

ORDINANCE NUMBER 83-10

INTRODUCED BY: COMMISSIONER BRUBAKER

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS DESCRIBED
HEREINAFTER FROM PRESENT ZONING CLASSIFICATION
OF OPEN RURAL TO PLANNED UNIT DEVELOPMENT

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS
COUNTY, FLORIDA:

SECTION 1. As requested by Smugglers' Landing, Inc. in its application as prepared by Tim Gabriel and Associates, Inc., for zoning change #R-PUD-83-2 (hereinafter, the Smugglers' Landing PUD Application), the zoning classification of the lands therein described is hereby changed from Open Rural to Planned Unit Development, (hereinafter, the "Smugglers' Landing PUD").

SECTION 2. Development within the Smugglers' Landing PUD shall proceed in accordance with the Smugglers' Landing PUD Application as modified and supplemented by the provisions of this ordinance and as indicated by the Amended Application hereto as Exhibits A and B and the site plan as Exhibit M as contained in the Smugglers' Landing PUD Application and the legal description attached as Exhibit C. All development shall be consistent with the aforesaid Exhibits unless contrary to this ordinance in which case, the ordinance provisions shall apply.

SECTION 3. The location of various uses and densities within the Smugglers' Landing PUD shall be in accordance with the Development Plan (Exhibits A, B, and C attached hereto, and Exhibit M as contained in Smugglers' Landing PUD Application) submitted by Tim Gabriel and Associates, Inc. and incorporated in the Smugglers' Landing PUD Application except that the developer shall have the right to change the boundaries of the various parcels designated on the Development Plan provided that no such change or combination changes shall defeat the spirit and intent of the PUD Ordinance as manifested in the site plan (Exhibit M as contained in the Smugglers' Landing PUD Application).

SECTION 4. In connection with the Smugglers' Landing Application, Tim Gabriel and Associates, Inc. has submitted a preliminary site plan as required by Section 8-2-2 of the St. Johns County Zoning Ordinance which shows a preliminary vehicular and pedestrian circulation system. It is understood that this site plan is for information purposes only and that the developer shall not be bound by the detail shown on the site plan. It is further

understood, however, that the site plan is illustrative of the approach which the developer shall be required to take to solve the problem of vehicular and pedestrian circulation and that any Final Development Plan submitted within the Smugglers' Landing PUD shall be approved only if it comports with the spirit and intent of the PUD Ordinance as manifested in the preliminary site plan.

SECTION 5. Drainage standards meeting at least State of Florida and St. Johns County requirements shall be incorporated.

SECTION 6. Acceleration and deacceleration lanes, as shown by Exhibit M as contained in the Smugglers' Landing PUD Application, shall be incorporated for the alleviation of traffic problems on C 13.

SECTION 7. There shall be stabilized pedestrian walkways.

SECTION 8. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby, upon approval of Final Development Plans.

SECTION 9. This ordinance shall take effect immediately upon receipt of official acknowledgment of the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, that the same has been filed.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Robert E. Carter
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Marie Hudson
Deputy Clerk

(Seal)

Adopted regular meeting 04/12/83

Effective 4-19-83

EXHIBIT A

Tim Gabriel & Assoc. Inc.

Planning Consultants

15 Hypollita Street
Post Office Box 3347
St. Augustine, FL 32085-3347
1-904-824-7730

February 3, 1983

Mr. Allan F. "Bucky" Powers
Director of Community Development
St. Johns County

RE: Clarification of Information Presented - Smugglers'
Landing, Inc. Proposed P.U.D.

Dear Bucky,

As per our meeting of 1/26/83 with yourself and Don Germain pursuant to the request of the St. Johns County Planning Board, the following information reflects corrections and additional information to that submitted as part of our original P.U.D. application on the proposed Smugglers' Landing project:

1. Traffic

A preliminary traffic analysis has been prepared for the project by Bennett and Davis, Consulting Engineers. Initial generation of vehicular trips for the project utilizing (7.5) trips per day per unit indicated potential traffic load at the intersection of the main entrance boulevard and County Road 13 of three thousand two hundred and sixty-one (3,261) trips per day. Current loads on County Road 13 are one thousand and twenty-five (1,025) trips per day (A.D.T.) This potential traffic load is well within the handling capacity of State Road 13.

