION 4.** That Section 1, Paragraph C of Ordinance No. 7411, as amended, be and the same is hereby further amended and shall henceforth read as follows:

- C. The preliminary project landscaping plan prepared by Prosser, Hallock, and Kristoff dated February, 1989, entitled "South Beach Regional Shopping Center for the Sofran Group, Landscape Set," as amended through August 3, 2009, is hereby further amended by the reconfiguration of the parking lot, landscape areas and parking islands within the Sandcastle parcel of the shopping center as shown on Exhibit A, and is made a part of this supplement to the Comprehensive Zoning Regulations and Plan. Landscaping shall be provided within modified landscape areas and parking islands in accordance with Land Development Code Article VIII, Division 3 standards.

**SECTION 5.** That Section 1 of Ordinance No. 7411, as amended, be and the same is hereby further amended by adding a new Paragraph F, which shall read as follows:

- F. The following additional conditions shall apply to the South Beach Regional Shopping Center PUD:
  - 1. The building elevation sheet titled, "Sandcastle Building – Schematic Elevations, September 19, 2013," prepared by Wakefield Beasley & Associates and attached hereto as Exhibit B, shall be incorporated by reference into this PUD amendment.
  - 2. Notwithstanding Land Development Code Section 34-453 (6) g., wall signage on the east faces of the Sandcastle building shall not exceed 150 square feet in total.

**SECTION 6.** All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may in conflict, hereby repealed.

**SECTION 7.** This ordinance shall take effect upon its adoption and recordation with the Clerk of Circuit Court, Duval County, Florida.

**AUTHENTICATED THIS** \_\_\_\_\_ **day of** \_\_\_\_\_, **2013.**

\_\_\_\_\_  
William C. Latham, MAYOR

\_\_\_\_\_  
Judy Bullock, CITY CLERK

**Building Area Calculations**

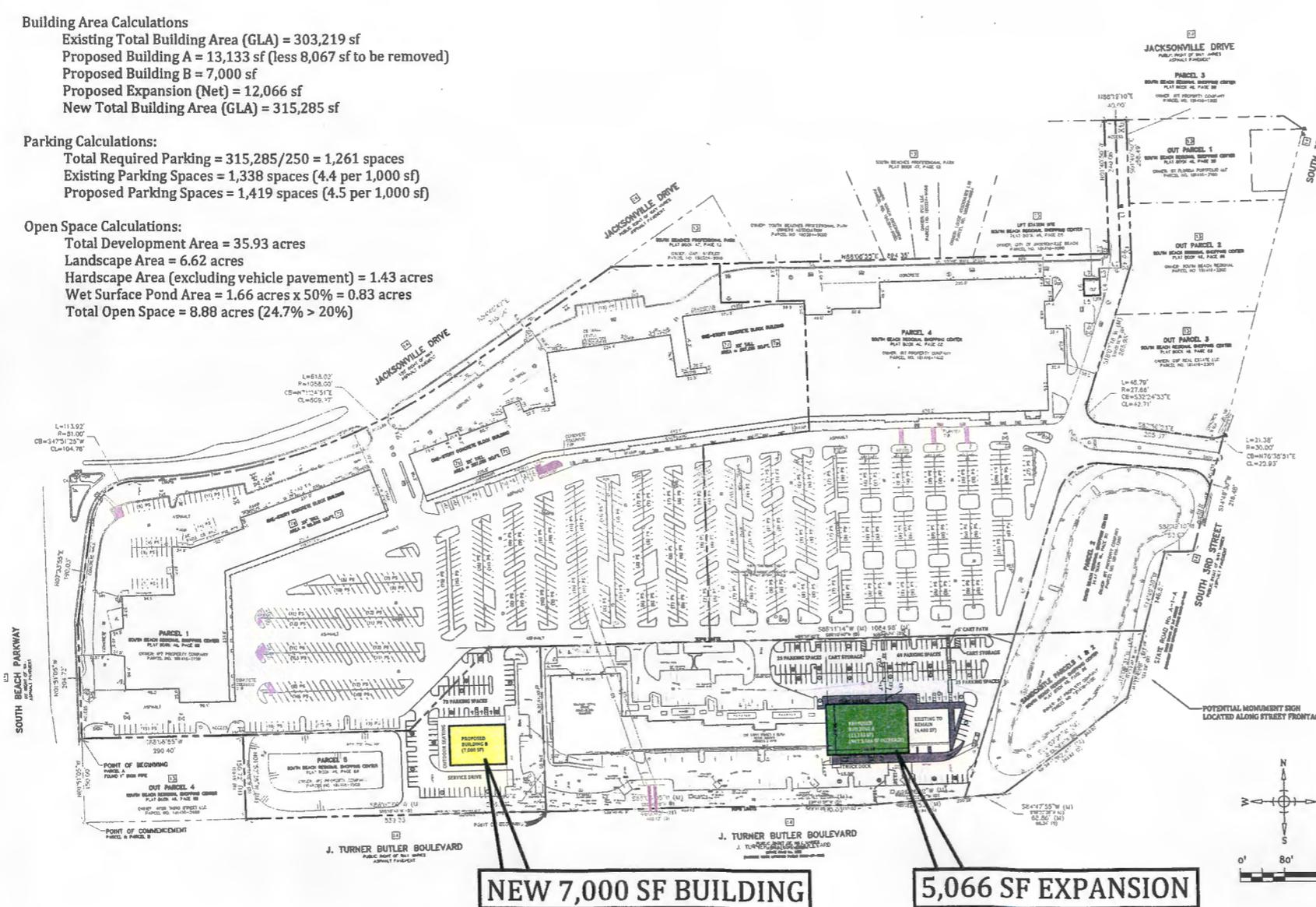
Existing Total Building Area (GLA) = 303,219 sf  
 Proposed Building A = 13,133 sf (less 8,067 sf to be removed)  
 Proposed Building B = 7,000 sf  
 Proposed Expansion (Net) = 12,066 sf  
 New Total Building Area (GLA) = 315,285 sf

**Parking Calculations:**

Total Required Parking = 315,285/250 = 1,261 spaces  
 Existing Parking Spaces = 1,338 spaces (4.4 per 1,000 sf)  
 Proposed Parking Spaces = 1,419 spaces (4.5 per 1,000 sf)

**Open Space Calculations:**

Total Development Area = 35.93 acres  
 Landscape Area = 6.62 acres  
 Hardscape Area (excluding vehicle pavement) = 1.43 acres  
 Wet Surface Pond Area = 1.66 acres x 50% = 0.83 acres  
 Total Open Space = 8.88 acres (24.7% > 20%)



2002 Ben Marco Development, Suite 202  
 Jacksonville, Florida 32207  
 www.benmarco.com  
 904-881-1516  
 Copyright © 2013 Ben Marco Development, Inc. 2007  
 P. Reg. 11126



**South Beach  
 Regional Shopping Center**  
 Jacksonville Beach, Florida

August 9, 2013  
 Overall  
 Site  
 Plan  
 C-1



EAST ELEVATION

NOTES:

NEW SIGNAGE IS CONCEPTUAL AND IS SUBJECT TO THE CITY OF JACKSONVILLE BEACH SIGN CODE AND WILL REQUIRE A SEPARATE SUBMITTAL AND PERMIT APPLICATION PRIOR TO INSTALLATION OF THE SIGN.

PATIO SEATING AND LANDSCAPING ARE CONCEPTUAL IN NATURE, EXACT LOCATION AND QUANTITIES OF LANDSCAPE AND SEATING ELEMENTS TO BE DETERMINED. SUCH DESIGNS SHALL BE DEVELOPED BY THE SEPARATELY CONTRACTED LANDSCAPE ARCHITECT AND APPROVED BY THE CITY OF JACKSONVILLE BEACH.



PARTIAL NORTH ELEVATION (EAST END)

STOREFRONT BEYOND AT SMALL SHOPS IS NOT SHOWN



STOREFRONT BEYOND AT SMALL SHOPS IS NOT SHOWN

PARTIAL NORTH ELEVATION (WEST END - EXCLUDING STAPLES)

STOREFRONT BEYOND AT SMALL SHOPS IS NOT SHOWN

**WBA** ARCHITECTURE - INTERIORS - PLANNING

SANDCASTLE BUILDING - SCHEMATIC ELEVATIONS  
SEPTEMBER, 19, 2013

EQUITY ONE  
**SOUTH BEACH REGIONAL SHOPPING CENTER**  
JACKSONVILLE BEACH, FLORIDA

DRAWING

**A**

WAKEFIELD BEASLEY & ASSOCIATES ARCHITECTS, INC. - 206 PONTE VEDRA PARK DRIVE - PONTE VEDRA BEACH, FLORIDA 32082 - 904.245.8845 - WWW.WBASSOCIATES.COM

1304018

Exhibit B, Ord. No. 2013-8033

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

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## **MEMORANDUM**

**To:** George D. Forbes, City Manager

**From:** Bill Mann, Senior Planner 

**Re:** Ordinance No. 2013-8031, establishing a Planned Unit Development: PUD zoning district within the City, as provided under Chapter 34 of the Code of Ordinances of the City.

