

ORDINANCE NUMBER: 2001 - 44

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM RESIDENTIAL, SINGLE FAMILY (RS-3) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

P. U. D. OFF. REC.
BOOK 0 PAGE 413

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

SECTION 1. That, as requested by George M. McClure, on behalf of Alan Simpson, the title owner of record in the application with supporting documents for the zoning change submitted on December 08, 2000, hereinafter known as the application, the zoning classification of lands described within attached Exhibit A, is hereby changed from Residential, Single Family (RS-3) to Planned Unit Development (PUD).

SECTION 2. That development of the lands within this Planned Unit Development shall proceed in accordance with the **ELKTON CONCRETE CASTINGS PUD** application, dated December 08, 2000, and other supporting documents, which are a part of Zoning File R-PUD-2001-01, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and any below described special provisions of this Ordinance, the below described provisions shall prevail.

1. The **ELKTON CONCRETE CASTINGS PUD** is consistent with the St. Johns County Comprehensive Plan.
2. The **ELKTON CONCRETE CASTINGS PUD** meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
3. The **ELKTON CONCRETE CASTINGS PUD** meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Subsection 5.03.02(G)1.t. and Subsection 5.03.02(F) of the Land Development Code.
4. The Master Development Plan Text and Map for the **ELKTON CONCRETE CASTINGS PUD** meet all requirements of Section 5.03.02(G) of the Land Development Code.

5. The **ELKTON CONCRETE CASTINGS PUD** meets all applicable Specific Standards of Section 5.03.03 of the St. Johns County Land Development Code.

SECTION 3. To the extent they do not conflict with the unique specific and detailed provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance, building code, comprehensive plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas maintained in the Zoning Division of the St. Johns County Growth Management Services Department by the Director of Growth Management Services, or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 26th DAY OF JUNE, 2001.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Marc A. Jacalone
Marc A. Jacalone, Chairman

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 07-05-01

EXHIBIT A

P. U. D. OFF. REC.
BOOK 0 PAGE 415

Legal Description
Parcel Account Number: 032550-0000

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, of Block "D", TOWN OF ELKTON, according to map of ELKTON, recorded in Map Book 1, Page 154, of the Public Records of St. Johns County, Florida. EXCEPTING therefrom any part lying within the right-of-way of State Road No. 305 as now established.

Exhibit B

St. Johns County Planning Department
4020 Lewis Speedway
St. Augustine, FL 32095
(904) 823-2470

APPLICATION FOR PLANNING/ZONING HEARING

Revised 12/27/00

P.U.D. OFF. REC.
BOOK 0 PAGE 416

Date 10-25-00 File # PUD 20010 Parent # _____ Receipt # _____

- 1. Project Name ELKTON CONCRETE CASTINGS PUD
Also Known As _____
- 2. Applicant's Name, Address, and Phone # Alan Simpson c/o Rogers, Towers, Bailey, Jones & Gay, P.A.,
170 Malaga Street, Suite A, St. Augustine, FL 32086
- 3. Owner's Name, Address, and Phone # Alan Simpson, c/o Rogers, Towers, Bailey, Jones &
Gay, P.A., 170 Malaga Street, Suite A, St. Augustine, FL 32086
- 4. Property Location C.R. 305 at St. Ambrose Church Road
- 5. Legal Description See attached
- 6. Present Use of Property Agricultural Equipment Storage Repair
- 7. Parcel # _____ 8. Zoning RS-3 9. Comp Plan RC
- 10. Section 25 11. Township 8 S 12. Range 28E 13. TAZ _____
- 14. Requested Change PUD
- 15. Reason Change is Requested to allow development for low intensity concrete casting and
assembly operation
- 16. Statement of Facts for Requested Change See attached Exhibit C
- 17. Concurrency Required _____ 18. Map Page # _____ 19. Road Segment 52
- 20. Size of Property 1.77A

NOTE: If the application is for a rezoning or major modification, please provide the name of the in the Utility Company/Companies servicing the proposed project JEA

- 21. Attach the following to application:
 - a. List of adjacent property owners within 300 feet showing name, address and brief legal description from current tax rolls; address one long envelope to each person on the list, no return address needed, but proper postage on each. Two envelopes are needed if the application requires two public hearings.
 - b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of all owners or authorized person if letter of authorization is attached:

Printed or typed name(s): Rogers, Towers, Bailey, Jones & Gay, P.A.