2. Water system Pressure and Service

As discussed at our previous meeting the water plant has been relocated as indicated on our concept plan. Water system pressure will deliver (500) gallons per minute at (27) P.S.I. This pressure meets A.W.W.A. standards for Fire Service delivery.

3. Electric Power

All electric power will be placed underground as per Florida Power and Light tariffs.

4. Development Plan

In an effort to clarify lot, widths, and dimensions the following will apply in accordance with the St. Johns County

• Land Planning • Proforma • Market Analysis • Project Management

Zoning ordinance:

- a. 2-Acre tracts will meet minimum standards as per section 5-1-4.
- b. 1-Acre tracts will meet minimum standards for RS-1 as per section 5-2-4 a.
- c. 4-Acre tracts will meet minimum dimensions as per RS-2 section 5-2-4 b.

In addition information presented on Attachment "A" provides total acreage estimates for each use in the P.U.D. as well as break-downs of acreage by use for Phases I - IV. It should be noted that commercial property located near the entrance of the project will be designated as Commercial General as per the St. Johns County Zoning ordinance.

5. Deed Restrictions

The following points are hereby noted for clarification in the Deed Restrictions:

- a. All diameters for tree vegetation will be at breast height.
- b. The Homeowners Association will have the primary responsibility and will be under the control of the developer until such time as a minimum of (80%) of all lots are sold.
- c. Statements contained in the PUD application relative to initiation of construction should read "after approval of the final development plan".

6. Alternate Access


Attached you will find a Letter Agreement, Attachment "B", to provide alternate access to SR 16 from adjacent property owner.

We trust this information will satisfy all requirements for approval of the concept presented with detailed information and final development plans submitted prior to consideration by the St. Johns County Board of County Commissioners.

If you have any questions or require further clarifications please call. We look forward to working with you in the future as the project progresses through the development phases.

Very truly yours,

TIM GABRIEL AND ASSOCIATES, INC.


Tim Gabriel
President

TG/rct

c.c. St. Johns County Board of
County Commissioners
St. Johns County Planning
and Zoning Board
Mr. Marvin Hill
Mr. John Duss IV
Mr. Al Davis
Smugglers' Landing, Inc.

DEVELOPMENT PLAN
SMUGGLERS' LANDING, INC.

Phase I

Conservation Area -	88.47 Acres
Florida Power & Light -	11.10 Acres
Recreation Area -	7.45 Acres
Right-of-Way -	19.93
Lineal Feet - Streets	9,955 LF
Lineal Feet - Equestrian Trail	3,650 LF
Lineal Feet - Bike/Jogging Path	5,200 LF
TOTAL LOTS	107 Lots
1/4 Acre -	23 Lots
1 Acre -	81 Lots
2 Acre -	4 Lots

Phase II

Conservation Area -	0.32 Acres
Recreation Area -	22.13 Acres
Right-of-Way -	22.70 Acres
Lineal Feet - Streets	14,555 LF
Lineal Feet - Equestrian Trail	5,600 LF
Lineal Feet - Bike/Jogging Path	3,100 LF
TOTAL LOTS	130 Lots
1/4 Acre -	67 Lots
1 Acre -	40 Lots
2 Acre -	23 Lots

Phase III

Conservation Area -	2.67 Acres
Recreation Area	5.16 Acres
Right-of-Way	14.36 Acres
Lineal Feet - Streets	10,130 LF
Lineal Feet - Equestrian Trail	3,400 LF
Lineal Feet - Bike/Jogging Path	7,800 LF
TOTAL LOTS	139 Lots
1/4 Acre -	138 Lots
2 Acre -	1 Lot

Commercial Area -	5.56 Acres
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Phase IV

Conservation Area -	7.4 Acres
Recreation Area -	0.0 Acres
Right-of-Way -	9.62 Acres
Lineal Feet - Streets	6,980 LF
Lineal Feet - Equestrian Trail	4,900 LF
Lineal Feet - Bike/Jogging Path	5,800 LF
TOTAL LOTS	95 Lots
1 Acre -	48 Lots
2 Acre -	47 Lots

Commercial Area	2.3 Acres
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Entire P.U.D.

