

RESOLUTION NO. 2001-25

SUMMER BEACH CONSOLIDATED DEVELOPMENT ORDER

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING RESOLUTION NO. 85-11 WHICH APPROVED THE APPLICATION FOR DEVELOPMENT APPROVAL OF SUMMER BEACH, SUBJECT TO CERTAIN CONDITIONS, AND AS AMENDED BY RESOLUTIONS 85-15, 85-60, 86-8, 86-29, 86-62, 87-11, 89-30, 90-41, 99-82, AND 2000-131

WHEREAS, on April 4, 1984, SUMMER BEACH LTD., hereinafter referred to as "Applicant", submitted in Nassau County, an application for development approval (ADA) for a Development of Regional Impact (DRI) known as "SUMMER BEACH", in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the Nassau County Board of County Commissioners on December 19, 1984 approved Resolution No. 85-11; and

WHEREAS, Resolution No. 85-11 approved the application for development approval of SUMMER BEACH, subject to certain conditions; and

WHEREAS, Resolution 85-11 incorporated the rezoning of the parcels of land known as SUMMER BEACH to that of a PUD; and

WHEREAS, Resolution 85-15 amended 85-11 to correct errors; and

WHEREAS, Resolution 85-60 amended 85-11 and found that such amendments were not a substantial deviation; and

WHEREAS, Resolution 86-29 further amended 85-11 to correct errors; and

WHEREAS, Resolution 86-62 further amended 85-11 as a substantial deviation and consolidated all of the preceding

amendments on the "Summer Beach Consolidated Development Order";
and

WHEREAS, Resolution 87-11 amended 86-62 and found that such amendments were not a substantial deviation; and

WHEREAS, Resolution 89-30 further amended 86-62 and found that such amendments were not a substantial deviation; and

WHEREAS, Resolution 90-41 further amended 86-62 and found that such amendments were not a substantial deviation; and

WHEREAS, SUMMER BEACH, as proposed in the ADA and PUD amendments, is a planned residential development on approximately 459 acres of approximately 1,679 dwelling units and related uses, as defined on revised Maps H-1 R(3) and H-2 R(3) and Tables 12A-2 and 12A-3 (revised November 1, 1988) of the DRI application, as amended, upon real property located in Nassau County, Florida; and owned by SUMMER BEACH, LTD.; and

WHEREAS, Resolution 99-82 further amended the previously adopted resolutions and found that the amendments were not a substantial deviation; and

WHEREAS, Resolution 2000-131 amended the previously adopted resolutions to include an addition of eleven acres to the Summer Beach property; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction, pursuant to Section 380.031 and 380.06, Florida Statutes, is authorized and empowered to consider applications for development approval and amendments thereto; and

WHEREAS, the developer of SUMMER BEACH has filed a request for a further amendment to said PUD and Development Order; and

WHEREAS, pursuant to Section 380.06(11) Florida Statutes, the Northeast Florida Regional Planning Council (NEFRPC), the appropriate regional planning agency, prepared and submitted to Nassau County its report and recommendations on December 28, 2000 on the amendment; and

WHEREAS, the Planning and Zoning Board has reviewed said amendment and conducted a public hearing on January 2, 2001, and made a finding that the amendments do not constitute a substantial deviation, pursuant to Section 380.06(17), Florida Statutes; and

WHEREAS, the Planning and Zoning Board has recommended approval of the requested amendments.

NOW, THEREFORE BE IT RESOLVED this 22nd day of January, 2001, by the Board of County Commissioners of Nassau County, Florida, that:

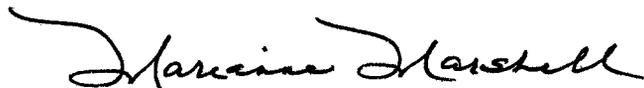
1. Parcel E-1: The land use designation is amended to change the land use from that of Office to allow twenty (20) residential units.
2. Parcel F-1: The land use designation is amended to change the land use from that of Convenience Commercial to twenty-four (24) residential units.
3. Parcel A-6: The land use designation is amended to reduce the authorized residential units from 200 to 156.