**Date:** September 19, 2013

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### **ACTION REQUESTED:**

**Adoption of Ordinance No. 2013-8031**, establishing a Planned Unit Development zoning district within the City, as provided under Chapter 34 of the Code of Ordinances of the City, to allow the development of a 59 lot single-family residential subdivision. (Applicant – Richmond American Homes of Florida, LP)

### **BACKGROUND:**

The applicant is under contract to purchase the subject property at the northwest corner of Butler Boulevard and South Beach Parkway. It is approximately 9.9 acres in area and is located in a *Residential, single family: RS-1* zoning district. It is currently platted as Blocks 3 and 7 and the easterly half of Block 11 of the *Ocean Terrace* subdivision, and contains 53 lots. The typical size of the existing platted lots is 50' x 125'. If the subject property were to be developed per its current plat, the lots would be served by southerly extensions of Tropical Terrace and Poinciana Boulevard connecting with Sanctuary Parkway. Both of these are paved streets north of Jacksonville Drive, serving the developed lots in Blocks 4, 8, and 12 of the same *Ocean Terrace* subdivision.

Staff met with the applicant's representatives in June of this year to explore the re-platting and development of the subject property into a new 59 lot subdivision. This meeting followed staff's meetings and discussions with a previous developer



earlier in the year with a similar, but higher density, plan for the property. That developer was ultimately unable to carry out that plan.

The applicant's representatives were instructed that in order to proceed with their proposed development, they would need to seek rezoning of the subject property, as the proposed lots did not meet minimum RS-1 lot dimensional standards. In addition, Policy LU.1.3.1 of the 2030 Comprehensive Plan states that land use proposals in the Southend Redevelopment District be carried out under Planned Unit Development zoning. This is the same process by which the nearby *Riptide*, *Ocean Cay*, and *Paradise Key* subdivisions had been originally approved for development.

The preliminary PUD Development Plan included in the application package shows a total of 59 residential lots and four open space tracts. Minimum lot size would be 45'x100' (4,500 square feet). The subdivision would also include new public streets and utilities installed by the developer, with street connections to South Beach Parkway, Jacksonville Drive, and Sanctuary Parkway. All of the horizontal improvements would be developed in a single phase. The following are the major elements from the PUD project narrative:

- Minimum floor area for each dwelling shall be 1,600 square feet, plus a one (1) car garage.
- Minimum yard requirements- The minimum yard requirements for all principal uses and structures shall be:

Front - Twenty (20) feet from garage face to right-of way line, fifteen (15) feet from house building face to right-of-way line, and twelve (12) feet from covered porch to right-of-way line. All yard areas shall be measured as prescribed by Land Development Code Sec. 34-391.

Side - Five (5) feet from any lot side boundary line or Open Space tract boundary line, provided that the combined side yards shall not equal less than ten (10) feet.

Rear- Ten (10) feet from any rear lot line or Open Space tract boundary line.

- Maximum building height – Thirty-five (35) feet, measured from the crown of the road in the middle of the lot to the midpoint between the ridge and fascia of the main roof structure for hip and gable roofs, or to the highest point of a flat roof deck, including any parapet or required safety handrail.
- Maximum lot coverage – Sixty-five (65) percent for residential lots. (35% in Tracts A, B, and C, and no improvements allowed in Tract D)
- Fencing – Maximum fence and wall height will be six (6) feet. Fencing for Tract D, as described in the Written Statement contained in Exhibit A, will be installed along the westerly boundary of Tract D prior to any construction activity on the subject property. The fence or wall installed along the South Beach Parkway frontage of the subject property will be installed within the designated 5' non-access easement shown on Exhibit B, with appropriate landscaping installed on the east side of the fence or wall. (Planning Commission recommendations)

Staff has reviewed the application and has found it consistent with relevant zoning and comprehensive plan regulations and policies for residential development. Gross density for the subdivision would be 6.03 units per acre. Adequate public facilities exist to serve the project, and the applicant has obtained a Concurrency Reservation Certificate for the proposed 59 homes (ref. CRC #13-100126). As requested by the Planning and Development Director, the main entrance to the subdivision will be from South Beach Parkway, aligning with the existing entry road to the South Beach Regional Shopping Center, and facilitating the City's signalization of that currently problematic three-way intersection.

PUD regulations stipulate a minimum 20% open space, but in light of accommodating staff's requests for a South Beach Parkway main entrance location, and a donation to the City of a 12' wide strip of the subject property along the west side of South Beach Parkway for a new turn lane addition, the applicant applied for and received a variance from the Board of Adjustment to reduce the amount of open space to 5% (ref. BOA # 12-100203). The applicant's plan was refined further after that variance was granted, and dedicated open space tracts totaling 9.2% will now be provided within the PUD.

The subject property is bounded by single family residential neighborhoods to the immediate west and to the north, across Jacksonville Drive. The proposed residential use of the subject property is consistent with those adjacent uses, and

represents consistent infill development of the subject property. The new neighborhood would also complement and support the existing South Beach shopping centers. The provision and location of the designated open space tracts within the PUD, especially the tract along the west side of the subject property (Tract D) serves to protect a significant stand of old growth live oaks in that area, minimizing impacts to that existing tree canopy. Finally, concessions on the applicant's part in the location of the PUD's main entry drive on South Beach Parkway and the donation of additional South Beach Parkway right-of-way to the City significantly enhance the efforts of the Community Redevelopment Agency related to enhancing the operational efficiency of that roadway south of Jacksonville Drive.

The Jacksonville Beach Planning Commission met on Monday, August 26, 2013 to consider this application. The Planning Commission also voted unanimously to recommend the approval of this rezoning by the City Council, with the above stated conditions related to perimeter fencing, and with the condition that the applicant bears the costs related to any required modifications to the City's stormwater system proposed to serve the project. These conditions have been incorporated into the attached ordinance.

If the ordinance is approved, the applicant will close on the subject property, commence with installation of the horizontal improvements (roads, utilities), and prepare and record the official re-plat of the subject property into the proposed 59 lots. The horizontal construction is proposed to be carried out in a single phase.

**RECOMMENDATION:**

1. Adopt Ordinance No. 2013-8031, establishing a Planned Unit Development: PUD zoning district, pursuant to Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach.
2. Approve the Findings of Fact for Ordinance No. 2013-8031, dated September 16, 2013.

## FINDINGS OF FACT - ORD. NO. 2013-8031

**SUBJECT:** Ordinance No. 2013-8031, rezoning Blocks 3, 7, and the east half of Block 11, *Ocean Terrace* Subdivision from *Residential, single-family: RS-1* to *Planned Unit Development: PUD*, to allow redevelopment of the subject properties into a 59 lot single-family residential subdivision.

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 September 16, 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. The applicant was issued Concurrency Reservation Certificate No. 13-100126 for 59 single-family homes on July 17, 2013.
2. The proposed use of the property by the applicant is consistent with surrounding development and will not negatively impact adjacent property values.
3. The proposed residential density for the subject property is consistent with Comprehensive Plan land development density standards.
4. Open space provision within the subject property is consistent with the minimum Land Development Code standards for PUD zoning districts, as modified by approved Variance Application BOA No.12-100203.
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.

Introduced by: \_\_\_\_\_  
1st Reading: September 16, 2013  
2nd Reading: \_\_\_\_\_

**ORDINANCE NO. 2013-8031**

**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 *Residential, single-family: RS-1* 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**

THE PROPERTY REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, Except the Easterly 5 feet of said lots, and Lots 16, 17, 18, 19, 20, 21, 22, and 23, in Block 3; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, and Lots 1 and 13, less and except any part of said lots in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 7; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and Lot 1, less and except any part of said lot in the Order of Taking filed in Case No.77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 11; OCEAN TERRACE, according to the plat thereof recorded in Plat Book 10, Page 2, of the Public Records of Duval County, Florida.

AND

Lots 13, 14, and 15, Block 3, of OCEAN TERRACE, according to the Plat thereof as recorded in Plat Book 10, Page 2 of the Public Records of Duval County, Florida. Excepting therefrom that portion of Lot 13, Block 3 of said OCEAN TERRACE, as shown in Order of Taking recorded in Book 4462, Page 612, and Final Judgment of Condemnation recorded in Book 4572, Page 461, of said public records of Duval County, Florida.

