



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 21, 2013, at 7:00 P.M. in the Council Chambers, 11 North Third Street, Jacksonville Beach, Florida.**

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

Roll Call

1. **APPROVAL OF MINUTES:**

- Regular City Council Meeting held October 7, 2013
- City Council Workshop held October 9, 2013

2. **ANNOUNCEMENTS:**

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

4. **MAYOR AND CITY COUNCIL:**

- (a) Appointment of a Temporary Special Magistrate for Code Enforcement

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Monthly Financial Reports – Month of September 2013
- (b) Approve Improvements to the Adult Softball Field #1 at Wingate Park
- (c) Approve Cemetery Improvements at H. Warren Smith Cemetery
- (d) Authorize Change Order for the Construction of the Stormwater Improvements Project on Republic Drive and Sanctuary Way North

7. **RESOLUTIONS:**

8. **ORDINANCES:**

(a) **ORDINANCE NO. 2013-8033 – Second 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)

ADJOURNMENT

9. **WORKSHOP ON PRELIMINARY PARKING MASTER PLAN**

Respectfully submitted,

/s/George D. Forbes
CITY MANAGER

GDF/jlb
10/17/13

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

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

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, ext. 10, no later than 12:00 PM, Friday, October 18, 2013.

**Minutes of Council Workshop
on Retail Research and Recruitment
Wednesday, October 9, 2013 – 6:30 p.m.
City Council Chambers**

The following City Council members were in attendance:

Mayor Charlie Latham

Councilmember Steve Hartkemeyer

Councilmember Keith Doherty

Councilmember Tom Taylor

Councilmember Chris Hoffman

Councilmember Phil Vogelsang

Councilmember Jeanell Wilson

Also present were City Manager George Forbes, Planning & Development Director Steve Lindorff, Police Chief Pat Dooley, and Assistant to the City Manager Sheri Gosselin.

Purpose of Meeting

The purpose of the meeting was to discuss retail research and recruitment for the city.

Discussion

Mr. Forbes stated he had a couple announcements before beginning discussion on retail research and recruitment. Mr. Forbes stated that on Monday, October 14, 2013, work will begin to extend the right turn lane on Beach Boulevard from A1A to 2nd Street. Also, repaving of the road is scheduled for Monday, October 28, 2013.

Mr. Forbes provided a handout to Council and stated that the Mayor called a Council Workshop for Tuesday, October 15, 2013, at 6:30 p.m. to discuss the Preliminary Parking Master Plan. Keith Doherty asked if the workshop would be open to public comment. Mr. Forbes said this workshop would be just for Council discussion. Mr. Forbes explained the two types of Council workshops – one for Council discussion, one for public comment. Chris Hoffman stated that it was short notice and that she would not be able to make it. Phil Vogelsang and Keith Doherty also stated they may not be able to make that workshop. Mr. Forbes advised that it would be best to cancel the workshop and he will look at scheduling another date. Mr. Forbes advised that the parking equipment needs to be ordered soon in order to meet the expectation of having the plan up and running by March 2014.

Mr. Forbes introduced Bill Hankins and Robert Jolly of Retail Strategies. Mr. Forbes said the city is looking to hire a company to do a retail marketing study, not just for downtown, but the whole city. He stated that a study will help recruit businesses. Mr. Forbes stated that Mr. Hankins will make a presentation and then the Council can ask questions.

Mr. Hankins stated that Retail Strategies is the result of two existing data resource companies working together and becoming one. He said that cities come to them because they don't have the capability to do extensive research on their own. Mr. Hankins went through a PowerPoint presentation. Council asked questions during the presentation.

Mr. Hankins stated the cost of the research study is \$40,000 for the first year and \$20,000 for years 2 and 3. The cost covers everything discussed within the presentation (attached). Mayor Latham asked Mr. Hankins to provide a list of references. Mr. Forbes asked what Florida cities they work with. Mr. Hankins advised Lake City and Rockledge. A question was asked if after the three year study, we decide not to continue, do we own the information. Mr. Hankins stated yes.

Mr. Forbes stated that sometime around 1993-94, when the city was working on the downtown redevelopment plan, they did the Legg Mason study. He said we need to determine what we want downtown to become. Mr. Forbes said we need to work with the property owners. He stated that a missing marketing area in the proposed study is the hotel industry, which is an area that can use improvement.

Mr. Hankins and Mr. Jolly answered questions from Council. Mr. Forbes stated that the study would give the city a complete retail inventory. Mayor Latham said as a courtesy to property owners, advance notice of a study would be good. There was discussion amongst the Council. Mr. Hankins and Mr. Jolly left the workshop. The majority of Council was interested in pursuing a retail research and recruitment study.

Mr. Forbes discussed a handout provided to the Council regarding another marketing direction. Communities of Distinction is a television show hosted by Terry Bradshaw. The City was approached by Communities of Distinction to be part of their show. The show provides a five minute shoot highlighting the quality of life. The show is run in one national spot, and 35 local markets of our choosing. The cost to the city is \$25,000 for the marketing. The direction of the Council was that this was a concept we may be interested in in a year or two (after the retail marketing study), but not at this time.

The meeting ended at 7:37 p.m.

Submitted by: Sheri Gosselin
Assistant to the City Manager

Approval:

William C. Latham, Mayor

Date: October 21, 2013

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



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order.

