

Doug McDowell

From: Wyman Duggan <WDuggan@rtlaw.com>
Sent: Thursday, April 16, 2020 2:33 PM
To: Doug McDowell
Cc: Morgan Brown; Beth Leaptrott; Rick Welch
Subject: Summer Beach D-1 NOPC
Attachments: 20041614_17_51.pdf; 20041614_27_39.pdf

Doug: Pursuant to your request, I have attached clean and blacklined copies of the revised portions of the NOPC addressing the development standards for the max building coverage and the buffer on the south property line. I understand that the 4/21 PZB meeting has been cancelled and that these applications will be heard on 5/19.

Regards,
Wyman

Wyman R. Duggan | Shareholder



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Rec'd
12/20/19
D/L

FORM DEO-BCP-PROPCHANGE-1
Rule 73C-40.010, FAC. Effective 11-20-90 (Renumbered 10-01-11)

Nassau County Planning & Economic Opportunity
ATTN: Mr. Doug McDowell
96161 Nassau Place
Yulee, Florida 32097

NOTIFICATION OF A PROPOSED CHANGE/AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) SUBSECTION 380.06(7), FLORIDA STATUTES

Subsection 380.06(7), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government.

I, Wyman Duggan, the undersigned owner/authorized representative of Artisan Homes, LLC, hereby give notice of a proposed change to a (developer)

previously approved Development of Regional Impact in accordance with Subsection 380.06(7), Florida Statutes. In support thereof, I submit the following information concerning the Parcel D-1 within the Summer Beach DRI development, which (original & current project names)

information is true and correct to the best of my knowledge.

12/19/19
Date

[Signature]
Signature

2. Applicant (name, address, phone).

**Wyman R. Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, FL 32207**

As counsel for

**Artisan Homes, LLC
9995 Gate Parkway N., Suite 400
Jacksonville, FL 32246**

3. Authorized Agent (name, address, phone).

**Artisan Homes, LLC
9995 Gate Parkway N., Suite 400
Jacksonville, FL 32246**

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Nassau County, Township 2 North, Range 28 East, Section 18

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

This application concerns Parcel D-1 of the Summer Beach DRI. The current approved plan of development permits no more than 25,000 square feet of commercial and office space and 16 single family residential units. The proposed change would permit up to 28 multifamily residential units on Parcel D-1. The additional 12 residential units are being transferred from Parcel N-1. The maximum number of permitted residential dwelling units in the Summer Beach DRI would not change. No additional lands are being added. No other development order conditions would be affected.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by county to clarify the nature of the change or the resulting impacts.

6. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

Resolution No. 85-15	February 6, 1985	Implements county-wide proportionate share program for traffic costs associated with impacts not referenced in the Development Order
Resolution No. 85-60	September 17, 1985	Requires: (1) golf cart/pedestrian crossings across A.1.A.; (2) preservation of hammock parcels; (3) roadway vegetative buffers; (4) biologist input on golf course design; (5) grading submittal for final development plan; (6) consultation with Amelia Island Waterworks as to grey water use; (7) monitoring of golf course surface water bodies; (8) stormwater flow requirements for golf course; (9) design of manmade golf course ponds to support freshwater wetlands; (10) production of educational materials as to environmental aspects of golf course design; (11) compliance with water management district water supply well requirements; (12) amendment of water management district Conceptual Stormwater Management Permit to include additional acreage; (13) deed restrictions on golf course properties; (14) dedication of specific property to the City of Fernandina Beach; (15) deletion of references to land uses for certain parcels; and (16) provision of emergency exist, if required by the county.
Resolution No. 86-8	October 22, 1985	Identical to previous Resolution No. 85-60. It was determined following adoption of Resolution No. 85-60 that additional legislation was

		required to amend the comprehensive plan. Such legislation was adopted prior to adoption of Resolution No. 86-8.
Resolution No. 86-29	December 19, 1985	Establishes natural buffers along roadways of certain parcels and specific side slopes and planting requirements for lakes.
Resolution No. 86-62	August 26, 1986	Consolidated Development Order
Resolution No. 87-11	December 16, 1986	Provided access easement to adjacent property.
Resolution No. 88-71	August 23, 1988	Provided for correction of platted lots.
Resolution No. 89-30	February 21, 1989	Authorized 450-room hotel, approved preliminary site plan for Ritz-Carlton Hotel, required recommendation as to paving of adjacent roadway, and required construction of two dune walkovers.
Resolution No. 90-41	November 28, 1989	Consolidated Development Order
Ordinance No. 99-05	January 25, 1999	Rezoned certain property, known as Plummers Creek, within the DRI to PUD
Resolution No. 99-82	June 28, 1999	Consolidated Development Order
Ordinance No. 2000-32	August 28, 2000	Rezoned certain property to PUD
Resolution No. 2000-131	August 28, 2000	Incorporated property rezoned in Ordinance No. 2000-32 into DRI
Resolution No. 2001-25	January 22, 2001	Modification of certain land uses and vegetative buffer requirements.
Resolution No. 2001-96	June 25, 2001	Addition of 4.4 acres to DRI
Resolution No. 2001-183	December 17, 2001	Addition of 59.03 acres to DRI
Resolution No. 2003-76A	June 9, 2003	Consolidated Development Order
Resolution No. 2004-32	March 22, 2004	Provided: (1) Addition of approximately 13.3 acres to DRI; (2) relocation of residential units; (3) changed name of developer to Summer