Conservation Area -	98.86 Acres
Florida Power & Light -	11.10 Acres
Recreation Area -	35.80 Acres
Right-of-Way -	66.61 Acres

Lineal Feet - Streets	41,620 LF
Lineal Feet - Equestrian Trail	17,550 LF
Lineal Feet - Bike/Jogging Path	21,900 LF

TOTAL LOTS	472 Lots
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1/2 Acre -	228 Lots
1 Acre -	169 Lots
2 Acre -	75 Lots

Comercial Area -	7.85 Acres
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Radcliffe Investment Company

112 DOVER ROAD
P. O. Box 997
West Memphis, Arkansas
72301

E. M. RADCLIFFE
PRESIDENT

January 31, 1983

Tim Gabriel & Associates, Inc.
P. O. Box 3347
St. Augustine, Florida 32084

Attention: St. John's Board of County Commissioners

Gentlemen:

Please be advised that Radcliffe Investment Company and Central States Investment Company agree to provide alternate access to your proposed Smuggler's Landing project from the easterly boundary of Parcel B to a location to be determined on State Road 16.

Yours truly,



E. M. Radcliffe

lm

EXHIBIT B

Tim Gabriel & Assoc. Inc.

Planning Consultants

15 Hypolita Street
Post Office Box 3347
St. Augustine, FL 32085-3347
1-904-824-7730

February 24, 1983

Mr. Allan F. "Bucky" Powers
Director of Community Development - St. Johns County
P.O. Box 349
St. Augustine, Florida 32084

RE: Revisions to Smugglers' Landing PUD Application

Dear "Bucky",


The attached document reflects changes to the incorporated and to the PUD Application, as per our meeting of 2/18/83. Would you please review these changes to be sure they are in accordance with your requirements and notify me accordingly.

I will be in touch with you in the very near future regarding submittal of our Final Development Plan and Unit 1 Plat. I will also discuss with you several items regarding submission of our Final Development Plan.

If you have any questions regarding this correspondence or require additional information, please call.

Very truly yours,

TIM GABRIEL AND ASSOCIATES, INC.


Tim Gabriel
President

TG/rct

c.c. Smugglers' Landing, Inc.
John Duss IV
Al Davis

• Land Planning • Proforma • Market Analysis • Project Management

AMENDMENTS
SMUGGLERS' LANDING
PUD APPLICATION

1. Paragraph 2 of page 31 of the PUD Application has been deleted and the following paragraph inserted:

Construction of the first Phase will begin immediately upon approval of the Final Development Plan and approval of the Unit 1 Plat with completion scheduled within two (2) years of that date, Site improvements will include approximately one hundred and twenty-five (125) lots, a six (6) unit Model Home Bank, Central Water System, Community Center, and Drainage Improvements for Phase 1 and 2.

2. Paragraph 3, page 31, first line, the word "should" has been replaced by the word "will".

3. Paragraph 5, page 31, third line, the word "should" has been replaced with the word "will".

4. Add new paragraph six (6), page thirty-one (31):

The above phasing is designed to be the intended plan of development. However, the developer requests the right to have more than one (1) phase under construction at any given time, construction on subsequent phase shall not begin until at least seventy-five (75) percent of all construction work on any previous phases is completed.

5. Page forty-two (42), paragraph one (1), (a) is deleted and replaced by the following:

(a) have minimum nine hundred (900) square feet for two (2) bedroom units and twelve hundred (1200) square feet for three (3) bedroom units, excluding all porches, garages and carports.

6. Page forty-two (42), paragraph (c) to the last line add the following:

In addition gravel and woodchip driveways shall be maintained and replenished to prevent bare earth or weeds from showing, and to maintain proper esthetic appearance.