OPENING CEREMONIES:

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

ROLL CALL:

Mayor: Charlie Latham

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

Also present were City Manager George Forbes, City Department Directors, 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:

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

ANNOUNCEMENTS

(a) Certificate of Achievement for Excellence in Financial Reporting

Mayor Latham presented Finance Officer Harry Royal with the award, and said that this is the 20th consecutive year the City has received this award.

- Councilmember Tom Taylor announced the Ferry Fest would be held on Saturday, October 12, 2013 and encouraged people to attend and support the ferry. He said he and Dr. Dumont were invited by Jacksonville City Councilman Bill Guilliford to be on the Jacksonville Consolidated Government Committee. He said the next few meetings are about the Beaches from 9:00 until 12:00, at City Hall in Jacksonville.
- Councilmember Jeanell Wilson announced that the “Downtown Art Walk” event is tomorrow night.

- Mayor Latham announced the workshop scheduled for Wednesday, October 9, 2013 at 6:30pm in the Council Chambers. He also said he spoke at the Citizen Police Academy graduation ceremony for Class 31, and recommended the program to all citizens.

COURTESY OF THE FLOOR TO VISITORS

- Mick Durocher, 41 Millie Drive, Jacksonville Beach
Mr. Durocher spoke about the former George Moore property and Grunthal's development plans for parking.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

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

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Final Plat for the Hawks Landing subdivision.

Mr. Forbes explained this is a small five-unit townhouse complex. Owners would own the unit and property it sits on.

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

- (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*.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to 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.

Mr. Forbes gave details of the Self Contained Breathing Apparatuses and equipment scheduled for purchase.

Chie Frazier gave a demonstration of the current equipment, and talked about new features that would be included in each unit. Discussion ensued regarding the equipment and training involved for the firefighters.

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

- (c) Authorize Change Order for Construction of the Wingate Park Stormwater Pond Erosion Control Project

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to 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.

Mr. Forbes said the retention pond located at the dog park needs repair. Mr. Meadors explained the work would include the slopes, bulkhead, installation of pavers, sod, irrigation, repairs, and installation of a magnetic gate to the dog park. It was noted the pavers would provide an even surface that would allow wheelchairs and power chairs to move easily on the path.

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

(d) Approve Lease Agreement for Miranda Contracting at the Jacksonville Beach Industrial Park.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to 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.

Mr. Forbes explained the City owns the industrial park (old City yard). The contractor needs a location for a “lay-down site” and that it is common for the City to lease the land to contractors for municipal construction projects. He said that the Council Memo states six months but the lease is for seven months, and noted it could possibly extend to 18 months.

Ms. Wilson asked about the taxes collected on City-leased properties. Mr. Forbes stated that the contract requires the lease to pay all taxes. Discussion ensued about the tenant obligations.

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

RESOLUTIONS

ORDINANCES

(a) **ORDINANCE NO. 2013-8033 – FIRST READING – PUBLIC HEARING**

Mayor Latham requested that Ordinance No. 2013-8033, be read by title; whereupon Ms. Martinich read the following:

“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)”

Mayor Latham read the following statement for the record:

“This ordinance to amend the rezoning of this 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 amendment 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 zoning amendment request.”

Public Hearing

Mayor Latham opened the public hearing on Ordinance No. 2013-8033 and asked if the applicant or their agent was present and if they would like to make a presentation.

Speaker:

- Mr. Doug Skiles, Envision Design Plus Engineering
Representing Equity One, Property Owner
2002 San Marco Boulevard, Jacksonville, FL

Mr. Skiles reviewed the 12,066 square feet renovation and the additional parking planned for the Sandcastle shopping center. He answered questions regarding design, proper drainage, adequate parking, and signage for the project. Discussion ensued about the project.

Mr. Forbes stated that the applicant plans to change the elevation, and Mr. Skiles gave a brief description of the proposed change. He said this part of the elevation is different from the previous proposal, because of structural issues. He asked that Mr. Skiles describe the change to the elevation of the building. Mr. Mann distributed a drawing, Exhibit B, of the newly proposed elevation to Council members. Mr. Forbes explained that when voting on the ordinance, it would include the new Exhibit “B”. (“Attached, and made a part of these minutes.)

There being no further speakers, and no one wished to speak in favor or against the motion, Mayor Latham closed the Public Hearing.

Ex-Parte Communications

Mayor Latham read the following statement for the record:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record *both the names of persons and the substance* of any *ex- parte* communications regarding this application.

An *ex-parte* communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

Mayor Latham asked if the City Clerk’s Office had received any additional written communications; Ms. Martinich 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 - None
- Mr. Hartkemeyer - None
- Ms. Hoffman - None
- Mr. Taylor - None
- Mr. Vogelsang - None
- Ms. Wilson – None

Mayor Latham asked for a motion on the ordinance.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to 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.

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.”

Mr. Forbes asked for a point of order, asking Councilmember Taylor if his motion included the revised Exhibit “B”, drawing that was distributed by Mr. Mann.

Councilmember Taylor stated “yes”, that his motion included the new Exhibit “B”.

Mr. Doherty asked if Mr. Skiles was in a position to disclose who the future tenants were. Mr. Skiles said he could not at this time, and that their request included accommodations for a store or restaurant, consistent with the existing PUD ordinance.