Heretofore zoned as *Residential single family: RS-1*, 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 PUD Rezoning application dated July 15, 2013, including project narrative titled "Written Statement," revised July 31, 2013, and preliminary PUD development plan titled, "PUD Master Plan", dated July 30, 2013, attached hereto as Exhibit A, is 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 plan, rezoning application and project narrative, and in accordance with the following:

1. The subject property shall contain a maximum of fifty-nine (59) single-family residential lots.
2. Minimum residential lot area shall be 4,500 square feet.
3. Minimum floor area for each dwelling shall be 1,600 square feet, plus a one (1) car garage.
4. Minimum yard requirements- The minimum yard requirements for all principal uses and structures shall be:
  - Front- Twenty (20) feet from garage face to right-of way line, fifteen (15) feet from house building face to right-of-way line, and twelve (12) feet from covered porch to right-of-way line. All yard areas shall be measured as prescribed by Land Development Code Sec. 34-391.

- Side- Five (5) feet from any lot side boundary line or Open Space tract boundary line, provided that the combined side yards shall not equal less than ten (10) feet.
  - Rear- Ten (10) feet from any rear lot line or Open Space tract boundary line.
5. Maximum building height – Thirty-five (35) feet, measured from the crown of the road in the middle of the lot to the midpoint between the ridge and fascia of the main roof structure for hip and gable roofs, or to the highest point of a flat roof deck, including any parapet or required safety handrail.
  6. Maximum lot coverage – Sixty-five (65) percent.
  7. Open Space – A minimum of 9.2% of the subject property shall be maintained as open space, as described in the Written Statement contained in Exhibit A.
  8. Fencing – Maximum fence and wall height shall be six(6) feet. Fencing for Tract D, as described in the Written Statement contained in Exhibit A, shall be installed along the westerly boundary of Tract D prior to any construction activity on the subject property. No other structures shall be permitted within Tract D. Fence or wall installed along the South Beach Parkway frontage of the subject property shall be installed within the designated 5' non-access easement shown on Exhibit B, with appropriate landscaping installed on the east side of said fence or wall.
  9. Signage - wall and ground signage within the PUD development shall be provided as described in the Written Statement contained in Exhibit A, and will otherwise conform to Land Development Code Article VIII, Division 4 sign standards.
  10. Stormwater – Any required modification(s) to the City's stormwater system proposed by the applicant to receive the stormwater generated from the subject property, as referenced in Paragraph II.O of the Written Statement contained in Exhibit A, shall be the sole responsibility of the applicant.
  11. Landscaping and tree protection - Landscaping within the PUD development shall conform to Land Development Code Article VIII, Division 3 standards.

**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. 24-13 AS/400# 13-100150

8/26/13 meeting

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: Perry Family Properties, LLC; Connell Eva Perry Badger Telephone: (904) 495-0400
Mailing Address: c/o Douglas N. Burnett and John L. Whiteman, St. Johns Law Group, 509 Anastasia Boulevard, St. Augustine, FL 32080 Fax: (904) 495-0506
E-Mail:

Applicant Name: Richmond American Homes of Florida, LP Telephone: (904) 541-2355
Mailing Address: Attn.: Keith Donnelly, 1560 Wells Road, Bldg. A, Suite 105, Orange Park, FL 32073 Fax:
E-Mail: Keith.Donnelly@mdch.com

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

Agent Name: T.R. Hainline, Jr. Telephone: (904) 346-5531
Mailing Address: Rogers Towers, P.A. Fax: (904) 396-0663
1301 Riverplace Blvd., Suite 1500, Jacksonville, FL 32207 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: Ocean Terrace Lots; See Exhibit A

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

Current Zoning Classification: RS-1 Future Land Use Map Designation: 1st Beach District

TEXT AMENDMENT DATA

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

PLANNING & DEVELOPMENT

Table with 2 columns: REQUESTED INFORMATION, Attached? (Yes/No). Rows include: 1. A copy of the relevant Duval County Property Assessment Map... 2. An 8 1/2" x 11" vicinity map... 3. An aerial photograph... 4. For a rezoning, include a narrative description... 5. For an LDC text amendment, include the current text...

Applicant Signature: [Signature] Date: 7/15/13

# ROGERS | TOWERS

ATTORNEYS AT LAW

T. R. HAINLINE, JR.

904.346.5531  
THainline@rtlaw.com

1301 Riverplace Boulevard • Suite 1500  
Jacksonville, Florida 32207

904.398.3911 Main  
904.396.0663 Fax  
www.rtlaw.com

July 15, 2013

**Via Hand Delivery**

Mr. William C. Mann, AICP  
Senior Planner  
Planning and Development Department  
City of Jacksonville Beach  
11 N. 3<sup>rd</sup> Street - City Hall  
Jacksonville Beach, FL 32250

**RECEIVED**

JUL 15 2013

**PLANNING & DEVELOPMENT**

**Re: Ocean Terrace  
Application for Rezoning/Text Amendment  
And Application to Close Right of Way/Easement  
Our File: R3390-61753**

Dear Mr. Mann:

Please find enclosed originals of the above-referenced Applications. The \$1,000.00 filing fee for the rezoning application and the \$350.00 filing fee for the closure application will also be hand delivered to you today, under separate cover. Please let us know if you need anything further in order to process these applications. Thank you.

Sincerely,



T.R. Hainline, Jr.

TRH:sja

cc: Keith Donnelly (via e-mail without enclosures)

Enclosures

## **Exhibit A**

### **Legal Description**

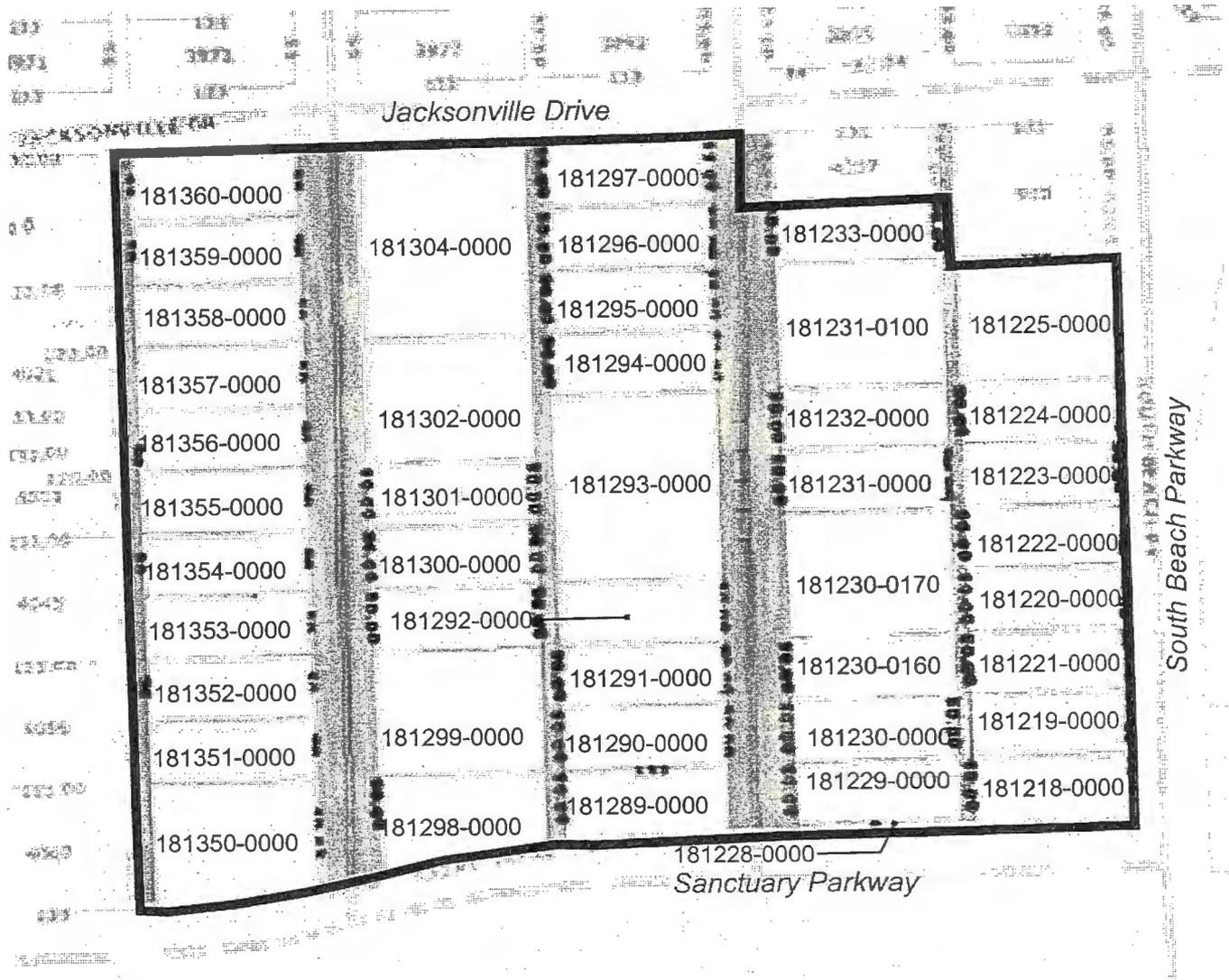
THE PROPERTY REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, Except the Easterly 5 feet of said lots, and Lots 16, 17, 18, 19, 20, 21, 22, and 23, in Block 3; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, and Lots 1 and 13, less and except any part of said lots in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, page 612, in Block 7; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and Lot 1, less and except any part of said lot in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 11; OCEAN TERRACE, according to the plat thereof recorded in Plat Book 10, page 2, of the Public Records of Duval County, Florida.