EXHIBIT C

LEGAL DESCRIPTION

Parcel "A" - Tract 10, 11, and 12
(373.6 Acres ±)

A part of Section 24, 25, & 46, Township 6 South, Range 27 East, together with a part of Section 19, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: for a Point of Reference, commence at the intersection of the West line of Section 19, Township 6 South, Range 28 East, and the Southerly right-of-way line of State Road No. 16, Booth Road, a 66' right-of-way as now established; from the Point of Reference thus described run N. 63° 25' 15" E., along the said Southerly right-of-way line of State Road No. 16 a distance of 55.67' to the point of a curve to the right, said curve being concave to the Southeast having a radius of 922.37'; thence Northeasterly along and around said curve, an arc distance of 11.83' to a point in the West line of a 110' easement to Florida Power and Light Company recorded in Official Records Volume 46, Page 647, of the current Public Records of said St. Johns County, Florida; thence S. 2° 35' 54" E., along the said West line of 110' easement, a distance of 2680.0' to the Point of Beginning; from the point of beginning thus described run thence S. 87° 24' 06" W., a distance of 1586.89'; thence N. 65° 14' 26" W., a distance of 9671.45' to a point in the Southeasterly right-of-way line of State Road No. 13, said point lying in a curve, said curve being subtended by a chord bearing a distance of S. 19° 47' 57" E., 718.92'; thence S. 02° 29' 20" E., a distance of 4147.93'; thence S. 88° 34' 00" E., a distance of 160' more or less to a point in the centerline of Six Mile Creek; thence Southeasterly and Northeasterly along the meanderings of said centerline of Six Mile Creek and along the centerline of a 15' more or less wide creek a distance of 4820' more or less to a point which bears S. 02° 35' 54" E., from the Point of Beginning, said point lying in the aforementioned West line of a 110' easement to Florida Power and Light Company; thence N. 02° 35' 54" W., along said West line of 110' easement a distance of 5208' more or less to the Point of Beginning.

Lands thus described contain 373.6 acres more or less.

LEGAL DESCRIPTION

(Continued)

Parcel "B"

A part of Section 19, a part of Government Lot 12, Section 38, and a part of Government Lot 13, Section 46, Township 6 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: For a Point of Reference commence at the intersection of the Westerly line of Section 18, and the Southerly right-of-way line of State Road No. 16, a 66' right-of-way as now established; from the Point of Reference thus described run N. 63° 25' 15" E., along the said Southerly right-of-way line of State Road No. 16 a distance of 55.67' to a point of a curve to the right, said curve being concave to the Southeast and having a radius of 922.37'; thence Northeasterly along and around said curve an arc distance of 128.69' to its intersection with the East line of 110' easement to Florida Power and Light Company, said curve being subtended by a chord bearing and distance of N. 67° 25' 01" E., 128.59'; thence S. 02° 35' 54" E., along said East line of 110' easement, a distance of 1104.42' to the Point of Beginning; from the Point of Beginning thus described continue S. 02° 35' 54" E., along said East line of 110' easement, a distance of 6696.84'; thence N. 87° 24' 06" E., a distance of 150.0'; thence N. 45° 22' 11" E., a distance of 635.51'; thence N. 26° 41' 07" E., a distance of 1259.17'; thence N. 38° 57' 38" E., a distance of 1078.0'; thence N. 12° 04' 09" E., a distance of 1008.28'; thence N. 10° 47' 22" E., a distance of 1508.19'; thence N. 31° 54' 57" W., a distance of 2206.42'; thence S. 87° 24' 06" W., a distance of 1477.22' to the Point of Beginning.

Lands thus described contain 272.7191 acres, more or less.

83-10

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

I, the undersigned authority personally appeared _____
Robert E. James who on oath says that
Advertising Manager of the St. Augustine Re
newspaper published at St. Augustine in St. Johns County, F
the attached copy of advertisement, being a
Notice of Board of County Commissioners Meet
in the matter of _____
Proposed Rezoning OR to PUD
in the _____
published in said newspaper in the issues of _____
February 11, 1983

Affiant further says that the St. Augustine Record is a news
published at St. Augustine, in said St. Johns County, Florida, and th
newspaper has heretofore been continuously published in sa
St. Johns County, Florida, each day, except Sundays, and has been ei
second class mail matter at the post office in the City of St. Aug
said St. Johns County, Florida, for a period of one year next prec
the first publication of the attached copy of advertisement; and a
further says that he has neither paid nor promised any person, fi
corporation any discount, rebate, commission or refund for the pu
securing this advertisement for publication in the said newspaper.