Ms. Wilson asked about the AT&T store's facade and retention ponds in the shopping center. She commented traffic control in front of the westerly freestanding business would likely be necessary because City buses and cars use the parking lot as a thorough fare. She suggested a crosswalk or flashing lights to ensure pedestrian safety.

Mr. Hartkemeyer asked if a large stormwater pipe currently runs underneath Staples.

Mr. Lindorff replied that there is and referred to the map on screen. He said there are plans for construction of two manholes, so we can gain access to the stormwater pipe.

Mayor Latham asked if provisions have been made to assist current tenants that will be impacted by the proposed construction project. Mr. Skiles said relocation space is available for tenants that choose to stay in the shopping center.

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

(b) **ORDINANCE NO. 2013-8031 – SECOND READING**

Mayor Latham requested that Ordinance No. 2013-8031, be read by title; whereupon Ms. Martinich 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.” (This is for a 59 Lot Residential Subdivision Located at the Northwest Corner of Butler Boulevard and South Beach Parkway)”

Motion#1: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to 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.

Speaker:

- Kathleen Gall, 4059 Palm Way, Jacksonville Beach, FL
Ms. Gall expressed her concerns regarding the proposed Planned Unit Development. She distributed documents and photographs to the Council.
- Mr. T. R. Hainline, Applicant Representative
1301 Riverplace Boulevard, Jacksonville, FL
Mr. Hainline said he was in attendance to address any questions that arose.

Mr. Forbes referred to the slides and explained that many subdivisions in the City were built in the 1920's and 1930's. Over the years, every effort has been made to rehabilitate problems from homes built prior to infrastructure being installed. He said if not approved

tonight, the builder could develop the current 53 lots as he chooses. If the 59 lots are approved, there will be preserved buffer tracts of trees, drainage improvements, and the proper infrastructure installed.

Mr. Taylor asked about the proposed relocation of the traffic light and flow of traffic.

Ms. Wilson asked Mr. Lindorff to discuss the planned traffic patterns.

Mr. Doherty asked about street grading and the drainage system. Mr. Lindorff explained the runoff and engineering plans that provide adequate water drainage. He said that the road on Palm Way needs to be lowered to correct the flooding problems, but residents do not want to remove the tree in the middle of the road.

Mayor Latham asked about the traffic lights on South Beach Parkway and Marsh Landing Parkway.

Mr. Doherty voiced his concerns regarding increased traffic flow on 3rd Street, South Beach Parkway and Jacksonville Drive due to the expansion of retail developments at the shopping center.

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

Mr. Forbes stated that this vote is to adopt the Findings of Fact for the Ocean Terrace subdivision.

Motion#2: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Findings of Fact for Ordinance No. 2013-8031, dated September 16, 2013.

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

(c) **ORDINANCE NO. 2013-8032 – SECOND READING**

Mayor Latham requested that Ordinance No. 2013-8032, be read by title; whereupon Ms. Martinich 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, 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 the Ocean Terrace subdivision, as recorded in Plat Book 10, Page 2, of the current public records of Duval County, Florida.”

Mr. Forbes explained that because the new subdivision is approved, this vote is to abandon the current platted street and alley rights of way and have their ownership revert to the developer, which will allow a new subdivision to be platted.

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

Ms. Hoffman asked Mayor Latham to announce the information regarding the Wednesday, October 9, 2013 Workshop.

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:25 p.m.

Submitted by: Catherine Martinich
City Clerk's Office

Approval:

William C. Latham, Mayor

Date: October 21, 2013



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
OCTOBER.3.2013

WINDSFIELD BRASLEY & ASSOCIATES ARCHITECTS, INC. - 200 PONTE VEDRA PARK DRIVE - PONTE VEDRA BEACH, FLORIDA 32083 P 904.243.4644 WWW.WBASSOCIATES.COM

EQUITY ONE
SOUTH BEACH REGIONAL SHOPPING CENTER
JACKSONVILLE BEACH, FLORIDA

1304010
A

RCC 10-7-2013 P+D Distribution

Exhibit B, Ord. No. 2013-8033

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6268
Fax: 904.247.6276

TO: City Council
FROM: George D. Forbes **GDF**
City Manager
DATE: October 17, 2013
RE: Appointment of Special Magistrate for Code Enforcement

www.jacksonvillebeach.org

ACTION REQUESTED:

Appoint a temporary Special Magistrate to replace Special Magistrate Crystal Broughan.

BACKGROUND:

The City Special Magistrate resigned unexpectedly on Monday, October 14, 2013. This resignation was required for business reasons that were beyond the control of Ms. Broughan. As a result of Ms. Broughan's resignation, the City is currently without a Special Magistrate and needs to appoint a temporary Special Magistrate until a permanent Magistrate can be appointed by the City Council.

In the interim, the City Attorney has identified several potential candidates to serve as a temporary Special Magistrate. After considering a number of qualified candidates, the City Attorney is recommending that attorney Sonya Hoener, formerly a local government professor at the Florida Coastal School of Law, be appointed as the temporary Special Magistrate. Ms. Hoener is well qualified, having previously served as a law professor for seven years and as a trial and appellate attorney. Ms. Hoener was board certified as an Appellate Lawyer by the Florida Bar Association in 2004. We believe that Ms. Hoener's experience makes her well qualified for this temporary appointment. (See attached resumé)

RECOMMENDATION:

Authorize the Mayor and City Manager to execute a contract with Sonya Hoener to serve as a temporary Special Magistrate for the City of Jacksonville Beach until a permanent special magistrate can be appointed by the City Council.