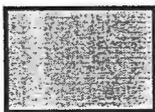
AND

Lots 13, 14, and 15, Block 3 of OCEAN TERRACE, according to the Plat thereof as recorded in Plat Book 10, Page(s) 2, of the Public Records of Duval County, Florida. Excepting therefrom that portion of Lot 13, Block 3, of said OCEAN TERRACE, as shown in Order of Taking recorded in Book 4462, page 612, and Final Judgment of Condemnation recorded in Book 4572, page 461, of said public records of Duval County, Florida

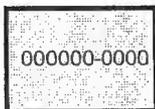




LEGEND



City of Jacksonville Beach Ownership  
 ROW - Alleys to be Closed



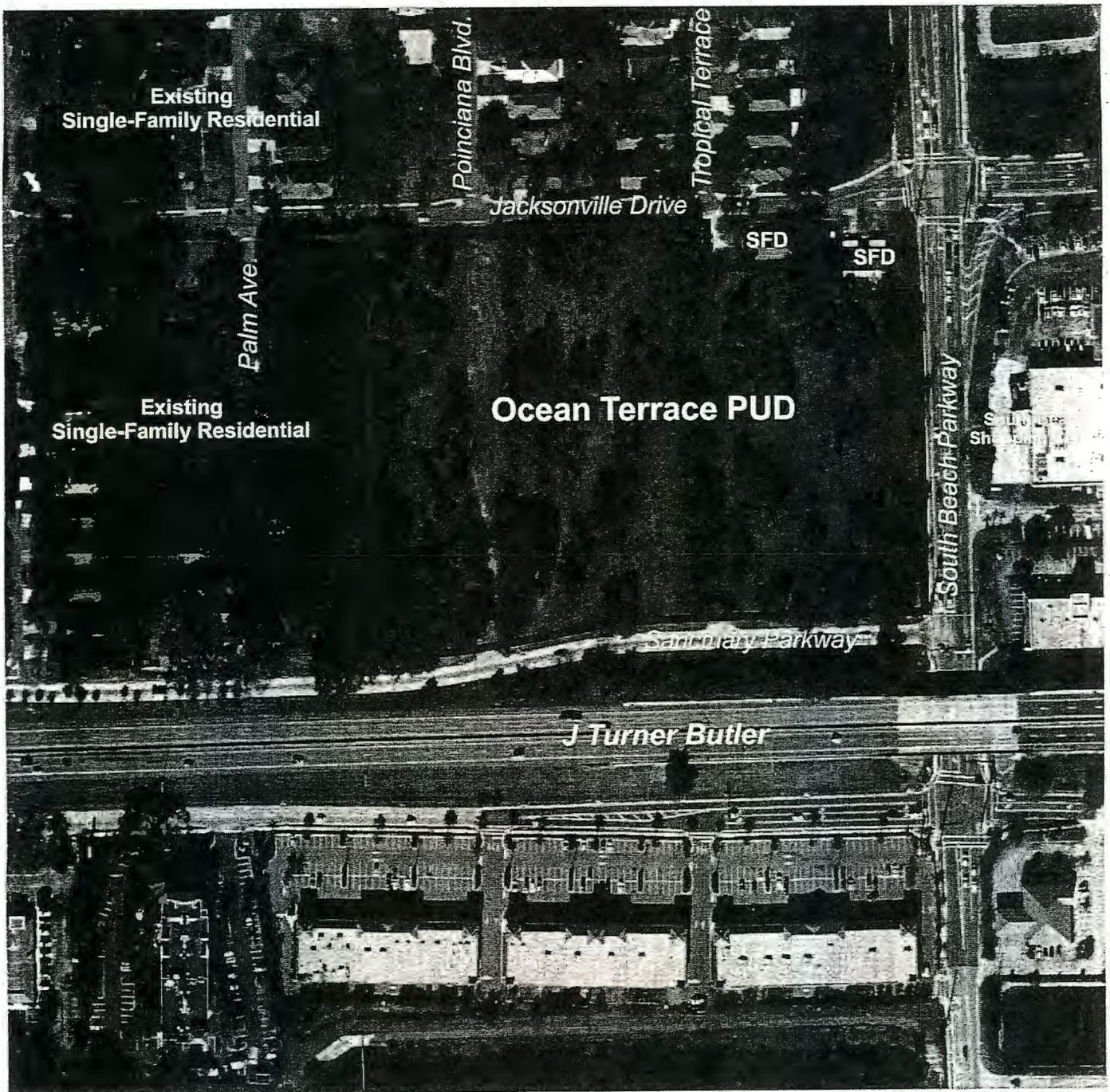
Applicant Ownership &  
 Tax ID Real Estate Number