Signature(s): _____

ADDRESS & TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION:

Name: Rogers, Towers, Bailey, Jones and Gay Phone: 824-0879
Mailing Address: 170 Malaga Street, Suite A, St. Augustine, FL 32086 Fax: 825-4070

Exhibit C
LAND DEVELOPMENT CODE REQUIRED TEXT
(FINAL--Amended as of June 26, 2001)

a. *The total number of acres included within the Project as requested in the application.*

1.77Acres

b. *The total number of Wetland acres included within the Project as requested in the application.*

There are no wetlands on site.

c. *The total amount of Development area, including the total number of developable acres (including filled Wetlands) for each proposed land Use and the total number of Wetland acres to be preserved for each land Use. Each developable Parcel shall be limited to one Use Classification, as provided in Article II of this Code.*

Land Use	Acreage	Intensity	% of Project
Light Industrial	1.77	15,000gsf	100%

d. *The total number of residential Dwelling Units and density of the Project, the projected population, and projected population of elementary and high school age children that may reside within the Project.*

There will be no residential development within the PUD.

e. *The total square footage and intensity of non-residential Development.*

The site will be used for the casting of precast concrete products such as floating docks, decorative fountains, agricultural feeders, gate parts and similar items. The process involves mixing of concrete on site, pouring into metal molds and shipment of the completed product.

Typical raw materials are water, dry concrete, aggregate, wood, re-bar, reinforcing wire and Styrofoam type material. There is limited dust, noise or air quality impacts. Hours of operation will be limited to 6:00 a.m. to 6:00 p.m. except for indoor office and administrative activities. In addition to the foregoing limitations, there shall be no operation of concrete mixing equipment prior to 8:00 a.m. and such equipment shall not be operated more than four (4) total hours per day. Deliveries shall not occur on Saturdays. Stationary drill presses and all saws shall be used inside only. The activities of the Applicant may involve permits for industrial waste water (from wash water for cleaning the concrete silo and equipment) and industrial stormwater. If so, Applicant will obtain, maintain and comply with such permits. Intensity will involve the existing metal structure of 7,800 gsf with an ability to add up to 7,200 gsf in additional structures. Any additional metal buildings shall be insulated in the roof and exterior walls to limit noise. Pending additional construction, Applicant may place a temporary office structure on site provided location and set-up complies with all setbacks and constraints contained herein and all applicable building and safety codes.

f. The residential and non-residential Structure setbacks, as measured from the property line, the minimum size of residential Lots, the number of parking spaces for residential and non-residential Uses, the use of Signs and signage to serve the Project and the maximum height of all Structures.

There will be no residential development with the PUD. Non-Residential standards shall be as follows:

- (1) Setbacks: All new structures (or additions to the existing structure) will be set back from CR 305 and St. Ambrose Church Road not less than forty (40') feet. Setbacks for structures from other property lines are twenty (20') feet. Where buildings do not utilize common walls and are physically separated, a minimum building separation of ten (10) feet shall be maintained.
- (2) Signage: The Elkton Concrete Castings PUD Sign Criteria shall comply with Article VII of the St. Johns County Land Development Code, as amended from

time to time, in order to regulate the number, location, size, type, and use of signs within the development.

(3) Height: No portion of the structures to be built shall exceed twenty (20') feet in height, except the twenty (20') feet maximum height does not apply to water tanks, ventilators, chimneys, concrete silos or other appurtenances usually required to be placed above the roof level and not intended for human occupancy. Such improvements shall be limited to a height of not more than thirty (30') feet.

(4) Parking: Parking and loading facilities shall comply with Article VI, Part 6.05.00 of the St. Johns County Land Development Code, except that parking areas may be stabilized and not paved. No employee or customer parking shall be allowed on public rights of way.

g. The type and location of infrastructure needed to serve the Project, including at a minimum, drainage facilities, vehicle and pedestrian access to the Project, internal vehicle and pedestrian access within the Project, interconnectivity access points to adjacent properties, park, open space and recreation facilities, types of active recreation that will be provided, the provision of water and sewer, fire protection, and solid waste collection. Additional infrastructure requirements may be addressed based upon the character or location of the Project.

The infrastructure needed to serve the Project consists of roads, drainage facilities, water and sewer, fire protection and solid waste collection.

(1) Access: There is existing access to CR 305, which will continue to be utilized. Applicant retains the right to add one additional access onto St. Ambrose Church Road and Pine Street, subject to approval by the St. Johns County Road & Bridge Department. There shall be no access onto Maple Street. Applicant agrees not to seek a vacation of Maple Street.