ALLEN

DYER

DOPPELT

MILBRATH &

GILCHRIST, P.A.

INTELLECTUAL PROPERTY ATTORNEYS

Herbert L. Allen
Robert Dyer
Ava K. Doppelt
Stephen D. Milbrath
Brian R. Gilchrist
Christopher F. Regan
David L. Sigalow
Richard K. Warther
Michael W. Taylor
John F. Woodson II
Stephen H. Luther
Jeffrey S. Boyles

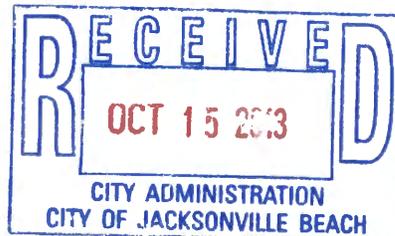
Ryan T. Santurri
Robert H. Thornburg
Jack G. Abid
David S. Carus
Justin R. Sauer
Paul J. Ditmyer
David W. Magana
Chris M. Ramsey Ph.D.
Allison R. Imber
Matthew N. Horowitz
Gene A. Lang, Ph.D.
Jaafar Choufani

Of Counsel:
Crystal T. Broughan

Please respond to Jacksonville Office
1301 Riverplace Blvd., Ste. 1610
Jacksonville, Florida 32207
(904) 398-7000
(904) 308-7003 fax

ATTY E-MAIL: cbroughan@addmg.com
LA E-MAIL: cmischung@addmg.com
FRP E-MAIL: jcooper@addmg.com
Website: www.addmg.com

October 11, 2013



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

Re: Special Magistrate position

Mr. Forbes:

As of October 14, 2013, I will no longer be able to serve as the Special Magistrate for Code Enforcement for the City of Jacksonville Beach. I have enjoyed serving as the Special Magistrate for Jacksonville Beach. The City Clerk's Office have done a wonderful job of providing administrative support and running the hearings each month.

Thank you for the opportunity to serve as the Special Magistrate in Jacksonville Beach for six years. I wish everyone the best to everyone.

Best regards


Crystal Broughan

Orlando Office (Main)
255 South Orange Ave.
Suite 1401
Orlando, FL 32801
Mail To: P.O. Box 3791
Orlando, FL 32802-3791

tel: 407-841-2330
fax: 407-841-2343

Winter Springs Office
1135 E. State Road 434, Suite 3001
Winter Springs, FL 32708
tel: 407-796-5051 fax: 407-796-5065

Melbourne Office
4450 W. Eau Gallie Blvd., Suite 100
Melbourne, FL 32934
tel: 321-622-8651 fax: 321-622-8652

Jacksonville Office
1301 Riverplace Blvd., Suite 1610
Jacksonville, FL 32207
tel: 904-398-7000 fax: 904-398-7003

Tampa Office*
2202 N. West Shore Blvd., Suite 200
Tampa, FL 33607
tel: 813-639-4222 fax: 407-841-2343
*Satellite Office

Miami Office
1221 Brickell Ave., Suite 2400
Miami, FL 33131
tel: 305-374-8303 fax: 305-374-8306



www.addmg.com

SONYA HARRELL HOENER

PROFESSIONAL EXPERIENCE

2006-2013 **Florida Coastal School of Law** Jacksonville, Florida
Affiliate Professor (2013-2014 [research only]); Associate Professor (2012-2013); Assistant Professor (2008-2012); Visiting Assistant Professor (2006-2008)

Courses taught:

- Torts I and II
- Comparative Tort Law
- Florida Practice and Procedure
- Florida Constitutional Law
- State and Local Government
- Remedies
- Evidence
- Professional Responsibility

Chair, Professionalism Committee, 2008-2010

1998-2006 **Marks Gray, P.A.** Jacksonville, Florida
Shareholder (2003-2006); Associate (1998-2003)

Areas of practice:

- Insurance Coverage and Defense
- Appellate Practice
- Governmental Liability

1997-1998 **Winter Law Firm** Jacksonville, Florida
Associate

Areas of practice:

- Personal Injury Defense
- Appellate Practice

1995-1997 **Office of the Public Defender,** Bunnell, Florida
Seventh Judicial Circuit

Assistant Public Defender – Misdemeanor and Juvenile Divisions

PUBLICATIONS

“Extending Wrongful Death Damages to Kinship-Care Relationships,”
43 TOLEDO L. REV. 77 (forthcoming Fall 2011)

“Due Process Implications of the Rehabilitation Requirement in
Character and Fitness Determinations in Bar Admissions,” 29
WHITTIER L. REV. 827 (2008)

BAR ADMISSIONS AND ACTIVITIES

United States Supreme Court
United States Court of Appeals, Eleventh Circuit
United States District Courts, Northern, Middle, and Southern Districts of
Florida
Florida Bar
Board Certified as a Specialist in Appellate Practice (2004-2009;
emeritus status 2009-present)
Appellate Court Rules Committee (2006-2007)
Law-Related Education Committee (2000-2006)
Chair (2002-2006)
Speaker’s Bureau