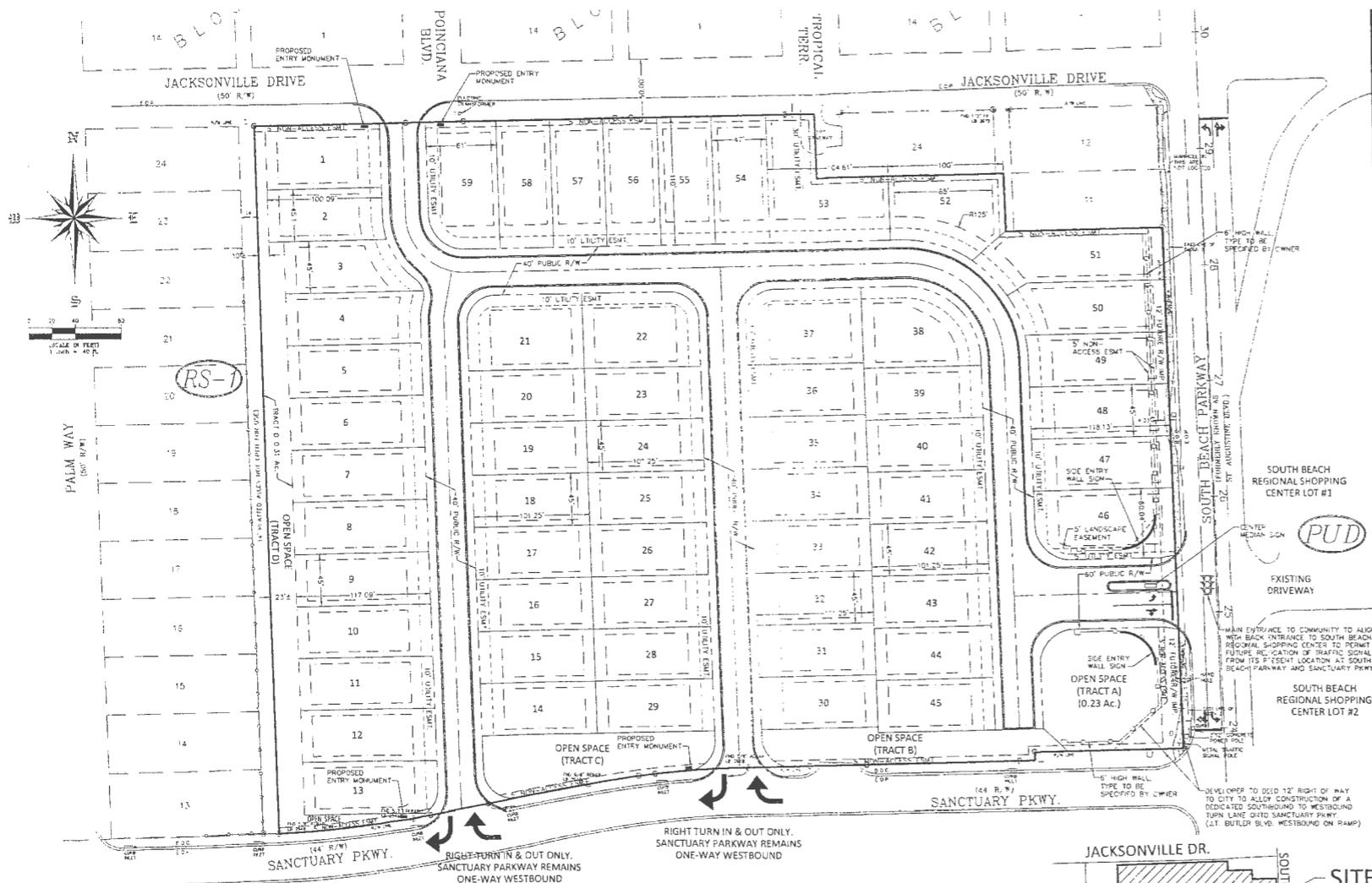
# OCEAN TERRACE

PUD Application

Aerial Map

Exhibit A -3

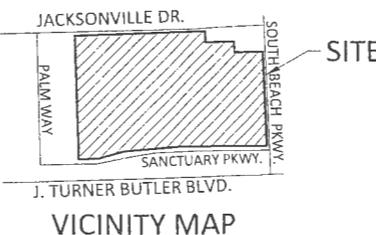




**SITE DATA TABLE**

TOTAL AREA:	9.78 Acres
RESIDENTIAL AREA:	6.86 Ac. (70.1%)
OPEN SPACE AREA:	0.90 Ac. (9.2%)
RIGHT-OF-WAY AREA:	2.02 Ac. (20.7%)
TOTAL UNITS:	59

**OCEAN TERRACE  
CONCEPTUAL SITE PLAN**



OCEAN TERRACE  
JACKSONVILLE BEACH, FL

PUD MASTER PLAN  
EXHIBIT 'B'

**INMAN ENGINEERING, P.A.**  
Civil Engineering Consulting  
Certificate of Authorization No. 29266  
P.O. Box 257980 • Jacksonville, FL 32225-0980  
www.inmanengineering.com  
904/452-8164

**EXH-5**  
IE PROJ. # 12-032  
7-30-2013

**Ocean Terrace PUD**  
**Exhibit C**

**Written Statement**  
**REVISED July 31, 2013**

**RE #: See Exhibit A-2**  
**Current Land Use Designation: South Beach District**  
**Current Zoning District: RS-1**  
**Proposed Zoning District: PUD**

**INTRODUCTION**

This Planned Unit Development (PUD) proposes the development of platted single family residential lots on approximately 9.78 acres located in the City of Jacksonville Beach and more particularly described in Exhibit "A" to this application (the "Property"). The Property lies west of South Beach Parkway, south of Jacksonville Drive, east of a platted alley immediately east of Palm Way, and north of Sanctuary Parkway. Currently, the Property is platted for 53 single family residential lots and associated rights-of-way and alleys. This PUD proposes a development consisting of 59 single family lots on the Property and associated rights-of-way, open space, and a park, all as further described below.

A Location Map, Ownership Map, and Aerial Map are attached hereto as Exhibits "A-1," "A-2," and "A-3," respectively.

The PUD Master Plan dated July 30, 2013, and attached hereto as Exhibit "B," shows the configuration of the single family residential lots, rights-of-way, and open space tracts.

The Applicant is Richmond American Homes of Florida, LP, 1560 Wells Road, Bldg A, Suite 105, Orange Park, FL 32073, 904-541-2355.

Applicant and Owner authorizations and consents are attached as Composite Exhibit "D."

The Agent for this application is Rogers Towers PA, 1301 Riverplace Boulevard, Suite 1500, Jacksonville, FL 32207, (904) 398-3911.

Other consultants for the Applicant include: Thomas Inman, P.E., Inman Engineering, P.A., P.O. Box 590980, Jacksonville, FL 32255, (904) 502-8144; John H. Moye, P.E., Waitz & Moye, Inc., 3738 Southside Blvd. Suite 101, Jacksonville, Florida 32216, (904) 642-8311; Brian Burke, B. Burke & Associates Inc., 1015 Atlantic Blvd. Suite 323, Atlantic Beach FL, 32233, (904) 270-0751.

Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	South Beach District	PUD	JTB, Retail Commercial
East	South Beach District	PUD	South Beach Parkway, Retail Commercial
North	South Beach District	RS-1	Residential
West	South Beach District	RS-1	Residential

**I. DESCRIPTION OF PERMITTED USES AND STRUCTURES**

**A. Single Family**

1. *Permitted uses and structures.*

- a. A maximum of fifty-nine (59) single family detached dwellings.
- b. Essential services, including required and necessary utilities, water, sewer, gas, communications, and electric, meeting the performance standards and development criteria set forth in Section II B below.
- c. Signage and fencing as provided in Sections II E and F below.
- d. Type I Home Occupations as defined and permitted pursuant to Section 34.399, City of Jacksonville Beach Land Development Regulations.

2. *Maximum gross density—6.03 units per acre.*

3. ***Single Family—45’ Lots: Minimum lot requirement (width and area), Lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for the Single Family use.***

- a. *Minimum lot requirements (width, area, and frontage).* The minimum lot requirements (width and area) for single family uses are:

Width: Forty-five (45) feet at the building line. As used in this Sub-section I.A.3.a., “building line” refers to the front yard line at the house building face as described in Sub-section I.A.3.c. below.

Area: 4,500 square feet.

Frontage: Twenty-five (25) feet at the dedicated right-of-way.

- b. *Maximum lot coverage.* Sixty-five percent (65%). Lot coverage shall mean the number determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches, and accessory structures, driveways, and paved, bricked, or wooden walkways, pool decks and patios, by the lot area.
  - c. *Minimum yard requirements.* The minimum yard requirements for all uses and structures are:
    - (1) Front— Twenty (20) feet from face of garage to back of right-of-way, fifteen (15) feet from house building face to back of right-of-way, and twelve (12) feet from covered porch to back of right-of-way. Whether from garage, house building face, or covered porch, the yard shall be measured as prescribed in Section 34-391, Jacksonville Beach Code of Ordinances.
    - (2) Side— Five (5) feet, provided that the combined side yards shall not be less than ten (10) feet.
    - (3) Rear—Ten (10) feet to the lot line or the boundary of the Open Space, whichever is applicable.
  - d. *Minimum floor area.* A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
  - e. *Maximum height of structure.* Thirty-five (35) feet.
4. *Patios.* Patios, including screened patios with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures shall be permitted for each unit and may be located within side or rear yards but shall not be located within five (5) feet of any property boundary.

**B. Open Space**

- 1. *Permitted uses and structures.*
  - a. Along western boundary of the Property (Tract D): landscaping; natural vegetation; vegetative screens or buffers; and fencing as described in Section II F below.
  - b. Along Sanctuary Parkway (Tracts A, B, and C): private parks, playgrounds, park structures, site furnishings, and other related recreational uses and facilities; landscaping; natural vegetation,

vegetative screens or buffers; fencing as described in Section II F below; walkways; site lighting and site furnishings; and community identification signs or monuments, directional signage, and temporary signage, as provided in Section II E below.

c. Essential services, including stormwater treatment and management facilities and required and necessary utilities meeting the performance standards and development criteria set forth in Section II B below.

2. *Minimum lot requirement (width and area).* None.
3. *Maximum lot coverage.* Thirty-five percent (35%).
4. *Minimum yard requirements.* Five (five) feet.
5. *Maximum height of structures.* Twenty (20) feet, except as noted in Sections II.E and F for signage and fencing, respectively.

## II. PUD DEVELOPMENT CRITERIA

### A. Accessory Uses and Structures

1. Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal building.
2. Accessory uses and structures in a residential district shall be non-commercial in nature and may include guesthouses, private garages and private shelters, gazebos, cabanas, tool and garden sheds, garden work centers, vegetable garden, non-commercial greenhouses, children's play areas and play equipment, doghouses, private barbecue pits, and swimming pools.
3. Accessory uses shall not be located in required front or side yards except as follows:
  - a. Detached accessory structures such as carports, covered parking, or garages which are separated from the main structure may be located in a required side or rear yard. A structure of a maximum fifteen (15) feet in height shall be located not less than five (5) feet from the side and rear lot lines.
  - b. Air conditioning compressors or other equipment designed to serve

the main structure may be located in a required yard and may be located not less than three (3) feet to any property line.