4. Parcels E-1, F-1 and A-6 may revert to their use as originally provided in the Development Order if the options 1 through 3 above are not utilized. The developer shall file a site plan with such application for that parcel being advertised and noticed in the same fashion as a zoning change in order to allow public comment on each site plan.
5. The sidewalk shall be extended from its present southern extent to the southern most extent of Summer Beach's properties in the vicinity of State Road A1A.
6. All construction traffic shall enter the Amelia Island Parkway from A1A on the south end so as not to travel through the Parkway's residential neighborhoods.
7. Protection of Vegetation: Consistent with Conditions 4.2 and 4.3 of the Summer Beach Development Order, the canopy and understory vegetation of Parcels E and F shall be retained to the extent possible as natural landscaping and as tree canopy to support migratory birds population. A minimum setback of 35 feet shall be retained along the Amelia Island Parkway within which native vegetation will be protected to the greatest extent possible consistent with the provision of access driveways and other essential services. Within this setback, specific attention shall be given to retaining and protecting trees that form the Parkway canopy. All canopy trees to be retained shall be shown on the Site Plan and protected

during construction. The Planning Director shall ensure that the development is in compliance with the requirements of this paragraph.

8. The changes to Parcels E-1, F-1, and A-6 are illustrated on Map H-1R(6) and in Table 12A-2 (November 10, 2000) which are attached hereto and made a part hereof of this Resolution.
9. The change proposed to the PUD and Development Order does not constitute a substantial deviation and full review has been provided in accordance with Florida Statutes Section 380.06(19).
10. Notice of the adoption of this Resolution and a certified copy of this Resolution shall be recorded by the Applicant, in accordance with Section 380.06(14)(d), Florida Statutes.
11. The County Clerk shall transmit a certified copy of this Development Order amendment by certified mail to the DCA, the RPC, and the Applicant.

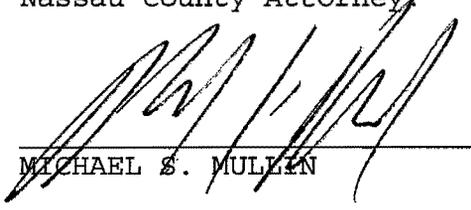
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


MARIANNE MARSHALL
Its: Chairman

ATTEST:


J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney.



A handwritten signature in black ink, appearing to read "Michael S. Mullen", is written over a horizontal line.

MICHAEL S. MULLEN

SUMMER BEACH

SUMMER BEACH, LTD.

HDR HDR Engineering, Inc.

DATE: APRIL 1984 PROJECT # LA 4018-84004-18057-89051
MAP H-1 R (6)

REVISED: DECEMBER 3, 1984
 JANUARY 23, 1985
 JULY 8, 1985
 SEPTEMBER 9, 1985
 JULY 1, 1986
 JULY 20, 1987
 NOVEMBER 1, 1988
 JUNE 8, 1989
 COMPLETED: MARCH 12, 1990
 MAY 19, 2008