born to and subscribed before me
on the 14th day of February

1983
Notary Public

Notary Public, State of Florida
My Commission Expires May 13, 1985

CONT. TO 4/12/83

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22 DAY OF MARCH, 1983, AT 1:30 O'CLOCK, P.M. IN THE COUNTY COMMISSIONERS MEETING ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OR TO PUD, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SECTION 1. Pursuant to the application of Central States Inv. Co. and Radcliff Investment Co. OWNERS of the following described zoning classification OR on the following described lands: Parcel "A" - Tract 10, 11, and 12 (373.8 Acres more or less) A part of Section 24, 25, & 44, Township 8 South, Range 27 East, together with a part of Section 19, Township 8 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: for a Point of Reference, commence at the intersection of the West line of Section 18, Township 8 South, Range 28 East, and the Southern right-of-way line of State Road No. 16, Booth Road, a 69' right-of-way as now established; from the Point of Reference thus described run N. 83° 25' 15" E., along the said Southern right-of-way line of State Road No. 16 a distance of 55.87' to the point of a curve to the right, said curve being concave to the Southeast having a radius of 922.37'; thence Northeasterly along and around said curve, an arc distance of 11.83' to a point in the West line of a 110' easement to Florida Power and Light Company recorded in Official Records Volume 46, Page 847, of the current Public Records of said St. Johns County, Florida; thence S. 02° 35' 54" E., along the said West line of 110' easement, a distance of 2680.0' to the Point of Beginning; from the point of beginning thus described run thence S. 87° 24' 09" W., a distance of 1586.89'; thence N. 85° 14' 28" W., a distance of 987.143' to a point in the Southeastly right-of-way line of State Road No. 13, said point lying in a curve, said curve being subtended by a chord bearing a distance of S. 02° 35' 54" E., 718.91'; thence S. 02° 29' 20" E., a distance of 4147.93'; thence S. 89° 34' 00" E., a distance of 180' more or less to the centerline of Six Mile Creek; thence Southeastly and Northeasterly along the meanderings of said centerline of Six Mile Creek and centerline of a 15' more or less wide creek a distance of 4820' more or less to a point which bears S. 02° 35' 54" E., from the Point of Beginning, said point lying in the aforementioned West line of a 110' easement to Florida Power and Light Company; thence N. 12° 04' 09" E., along the said West line of 110' easement a distance of 8208' more or less to the Point of Beginning. Lands thus described contain 373.8 acres more or less.
Parcel "B"
A part of Section 19, a part of Government Lot 12, Section 35, and a part of Government Lot 13, Section 46, Township 8 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: For a point of Reference commence at the intersection of the Westery line of Section 13, and the Southern right-of-way line of State Road No. 16, a 69' right-of-way as now established; from the Point of Reference thus described run N. 83° 25' 15" E., along the said Southern right-of-way line of State Road No. 16 a distance of 55.87' to a point of a curve to the right, said curve being concave to the Southeast and having a radius of 922.37'; thence Northeasterly along and around said curve an arc distance of 128.89' to its intersection with the East line of 110' easement to Florida Power and Light Company, said curve being subtended by a chord bearing and distance of N. 87° 25' 01" E., 128.89'; thence S. 02° 35' 54" E., along the East line of 110' easement, a distance of 1104.42' to the Point of Beginning; from the Point of Beginning thus described continue S. 02° 35' 54" E., along said

East line of 110' easement, a distance of 8594.84'; thence N. 87° 24' 09" E., a distance of 150.00'; thence N. 45° 22' 11" E., a distance of 535.51'; thence N. 25° 41' 07" E., a distance of 1239.17'; thence N. 50° 57' 38" E., a distance of 1078.0'; thence N. 12° 04' 09" E., a distance of 1008.28'; thence N. 10° 47' 22" E., a distance of 1508.16'; thence N. 31° 54' 57" W., a distance of 2206.42'; thence S. 37° 24' 08" W., a distance of 1477.23' to the Point of Beginning. Lands thus described contain 272.7191 acres, more or less. Is hereby changed to PUD, Planned Unit Development of maximum 500 units, residential community.
SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in zoning district wherein said lands are located.
SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby.
SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgment of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
BY: Carl "Bud" Markel CLERK
If a person decides to appeal any action made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing he will need a record of the proceedings, and for such purpose he 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.
L488 Feb. 11, 1983