- c. Swimming pools and associated screened enclosures and decks may be located in a required rear or side yard but may not be located less than five (5) feet from the property line or top of the bank of a pond, whichever is applicable.

**B. Additional Performance Standards**

Additional performance standards for those uses identified shall be as follows:

1. Essential services (utility systems) shall be allowed as a permitted use subject to the following conditions:
  - a. Central water systems, sewerage systems, utility lines, stormwater treatment and management, and easements shall be provided in accordance with the appropriate sections of the City of Jacksonville Beach Land Development Regulations.
  - b. Water pipelines shall be of sufficient size, looped, and located appropriately to provide adequate fire protection for all structures in the development.

**C. Open Space and Recreation**

1. Four Open Space areas, Tracts A, B, C, and D as shown on the PUD Master Plan, shall be provided, with the permitted uses as described in Section I.B. above. Any park and recreational uses, structures, furnishings, equipment, and any signage permitted in Tracts A, B, and C shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat. Any landscaping, vegetative screens, buffers, or fencing permitted in Tracts A, B, C, and D also shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat.
2. Pursuant to a variance approved by the Board of Adjustment of the City of Jacksonville Beach on March 5, 2013 (BOA #12-100203), the Applicant shall provide a minimum of five percent (5%) gross land area for common recreation and open space. As shown on the PUD Master Plan, taking into account the Open Space tracts, the Applicant has provided a gross area of approximately 0.90 acre, or 9.2 percent of gross area, for common recreation and open space.

**D. Access**

1. Primary access to the PUD shall be located at South Beach Parkway as shown on the PUD Master Plan. The access shall align with the rear entrance to the retail commercial use located across South Beach Parkway to the east. The access may include a landscaped median (with entrance signage, fencing, and landscaping).
2. A secondary access shall be located on Jacksonville Drive as shown on the PUD Master Plan.
3. Right-in, right-out secondary accesses also shall be provided along Sanctuary Parkway as shown on the PUD Master Plan.
4. With the exception of the above identified access points, a non-access easement shall be provided along all remaining PUD frontage along South Beach Parkway, Jacksonville Drive, and Sanctuary Parkway.
5. On the final plat, the Applicant shall dedicate twelve (12) feet of right-of-way along South Beach Parkway and a triangle parcel at South Beach Parkway and Sanctuary Parkway as shown on the PUD Master Plan to permit the City of Jacksonville Beach to construct a dedicated southbound to westbound turn lane onto Sanctuary Parkway.
6. Internal streets shall be configured as shown on the PUD Master Plan. Internal rights-of-way shall be forty (40) feet, except at the entrance at South Beach Parkway where the right-of-way width for the internal access road shall be sixty (60) feet. In all other respects, the streets shall be built to the standards set forth in Chapter 34, Article IX, Jacksonville Beach Code of Ordinances.
7. Contemporaneous with this rezoning to PUD, the Applicant is seeking closure of the existing streets and alleys on the Property (not including the alley outside and adjacent to the western boundary of the Property). Accordingly, this PUD shall not become effective until the street and alley closings are approved by the City of Jacksonville Beach. Thereafter, consistent with this PUD, the Applicant will seek platting and dedication of the rights-of-way shown on the PUD Master Plan.

**E. Signage**

1. Proposed signage locations are shown on the PUD Master Plan.
2. The primary project identification signage will be located on South Beach Parkway as shown on the PUD Master Plan and may consist of either (i) a single monument sign to be located within median of the entrance road with a maximum height of six (6') feet and two (2)- maximum twenty-four (24) square foot sign faces, or (ii) two (2) wall signs on project entry walls

with maximum height of six (6') feet and a maximum twenty-four (24) square foot sign face each.

3. Proposed entry monument signs for project identification along Sanctuary Parkway and Jacksonville Drive shall be a maximum fifteen (15) square feet in area and six (6) feet in height.
4. Except as otherwise provided herein, sign standards as provided in Chapter 34, Article VIII, Division 4, Jacksonville Beach Code of Ordinances, shall apply.

**F. Fencing.**

1. Fencing will be provided along South Beach Parkway as shown on the PUD Master Plan and will be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
2. Fencing is permitted within the non-access easements along Jacksonville Drive and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
3. Fencing is permitted within the Open Space areas along Sanctuary Parkway (Tracts A, B and C) and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
4. Fencing will be provided within the Open Space area along the western boundary of the Property (Tract D) and will be minimum seventy percent (70%) opaque and a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.

**G. Construction offices/model homes/real estate sales.**

On-site, temporary construction offices/model homes/sales offices will be permitted until the PUD is built out. Real estate sales activities are permitted within model homes. Associated parking for sales activities is permitted adjacent to model homes.

**H. Reverter**

Should Richmond American Homes of Florida, LP, or an affiliated entity thereof not acquire title to the Property within one year of the date of the recordation of the ordinance approving this PUD, this PUD shall automatically become null and void and the zoning of the Property shall automatically revert to RS-1.

**I. Silviculture Uses May Continue.**

Silviculture operations are a permitted use in this PUD and may continue at this site until build-out.

**J. Adequate Public Facilities**

The applicant has applied for a concurrency certificate for the proposed development (Application # 13-100126), and has been informed that the application has been approved and is awaiting signature. (See Exhibit "E.")

**K. Supplemental Standards**

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

**L. Landscaping**

Site clearing and landscape standards as provided in Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, shall apply.

**M. Parking**

Parking shall be provided pursuant to the provisions in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances.

**N. Natural Gas**

The Applicant will consider the use of natural gas for homes within the development, where practical and cost effective. If natural gas is provided, the Applicant will install the necessary gas infrastructure within the development.

**O. Environmental Standards**

The Environmental Standards provided in Chapter 34, Article VIII, Division 5, Jacksonville Beach Code of Ordinances shall apply, except that the Applicant shall provide the following improvements pursuant to Section 34-466(e)(3), Jacksonville Beach Code of Ordinance:

The existing City of Jacksonville Beach Stormwater retention facility for South Beach Parkway originally was designed to accommodate a 33.93 acre drainage basin. As shown on the map attached hereto as Exhibit "F," over the years, developments along South Beach Parkway have removed approximately fourteen (14) acres from the basin, leaving excess storage capacity in the pond. Approximately nine (9) acres of the Property are included in the pond's basin, with an additional one (1) acre draining to Sanctuary Parkway. The development proposed in this PUD will increase the percentage of impervious area directed to the pond; however, the pond's control structure will be modified to reduce the discharge rate to less than the current rate. Other necessary improvements and

repairs to the pond, as determined during the design and permitting phase, shall be included in the construction plans. Additionally, the rate of discharge to Sanctuary Parkway will be reduced. The stormwater management system will be designed and permitted to meet or exceed all applicable regulatory requirements.

**P. Development Schedule**

Currently, the applicant proposes to construct the horizontal improvements for the proposed PUD in one phase.

# Agent Authorization/Consent

Date: 7/2/13

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

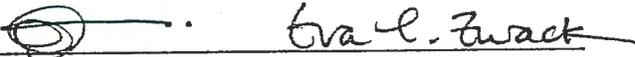
Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

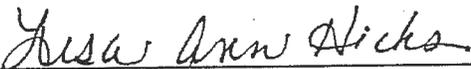
You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization 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.

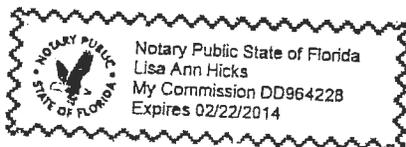
PERRY FAMILY PROPERTIES, LLC

By:   
Its: managing member

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2<sup>nd</sup> day of July, 2013 by Eva Zwack, who is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Signature)



# Agent Authorization/Consent

Date: July 2, 2013

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

Re: Agent Authorization for the following site location:

Ocean Terrace

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.

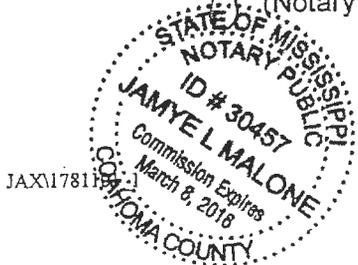
CONNELL EVA PERRY BADGER

By: Eva Perry Badger Connell  
Its: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2nd day of July, 2013 by Eva Perry Badger Connell, who is personally known to me or has produced \_\_\_\_\_ as identification.

J. Malone  
(Notary Signature)



JAX17811

# Agent Authorization/Consent

Date: 7/11/2013

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

Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

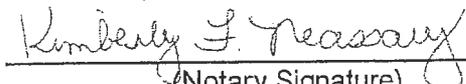
You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization 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.