LAND USE PLAN

PLD. PRELIMINARY DEVELOPMENT PLAN

KEY
 SINGLE FAMILY
 3000 SF MIN. INDUSTRIALS - 723 UNITS
 12' HIGH ALTERNATIVE USE

P-2 - SUB PARCEL
 100% - 100% LIVING UNITS - 119
 B - PHASE

LOWHOUSES 2 TO 3 STORY 6 UNITS
 FLATS

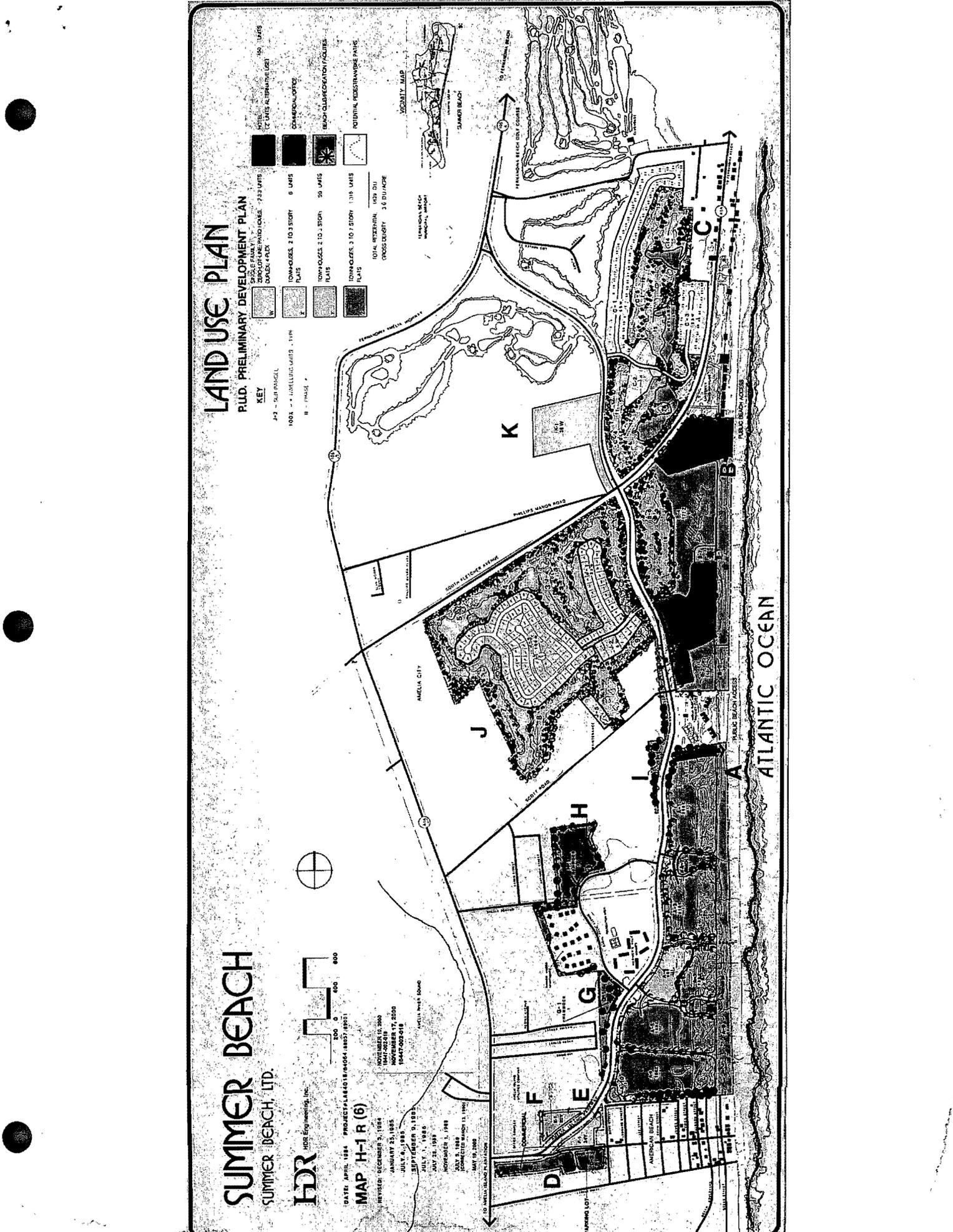
LOWHOUSES 2 TO 3 STORY 36 UNITS
 FLATS

LOWHOUSES 3 TO 7 STORY 119 UNITS
 FLATS

1074 RESIDENTIAL 1929 DU
 CROSS DENSITY 16 DU/ACRE

CONCRETE OFFICE
 READY OCCUPANCY FACILITIES
 POTENTIAL RECREATION/PARKS

100% UNITS
 (7' HIGH ALTERNATIVE USE)