EDUCATION

Stetson University College of Law J.D. 1994	St. Petersburg, Florida
Florida State University B.S., Political Science, 1990	Tallahassee, Florida

COMMUNITY ACTIVITIES

Board of Directors, Florida Law-Related Education Association
Mentor, PALS (Positive Adult Leaders for Students), West Riverside
Elementary School
President’s Advisory Council, Columbia Theological Seminary
Sustaining Member, Junior League of Jacksonville

City of
Jacksonville Beach
2508 South Beach
Parkway
Jacksonville Beach
FL 32250
Phone: 904.247.6236
Fax: 904.247.6143

www.jacksonvillebeach.org

TO: George D. Forbes
City Manager

FROM: Gary Meadors
Parks & Recreation Director

DATE: October 10, 2013

SUBJECT: Approve Improvements to the softball field at Wingate Park

ACTION REQUESTED:

Approve improvements to the adult softball field #1 at Wingate Park.

BACKGROUND:

The City of Jacksonville Beach operates two softball fields and two football fields at Wingate Park that are used for adult sports. These fields are used for about 10 months out of every year. Improvements to the fields, such as scoreboards, goal posts, sod, and foul poles are funded by a capital improvement fee included with entry fees paid by those who participate in leagues using the fields. The adult field capital improvement fund currently has a balance \$11,350.

Softball Field #1 is most heavily used during the months of February through early November. The resulting downtime for the field, during the winter months, means that grass has a difficult time to fully recover during a dormant growing season. This year, through customer surveys, we have been requested to change out the grass on the softball field, which was originally installed more than 10 Years ago, with a newer variety of Bermuda grass called "Celebration". Celebration Bermuda grass has been shown to have improved cold and wear tolerance and better recovery from use on a year round basis. The first phase of this project will replace about 1/3 of the field with the new Bermuda grass. More sod will be added as funding becomes available. The estimate for this project is \$10,670 which includes a ten percent contingency.

The contractor recommended for this project is MacCurrach Construction that was approved for continuing service based on RFP 04-1112 approved by City Council on 4/16/12.



RECOMMENDATION:

Approve the improvements to softball field #1 at Wingate Park as described in the memorandum from the Parks & Recreation Director dated October 10, 2013.

DOG PARK

15TH STREET SOUTH

PARKING LOT

**SOFTBALL
FIELD 1**

PENMAN ROAD SOUTH





City of

Jacksonville Beach

2508 South Beach

Parkway

Jacksonville Beach

FL 32250

Phone: 904.247.6236

Fax: 904.247.6143

www.jacksonvillebeach.org

TO: George D. Forbes
City Manager

FROM: Gary Meadors
Parks & Recreation Director

DATE: October 10, 2013

SUBJECT: Approve Cemetery Improvements at H. Warren Smith Cemetery

ACTION REQUESTED:

Approve cemetery improvements at H. Warren Smith Cemetery.

BACKGROUND:

The City of Jacksonville Beach operates two cemeteries that are located at the corner of Beach Blvd and Penman Road. Lee Kirkland, on the south side of Beach Boulevard has been substantially improved since the completion of the Penman Road alignment.

Improvement projects at H. Warren Smith Cemetery have been continuously made as funds are available. Past improvements included the installation of a new aluminum fence on the north side of the cemetery and interior street lighting followed by the addition of an archway over the first cemetery entrance on Penman Road, another section of aluminum fence and a cut face block retaining wall between the two entrance roads off of Penman Road.

In order to continue to improve the appearance of H. Warren Smith Cemetery to better match that of Lee Kirkland Cemetery, located directly across the street, the following improvements are being proposed:

- Extending the retaining wall from the corner of Beach Blvd to the first cemetery entrance to match the new retaining wall
- Reroute the existing sidewalk so that it runs in front of the north end of the new retaining wall (at present, one section of sidewalk dead ends in front of the retaining wall while another section begins in front of the wall - this work will reroute the first section and will direct people around the new wall)
- Pour a concrete slab underneath the new bus stop shelter that has been installed in front of the cemetery



- Remove and replace the railroad tie curb that separates the grave spaces from the interior road with a concrete curb (this will allow parking against a concrete curb on the interior road of the cemetery)

The contractor recommended for this project is H. Frank Hufham, General Contractor, who was approved for continuing service based on RFP 03-1011 and approved by City Council on 4/18/11 for a period of three years. These improvements are expected to take 90-120 days. The estimated cost of this project is \$23,210 which includes a ten percent contingency.

Description	Cost
Concrete block retaining wall from Beach Blvd to the 1 st cemetery entrance	\$13,500
Sidewalk, reroute existing sidewalk in front of new retaining wall	\$ 3,600
Replace railroad tie curb on interior cemetery road with concrete curb	\$ 4,000
Contingency	\$ 2,110
Total	\$ 23,210

The funding for this project is available from the cemetery capital improvement fund, which sets aside a portion of the revenue from each grave sale for improvements and maintenance to the cemetery. The fund has a balance \$27,896.

RECOMMENDATION:

Approve the improvements to the H. Warren Smith Cemetery as described in the memorandum from the Parks & Recreation Director dated October 10, 2013.