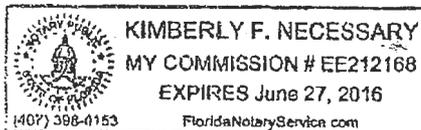
RICHMOND AMERICAN HOMES OF FLORIDA, LP

  
By: Doug Moran  
Its: Division President

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11 day of July, 2013 by Doug Moran, who is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Signature)





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

June 20, 2013

Thomas Inman, P.E.  
 Inman Engineering, P.A.  
 P.O. Box 550980  
 Jacksonville, FL 32255-0980

RE: Public Facilities Reservation Certificate Application – *Ocean Terrace* PUD

Dear Mr. Inman,

This letter is to inform you that Public Facilities Reservation Certificate application No. 13-100126, received on June 10, 2013, has been found to be sufficient in content and is now under review by the Planning and Development Department, pursuant to Section 34-563 of the Jacksonville Beach Land Development Code.

You will be contacted again when the review of the application is complete. If you have any questions, or if I can be of any further assistance, please contact our office at 247-6231, or via email at [planning@jaxbchfl.net](mailto:planning@jaxbchfl.net).

Sincerely,

Chandra M. Tolman  
 Permit Specialist

C: CRC App. 13-100126 file





**LEGEND**

-  AREA REMOVED FROM DRAINAGE BASIN  
(± 14 ACRES)
  -  AREA TO BE DEVELOPED AND CONTINUE  
TO THE DRAINAGE BASIN (± 9 ACRES)
  -  AREA TO REMAIN DIRECTED TO  
SANCTUARY PARKWAY (± 1 ACRE)
- TOTAL BASIN 33.93 ACRES

7/05/2013 8:05:59 AM J:\2013-07\Map\Aerial\Map\2013.DWG

**WM WAITZ & MOYE**  
 3738 Southside Boulevard, Suite 101  
 Jacksonville, Florida 32216 • wmlca.com  
 Phone: 904.642.8311 • Fax: 904.642.8336

**DRAINAGE MAP**

Ocean Terrace Drainage Improvements

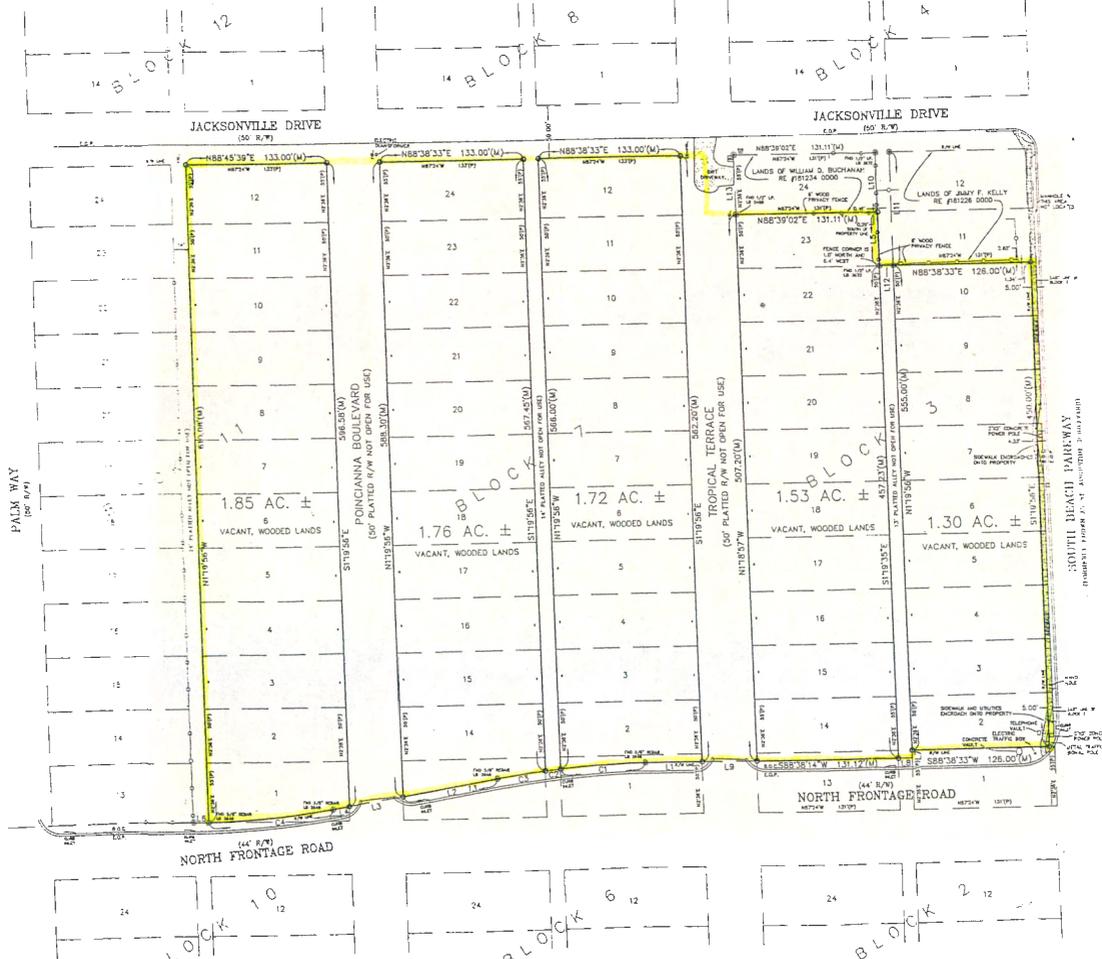
SCALE: N.T.S.

DATE: July 2013

survey

# BOUNDARY SURVEY

OF PART OF BLOCKS 3, 7, AND 11 OF OCEAN TERRACE AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND LYING IN SECTION 9, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA.



**LEGAL DESCRIPTION (PREPARED BY SURVEYOR)**

THE FOLLOWING LOTS AND PARTIAL LOTS, ALL IN OCEAN TERRACE AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 2 THROUGH 10, INCLUSIVE, OF BLOCK 3.  
LESS AND EXCEPT THE EASTERLY FIVE FEET THEREOF.

70.47' PART OF LOT 13, BLOCK 3 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.

LOTS 14 THROUGH 23, INCLUSIVE, OF BLOCK 3.

70.47' PART OF LOT 13, BLOCK 7 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.

LOTS 2 THROUGH 12, INCLUSIVE, OF BLOCK 7.

THAT PART OF LOT 13, BLOCK 7 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.

LOTS 14 THROUGH 24, INCLUSIVE, OF BLOCK 7.

THAT PART OF LOT 11, BLOCK 11 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.

LOTS 2 THROUGH 12, INCLUSIVE, OF BLOCK 11.

240 LANDS SITUATED LYING AND BEING IN SECTION 9, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY FLORIDA.

**GENERAL NOTES:**

- BEARINGS ARE BASED ON THE WESTERN BOUNDARY OF BLOCK 11 OF OCEAN TERRACE AS BEING S00°32'53"E.
- THE LANDS SHOWN HEREON AS WITHIN "FLOOD ZONE" AS DESCRIBED ON THE FLOOD HAZARD RISK MAP (FIRM) LOCATED AT THE COUNTY ENGINEER'S OFFICE, JACKSONVILLE, FLORIDA, ARE SHOWN FOR INFORMATION ONLY. THE FLOOD ZONE SHOWN ON THE FIRM IS A GENERAL INDICATION OF FLOODING AND IS NOT A GUARANTEE OF FLOODING. THE DATE OF THIS SURVEY THERE MAY HAVE BEEN SUBSEQUENT REVISIONS AFTER THIS DATE THAT WILL SUPERSEDE THIS INFORMATION. REVISIONS SHOULD BE MADE TO THE COMMUNITY FLOOD RISK MANAGEMENT FLOOD ZONE, DETAILED PLAN OF PUBLIC WORKS DUVAL COUNTY.
- NO ENCUMBRANCES OR EASEMENTS OR OTHERS ARE SHOWN ON THIS MAP OTHER THAN THOSE SHOWN HERE LOCATED UNDER THE "NOTES" OF THIS SURVEY.
- NO ENCUMBRANCES OR EASEMENTS OR OTHERS ARE SHOWN ON THIS MAP UNLESS SPECIFICALLY NOTED AND IS NOT AUTHORIZED BY THE SURVEYOR.
- THE BEARING IS INTENDED TO BE USED AT A SCALE OF 1"=50' OR SMALLER.
- BUILDING AND IMPROVEMENTS ARE SHOWN AS DESCRIBED HEREON ARE PERPENDICULAR TO THE PARCEL BOUNDARIES. ALL DIMENSIONS ARE SHOWN TO THE FOUNDATION.
- THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO CERTIFICATION HAS BEEN OBTAINED. THESE RESULTS ARE NOT TO BE USED IN ANY SUBSEQUENT TRANSACTIONS OR FOR ANY OTHER PURPOSES. ANY COPIES OF THIS SURVEY THAT ARE USED IN ANY SUBSEQUENT TRANSACTIONS SHALL BE NULL AND VOID IF THEY DO NOT BEAR THE UNDERSIGNED SURVEYOR'S SEAL AND SIGNATURE. THE USE OF SUCH COPIES IN ANY SUBSEQUENT TRANSACTION SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OF ANY SUBSEQUENT TRANSACTIONS AND IS ONLY VALID UP TO 60 DAYS AFTER THE DATE OF THIS SURVEY.
- ENCUMBRANCES ARE NOT SHOWN ON THIS MAP UNLESS SPECIFICALLY NOTED.
- THIS SURVEY IS FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE. ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
- THIS SURVEY HAS NOT BEEN DESIGNED OR DONE BY ANY MEANS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LIMITS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS OR APPROVALS FROM ANY AGENCY BEFORE CONSTRUCTION OF OTHER ENTITY AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE SURVEYOR.
- UNLESS A COMPARISON IS MADE, MEASURED BEARINGS AND DISTANCES ARE IDENTICAL WITH FURNISHED DESCRIPTIONS.
- THIS SURVEY IS BASED ON INFORMATION AS PROVIDED BY THE CLIENT.
- SOME OF THE PLATTED STREETS AND ALLEYS SHOWN HEREON ARE NOT OPEN FOR USE, BUT MAY NOT BE OFFICIALLY CLOSED. NO INFORMATION REGARDING THEIR CLOSURE WAS PROVIDED TO THIS SURVEYOR.