ATLANTIC OCEAN

Attachment G
SUMMER BEACH

Planned Unit Development and Development of Regional Impact

Table 12A-2 Revised December 21, 2000
LAND USE SUMMARY

Sub-Parcel	Residential			Commercial		Recreation/Open Space*		Roadways	Totals
	Class	Units	Acres	Types	Acres	Type	Acres	Acres	Acres
PARCEL A									
A-1	Z	250	19.75						19.75
A-2	Z	210	15.05						15.05
A-3	Z	132	7.10						7.1
A-4	Y	90	8.10						8.1
A-5	Z	180	17.31						17.31
A-6	Z	156	19.00						19
A-7						Beach Club	2.75		2.75
A-8						Beach Club	2.02		2.02
A-9						CCCL***	27.88		27.88
A-10						Pond	0.72		0.72
Roads								1.32	1.32
Sub-Totals		1018	86.31		0.0		33.37	1.32	121.0

PARCEL B

B-1						CCCL***	12.73		12.73
B-2	Z	145	4.24						4.24
B-3						CCCL***	2.81		2.81
B-4	Z	171	16.46						16.46
B-5						Scott Road	1.41		1.41
B-6						Golf	14.63		14.63
B-7						Beach Club	1.32		1.32
B-8		**		Hotel**	10.87				10.87
B-9						Open Space	2.55		2.55
B-10						Park	12.3		12.30
B-11						Open Space	0.78		0.78
Sub-Totals		316	20.70		10.87		48.53		80.10

PARCEL C

C-1	W	58	21.55						21.55
C-2	W	6	3.80						3.80
C-3	W	20	8.36						8.36
C-4						Golf	16.35		16.35
C-5						Golf	25.16		25.16
C-6						Wetlands	12.00		12.00
Sub-Totals		84	33.71				53.51		87.22

PARCEL D

D-1				Conv Comm	3.57				3.57
D-2						Beach Pkng	2.00		2.00
Sub-Totals					3.57		2.00		5.57

E-1	Y	20	3.57	*****					3.57
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F-1	Y	24	3.35	*****					3.35
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**Attachment G
SUMMER BEACH**

Planned Unit Development and Development of Regional Impact

Table 12A-2 Revised December 21, 2000
LAND USE SUMMARY

Sub-Parcel	Class	Residential		Commercial		Recreation/Open Space*		Roadways	Totals
		Units	Acres	Types	Acres	Type	Acres	Acres	Acres
G-1						Hammock	4.26		4.26
H-1						Hammock	13.31		13.31
I-1						Hammock	4.80		4.80
PARCEL J									
J-1	W	31	9.5						9.50
J-2	W	7	3.7						3.70
J-3	W	103	31.92						31.92
J-4						Golf	82.58		82.58
J-5				Maintenance	1.35				1.35
Sub-Totals		141.00	45.12		1.35		82.58		129.05
K-1	W	36	11.00						11.00
TOTALS		1639	203.76		12.22		240.36		457.66 *****

* Residential includes land area for buffers, open space, and recreational uses associated with each parcel.

** Hotel or 450 units. If the hotel option is not achieved, add 282 residential units.

*** CCCL indicates open space area located seaward of the Coastal Construction Control Line.

**** Total land area may exceed 457.66 as a result of transfers of existing rights-of-way in Parcel B.

***** Residential or Commercial. If the residential is not developed, commercial use may be exchanged with the filing of a site plan.

Source: Landers-Atkins Planners, Inc., 1984. Revised December 1984; July 1985; September 1985; July 1986; November 1988.

HDR Engineering, Inc. of the Carolinas. Revised June 12, 2000; Revised November 10, 2000; Revised December 8, 2000.