October 3, 2013

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250

TO: George Forbes, City Manager
FROM: Ty Edwards, Public Works
SUBJECT: Authorize Change Order for the Stormwater Improvements Project on Republic Drive and Sanctuary Way North

[P] 904.247.6268

[P] 904.247.6276

www.jacksonvillebeach.org

ACTION REQUESTED:

Authorize change order for the construction of the Stormwater Improvements Project on Republic Drive and Sanctuary Way North

BACKGROUND:

This project was budgeted in the 2013 Public Works Stormwater Budget and its design was recently completed. The two existing drainage systems targeted for improvements in this project are located between:

- Part A: Republic Drive (west end) and Lake Sanctuary
- Part B: Sanctuary Way North (east end) and Lake Sanctuary.

This area is low in elevation and both systems consist of wet, mucky, drainage swales located in easements with residences nearby. Erosion, decaying vegetation and ponding water cause significant sedimentation during rainstorms. This leads to sediment clogging the drainage swales increasing localized ponding and flooding upstream.

The project objective is to replace the drainage swales with stormwater piping and structures. The work to be accomplished is summarized in the following chart.

PROJECT WORK SUMMARY	
<u>Part A:</u> Republic Drive (west end) to Lake Sanctuary	<u>Part B:</u> Sanctuary Way North (east end) to Lake Sanctuary
<ul style="list-style-type: none"> • Install 190 LF (+/-) of new 36" diameter RCP stormwater pipe • Install 6 new drainage structures • Remove 4 old concrete headwalls • Re-sod disturbed areas 	<ul style="list-style-type: none"> • Install 50 LF (+/-) of new 24" diameter PVC stormwater pipe • Install 1 new headwall structure • Re-sod disturbed areas



Due to the relatively small size of this utility project, staff requested price quotes from two utility contractors already mobilized and constructing larger, competitively bid unit price projects for the City. The two contractors are *G&H Underground Construction, Inc.*, and *Miranda Contracting*. Based on the design estimated quantities, each contractor provided unit prices and the overall price quote is shown below:

Estimated Construction Cost Stormwater Improvements Project on Republic Drive & Sanctuary Way North			
<u>Project Area</u>	<u>G&H Underground Construction, Inc. Price Quote</u>	<u>Miranda Contracting Price Quote</u>	<u>Recommendation</u>
Part A:	\$ 74,925.00	\$ 84,991.00	Authorize by change order with lowest quoter, <i>G&H Underground Construction</i>
Part B:	<u>\$ 24,500.00</u>	<u>\$ 32,430.00</u>	
TOTAL:	\$ 99,425.00	\$117,421.00	

Change Order to Bid 1213-04, 12th Ave. S. (Central) Stormwater Basin Erosion Control Improvements Project		
<u>DESCRIPTION</u>	<u>COST</u>	<u>RECOMMENDATION</u>
Unit Price Quote Total:	\$99,425.00	<ul style="list-style-type: none"> Authorize change order with <i>G&H Underground Construction, Inc.</i>
10% Contingency	\$9,942.50	
Construction Total:	\$109,367.50	
Construction Administration (C&A) Services:	\$4,307.16	<ul style="list-style-type: none"> Authorize C&A Services with the design firm for the change order project, <i>Waitz & Moyer</i>.
10% Contingency	\$430.72	
C&A Services Total:	\$4,737.88	
GRAND TOTAL:	\$114,105.38	
Project was budgeted at \$232,100 in the FY2013 Stormwater Budget. This funding returns to the Stormwater Enterprise Fund balance at start of FY2014. The FY2014 Stormwater Capital Budget will be adjusted accordingly at mid-year to re-budget the project at \$114,105.38.		

It is recommended that the Stormwater Improvements Project on Republic Drive and Sanctuary Way North be authorized by change order to Unit Price Bid 1213-04, 12th Ave. S. (Central) Stormwater Basin Erosion Control Improvements Project with *G&H*

Underground Construction, Inc., at a cost, based on estimated quantities, of \$99,425.00, plus a 10% contingency, for a total cost not to exceed \$109,367.50.