COMBINED TOTAL ACRES = 8.16 AC ±  
THIS TOTAL DOES NOT INCLUDE THE EASEMENTS AND ALLEYS THAT ARE NOT OPEN FOR USE. SEE NOTE #4.

LINE	DESCRIPTION	LENGTH	BEARING
1001	5/8" REBAR	1.00	S00°00'00"E
1002	1/2" IRON PIPE	1.00	S00°00'00"E
1003	1/2" IRON PIPE	1.00	S00°00'00"E
1004	1/2" IRON PIPE	1.00	S00°00'00"E
1005	1/2" IRON PIPE	1.00	S00°00'00"E
1006	1/2" IRON PIPE	1.00	S00°00'00"E
1007	1/2" IRON PIPE	1.00	S00°00'00"E
1008	1/2" IRON PIPE	1.00	S00°00'00"E
1009	1/2" IRON PIPE	1.00	S00°00'00"E
1010	1/2" IRON PIPE	1.00	S00°00'00"E
1011	1/2" IRON PIPE	1.00	S00°00'00"E
1012	1/2" IRON PIPE	1.00	S00°00'00"E
1013	1/2" IRON PIPE	1.00	S00°00'00"E
1014	1/2" IRON PIPE	1.00	S00°00'00"E
1015	1/2" IRON PIPE	1.00	S00°00'00"E
1016	1/2" IRON PIPE	1.00	S00°00'00"E
1017	1/2" IRON PIPE	1.00	S00°00'00"E
1018	1/2" IRON PIPE	1.00	S00°00'00"E
1019	1/2" IRON PIPE	1.00	S00°00'00"E
1020	1/2" IRON PIPE	1.00	S00°00'00"E

CURVE	LENGTH	ANGLE	CHORD	BEARING	AREA
1001	1.00	90°	1.00	S00°00'00"E	0.00
1002	1.00	90°	1.00	S00°00'00"E	0.00
1003	1.00	90°	1.00	S00°00'00"E	0.00
1004	1.00	90°	1.00	S00°00'00"E	0.00
1005	1.00	90°	1.00	S00°00'00"E	0.00
1006	1.00	90°	1.00	S00°00'00"E	0.00
1007	1.00	90°	1.00	S00°00'00"E	0.00
1008	1.00	90°	1.00	S00°00'00"E	0.00
1009	1.00	90°	1.00	S00°00'00"E	0.00
1010	1.00	90°	1.00	S00°00'00"E	0.00
1011	1.00	90°	1.00	S00°00'00"E	0.00
1012	1.00	90°	1.00	S00°00'00"E	0.00
1013	1.00	90°	1.00	S00°00'00"E	0.00
1014	1.00	90°	1.00	S00°00'00"E	0.00
1015	1.00	90°	1.00	S00°00'00"E	0.00
1016	1.00	90°	1.00	S00°00'00"E	0.00
1017	1.00	90°	1.00	S00°00'00"E	0.00
1018	1.00	90°	1.00	S00°00'00"E	0.00
1019	1.00	90°	1.00	S00°00'00"E	0.00
1020	1.00	90°	1.00	S00°00'00"E	0.00

CERTIFIED TO: KB HOME JACKSONVILLE

PROJECT NO.	DATE	SCALE
1000	06/16/12	1"=50'
CLIENT	DATE	SCALE
KB HOME JACKSONVILLE	06/16/12	1"=50'
PROJECT NO.	DATE	SCALE
1000	06/16/12	1"=50'
CLIENT	DATE	SCALE
KB HOME JACKSONVILLE	06/16/12	1"=50'

**BARTRAM TRAIL SURVEYING, INC.**  
LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS  
1500 COUNTY ROAD 100 SUITE 100  
DUVAL COUNTY, FLORIDA 32209  
TEL: 904.241.1234  
FAX: 904.241.1235  
EMAIL: info@barttramtrail.com  
CERTIFICATE OF REGISTRATION 08 00001

NO.	DESCRIPTION	DATE
1	BOUNDARY SURVEY	06/16/12
2	CONVEYANCE	06/16/12
3	CONVEYANCE	06/16/12
4	CONVEYANCE	06/16/12
5	CONVEYANCE	06/16/12
6	CONVEYANCE	06/16/12
7	CONVEYANCE	06/16/12
8	CONVEYANCE	06/16/12
9	CONVEYANCE	06/16/12
10	CONVEYANCE	06/16/12
11	CONVEYANCE	06/16/12
12	CONVEYANCE	06/16/12
13	CONVEYANCE	06/16/12
14	CONVEYANCE	06/16/12
15	CONVEYANCE	06/16/12
16	CONVEYANCE	06/16/12
17	CONVEYANCE	06/16/12
18	CONVEYANCE	06/16/12
19	CONVEYANCE	06/16/12
20	CONVEYANCE	06/16/12
21	CONVEYANCE	06/16/12
22	CONVEYANCE	06/16/12
23	CONVEYANCE	06/16/12
24	CONVEYANCE	06/16/12

NO.	DESCRIPTION	DATE
1	BOUNDARY SURVEY	06/16/12
2	CONVEYANCE	06/16/12
3	CONVEYANCE	06/16/12
4	CONVEYANCE	06/16/12
5	CONVEYANCE	06/16/12
6	CONVEYANCE	06/16/12
7	CONVEYANCE	06/16/12
8	CONVEYANCE	06/16/12
9	CONVEYANCE	06/16/12
10	CONVEYANCE	06/16/12
11	CONVEYANCE	06/16/12
12	CONVEYANCE	06/16/12
13	CONVEYANCE	06/16/12
14	CONVEYANCE	06/16/12
15	CONVEYANCE	06/16/12
16	CONVEYANCE	06/16/12
17	CONVEYANCE	06/16/12
18	CONVEYANCE	06/16/12
19	CONVEYANCE	06/16/12
20	CONVEYANCE	06/16/12
21	CONVEYANCE	06/16/12
22	CONVEYANCE	06/16/12
23	CONVEYANCE	06/16/12
24	CONVEYANCE	06/16/12

NO.	DESCRIPTION	DATE
1	BOUNDARY SURVEY	06/16/12
2	CONVEYANCE	06/16/12
3	CONVEYANCE	06/16/12
4	CONVEYANCE	06/16/12
5	CONVEYANCE	06/16/12
6	CONVEYANCE	06/16/12
7	CONVEYANCE	06/16/12
8	CONVEYANCE	06/16/12
9	CONVEYANCE	06/16/12
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22	CONVEYANCE	06/16/12
23	CONVEYANCE	06/16/12
24	CONVEYANCE	06/16/12

NO.	DESCRIPTION	DATE
1	BOUNDARY SURVEY	06/16/12
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24	CONVEYANCE	06/16/12

NO.	DESCRIPTION	DATE
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23	CONVEYANCE	06/16/12
24	CONVEYANCE	06/16/12