		Beach Amenities Venture, Ltd.; (4) extend the buildout date to November 30, 2009; and (5) other minor modifications.
Resolution No. 2005-75	April 25, 2005	Provided: (1) addition of 10 acres to DRI; (2) reallocation of residential units; (3) establishment of certain vegetative buffers; and (4) required road drainage improvements.
Resolution No. 2007-105	May 14, 2007	Revised certain permitted uses and site-development standards
Resolution No. 2013-91	July 24, 2013	Provided for elimination of the Beach Club Expansion and ability of Golfside residents to join at a reduced rate.
Resolution No. 2017-94	May 8, 2017	Provided for the development of up to 100 multi-family (including townhomes) and single family detached residential units on Parcel N-1.
Resolution No. 2018-112	September 24, 2018	Provided for the development of single family detached residential dwelling units on Parcel N-2.
Resolution No. 2019-132	August 12, 2019	Revised Map H for Parcel N-1.

7. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

None by this applicant, and none included in this application.

8. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

It is.

<p>Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.</p> <p>YES _____ NO <u> X </u> _____</p>

9. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

No change is proposed.

10. Will the proposed change require an amendment to the local government comprehensive plan?

Yes, a Small Scale Amendment will be required.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (4), F.S., and 73-40.025, Florida Administrative Code:

11. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

There are no changes to Map H.

12. Pursuant to Subsection 380.06(7), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

Paragraph 1. of Resolution 2007-105 is amended as follows:

a. Convert the permitted use on Parcel D-1 from Commercial to “Mixed-Use (Commercial/Office/Residential)”: Parcel D-1 shall be developed with no more than 28 multifamily residential units comprised of 16 units reallocated from Parcel A-6 plus 12 units reallocated from Parcel N-1, and 0 square feet of commercial/office space.

d. The following Site Development Standards shall apply to Parcel D-1:

1) Minimum setback of buildings: Twenty (20) feet from the west property line; ten (10) feet from the north, east, and the south property lines.

2) Minimum separation between buildings: Ten (10) feet.

3) Maximum Building Height: Less than forty-five (45) feet. All buildings heights are as measured from the existing grade to the mid-point between the eave and peak of roof.

4) Maximum building lot coverage shall not exceed ~~fifty~~forty percent (5040%).

5) The parcel will be developed with one hundred percent (100%) multifamily residential use.

6) ~~The developer may elect to provide an opaque screen of its design~~buffer along the south property line will meet County standards as shown on an approved Final Development Plan.

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

Not applicable.

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

Development/redevelopment will commence by 6/30/20.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

June 30, 2023.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and

June 30, 2023.

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 73C-40.025 (7), F.A.C.

Pursuant to CS/CS/HB 1151, Section 380.06(6), Florida Statutes (2018), notwithstanding any condition in the DRI, a developer is not required to submit an annual or biennial report unless required to do so by the local government. The applicant will submit any such report if required to do so by Nassau County.

6) The developer may elect to provide an opaque screen of its design along the south property line.

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

Not applicable.

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

Development/redevelopment will commence by 6/30/20.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

June 30, 2023.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and

June 30, 2023.

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 73C-40.025 (7), F.A.C.

Pursuant to CS/CS/HB 1151, Section 380.06(6), Florida Statutes (2018), notwithstanding any condition in the DRI, a developer is not required to submit an annual or biennial report unless required to do so by the local government. The applicant will submit any such report if required to do so by Nassau County.

Date: 12/7/19

Re: **Amendment to Summer Beach Development of Regional Impact (Parcel D-1)**

Dear Sir or Madam:

This letter confirms that J. H. Cobb Properties, Inc. as the owner of property within Parcel D-1 of the Summer Beach Development of Regional Impact ("DRI"), authorizes Artisan Homes, LLC and its authorized agents, including without limitation Rogers Towers, P.A. and Connelly & Wicker Inc. (collectively "Artisan") to file a Notice of Proposed Change or application for other non-substantial change to the Summer Beach DRI Development Order pursuant to Section 380.06(19)(e)(2), Florida Statutes, and to file such other applications for development permitting as are necessary for approval of Artisan's proposed plan of development.

Sincerely yours,

J. H. COBB PROPERTIES, INC., a Florida corporation

By: [Signature]

Print Name: JAMES H. COBB III

Its: PRESIDENT

STATE OF Florida
COUNTY OF DUCAL

Sworn to and subscribed and acknowledged before me this 7 day of December, 2019, by James Cobb III, who is personally known to me or who has produced Florida Driver License as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

Michelle Ketchum
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: Jul 13 2022