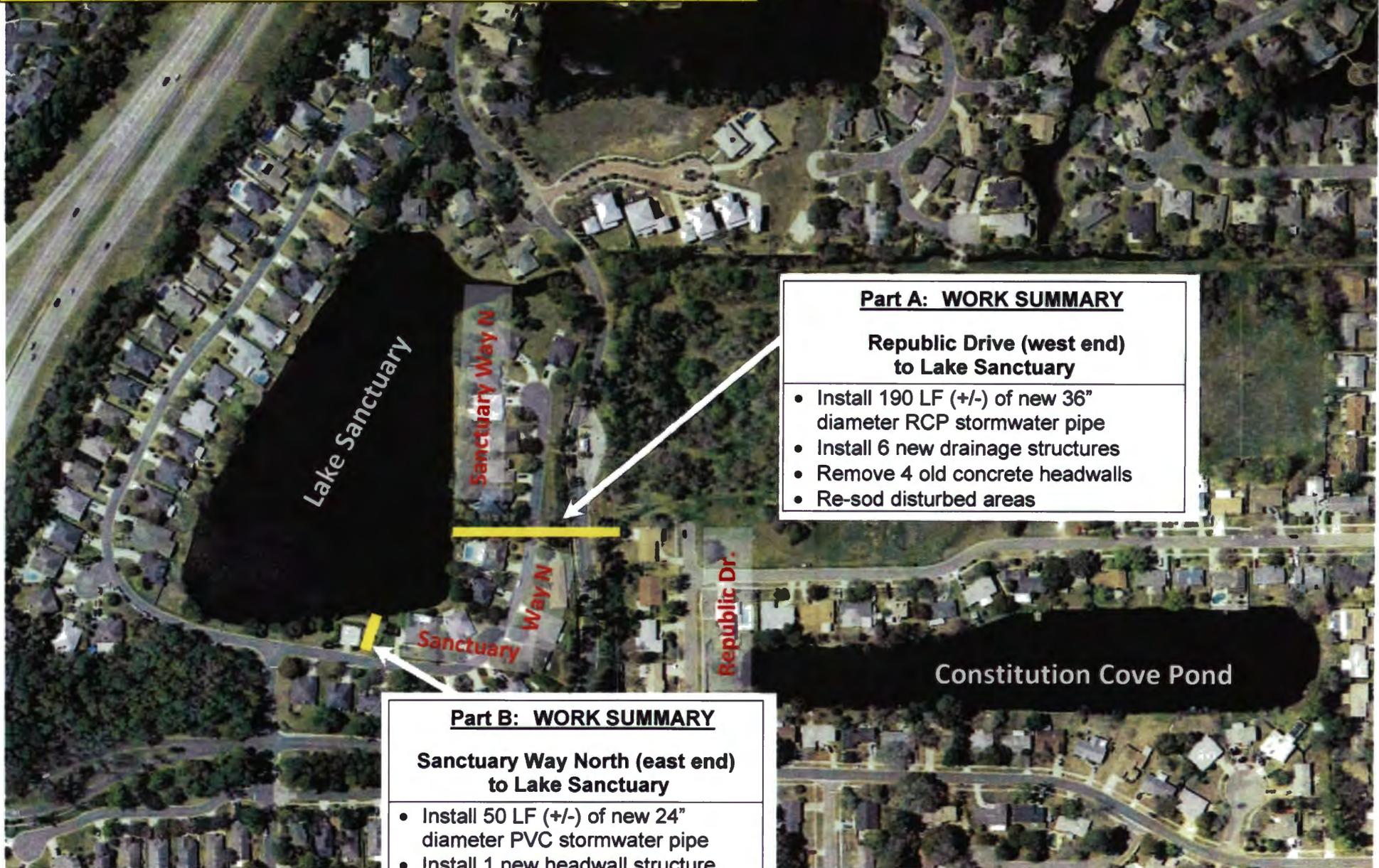
It is also recommended that Construction Administration Services be authorized with the project's design firm, *Waitz & Moye, Inc.*, at a cost of \$4,307.16, plus a 10% contingency, for a total cost not to exceed \$4,737.88.

RECOMMENDATION:

Authorize the Stormwater Improvements Project on Republic Drive and Sanctuary Way North by change order to Unit Price Bid 1213-04 with *G&H Underground Construction, Incorporated*, and authorize Construction Administration Services with the project's design firm, *Waitz & Moye*, as described in the memorandum from the Public Works Director dated October 3, 2013.

PROJECT OVERVIEW MAP

**Stormwater Improvements Project
(on Republic Drive & Sanctuary Way North)**



Part A: WORK SUMMARY

**Republic Drive (west end)
to Lake Sanctuary**

- Install 190 LF (+/-) of new 36" diameter RCP stormwater pipe
- Install 6 new drainage structures
- Remove 4 old concrete headwalls
- Re-sod disturbed areas

Part B: WORK SUMMARY

**Sanctuary Way North (east end)
to Lake Sanctuary**

- Install 50 LF (+/-) of new 24" diameter PVC stormwater pipe
- Install 1 new headwall structure
- Re-sod disturbed areas

City of
Jacksonville Beach

City Hall
11 North Third Street

Jacksonville Beach
FL 32250

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Planning@jaxbchfl.net

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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: October 8, 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.

Subsequently, at their October 7 meeting, City Council amended the proposed PUD Ordinance by approving the applicant's request to substitute a slightly revised elevation drawing, dated October 3, 2013, which has been incorporated into the attached ordinance.

RECOMMENDATION:

- Adopt Ordinance No. 2013-8033, as amended, 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.
- Approve the Findings of Fact for Ordinance No. 2013-8033, dated October 7, 2013

FINDINGS OF FACT - ORD. NO. 2013-8033

SUBJECT: Ordinance No. 2013-8033, as amended, 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.

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 PUD amendment conducted on October 7, 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. A traffic study completed for the PUD amendment has yielded that the additional 12,066 square feet of floor space would not cause an exceedance of the maximum service volume for the adopted LOS of, or have a substantial impact on, any of the directly accessed roadway links.
2. The current and proposed use of the property by the applicant is consistent with surrounding development and will not negatively impact adjacent property values.
3. The current and proposed use of the subject property as a commercial shopping center is consistent with its 2030 Comprehensive Plan and the Southend Community Redevelopment Plan *Commercial* land use designations. for the property.
4. Open space and off-street parking provision within the subject property will remain consistent with the minimum Land Development Code standards for PUD zoning districts.
5. The proposed PUD amendment 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: _____
2nd Reading: _____

AS AMENDED

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 Vermeij 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~~ dated October 3, 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



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

Exhibit B, Ord. No. 2013-8033

WBA ARCHITECTURE - INTERIORS - PLANNING

SANDCASTLE BUILDING - SCHEMATIC ELEVATIONS
OCTOBER.3.2013

WINSFIELD DEALEY & ASSOCIATES ARCHITECTS, INC. - 300 FORTY NINTH PALM DRIVE - FORTY NINTH BEACH, FLORIDA 32084 - 904-245-5545 - WWW.WBASOCIATES.COM

SOUTH BEACH REGIONAL SHOPPING CENTER
JACKSONVILLE BEACH, FLORIDA

EQUITY ONE DRAWING

A

1 0 0 4 0 1 4

Building Area Calculations

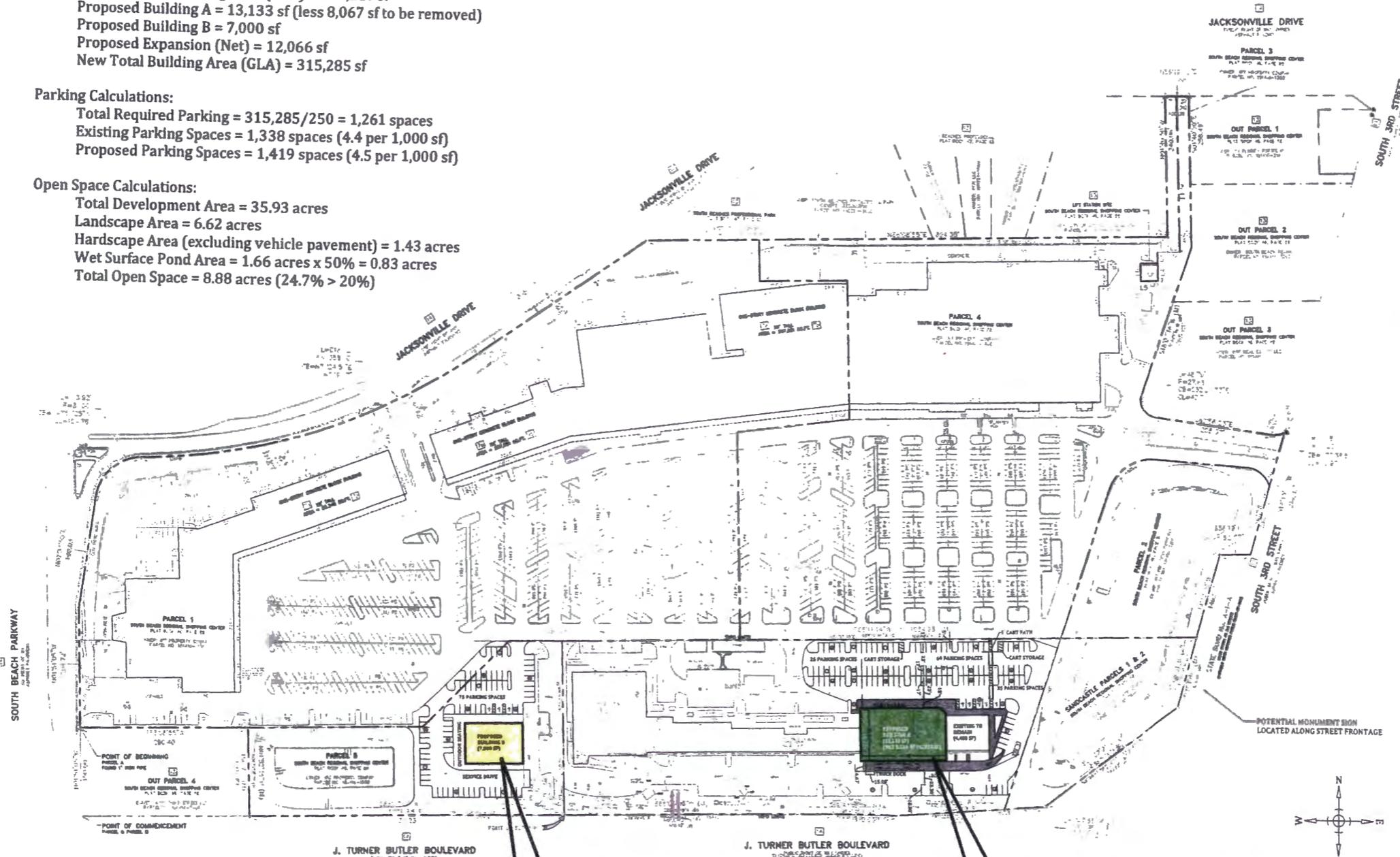
Existing Total Building Area (GLA) = 303,219 sf
 Proposed Building A = 13,133 sf (less 8,067 sf to be removed)
 Proposed Building B = 7,000 sf
 Proposed Expansion (Net) = 12,066 sf
 New Total Building Area (GLA) = 315,285 sf

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%)



NEW 7,000 SF BUILDING

5,066 SF EXPANSION

Douglas L. Baker, P.E.
 2002 Ben Marco Boulevard, Suite 200
 Jacksonville, Florida 32207
 www.envisionsolutions.com
 904-881-6148



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

August 9, 2013
 Overall
 Site
 Plan
C-1