- (2) Signage: Stormwater management systems shall be provided with the Elkton Concrete PUD pursuant to Article VI, Part 6.04.00 of the St. Johns County Land Development Code, as amended from time to time.
- (3) Utilities: Florida Power and Light will provide Electricity. Water and Sewer will be provided by well and septic.

h. The amount of water and sewer use based upon the projected population, and the Public Utility Providers, if applicable.

Water consumption is estimated at 2,500 g.p.d. and sewer at 300 g.p.d.

i. The type of underlying soils and its suitability for Development of the proposed Project.

The soil survey of St. Johns County, Florida, identifies one (1) type of soil on the site, Riviera Fine Sand (65). Potential for community development is medium.

j. The type and extent of upland forest and wetlands on the site using the Level III classification of the Florida Land Use Cover and Classification System (FLUCCS). A map depicting the location of upland forest and Wetland vegetation shall be provided with the application submittal.

No FLUCCS map is provided inasmuch as the site is bare. No wetlands exist on site.

k. The type and extent of buffering, landscaping, tree removal and tree protection, and buffering between adjacent uses as needed to aesthetically screen uses and provide privacy.

There are no trees subject to removal in as much as the site is already developed. Within thirty (30) days of the issuance of a certificate of occupancy and an occupational license, applicant will construct a six (6') foot masonry fence not less than five (5') feet inside the property boundaries

Elkton Concrete Castings - Planned Unit Development

abutting Maple Street, St. Ambrose Church Road and CR 305. The fence shall be architecturally finished on the exterior. Applicant will landscape along such boundaries sufficient to meet the requirements of Screening Standard "C" in LDC Section 6.06.04(B)(5). Landscaping to Screening Standard C shall be provided along opened portions of Maple Street and also along unopened portions of Maple and Pine at such time these streets are opened. Lighting shall be placed on site and shall be directed toward the interior of the site.

l. The use, location and duration of temporary uses, including construction trailers, sales units, model homes, and temporary signage related to construction of the Project.

A temporary office shall be allowed to be placed on site subject to setbacks and building and safety codes until additional construction occurs.

m. The use and location of accessory uses for residential and non-residential structures, including Guest Houses, A/C units and related heating/cooling units, setbacks, swimming pools, fencing, and similar Uses.

Not Applicable.

n. A phasing schedule, including at a minimum, the amount of residential and non-residential development to be completed within a specified phase, a specific commencement date, a definition of commencement of the Project, and a specific completion date. The PUD shall expire at the end of the specific completion date included in the MDP Text and no further development shall occur until the phasing schedule is extended or modified pursuant to the requirements of this part. The PUD shall provide as part of the phasing schedule, an estimate of uses to be developed within five (5) year phases. The estimated phases may overlap during construction; however, the phase shall be fifty percent (50%) complete, before the next phase may proceed unless modified through a PUD Minor Modification.

The site will be occupied within six (6) months of passage of the PUD.

Elkton Concrete Castings - Planned Unit Development

o. The projected impact of the Project upon St. Johns County, an explanation of the Project's benefit to the County, as compared to existing zoning or other zoning district, and justification of the Project.

The impact of the project on County service and infrastructure is as set forth in the Concurrency Application and Certificate of Concurrency. The project's benefits include the creation of jobs in an area needing such opportunities, but on a site, which is in a commercially developed area with adequate access to transportation facilities. The site is in a unique area. In the immediate vicinity are intense agricultural activities which include significant noise, machinery and activity. In very close proximity are structures used for the manufacture and repair of agricultural implements for sale. Just across S.R. 207, down C.R. 305, is the Dominex Corp. eggplant-processing factory. It does not process locally grown crops but, rather, cooks, freezes, packages, and reships eggplant from South Florida and the Caribbean. At the same time, it is an economically depressed area of the County in need of additional employment. The proposed use may be defined as industrial by the LDC, but it is, in fact, very passive with little noise, no need for large buildings, no need for large parking areas, no emissions or odors and little traffic generation.

Justification for approval of this PUD, when developed in accordance with the conditions stipulated within the application and imposed by the adopting ordinance include the following:

- (1) The project will not adversely affect the orderly development of St. Johns County as embodied by the St. Johns County Land Development Code and the St. Johns County 2015 Comprehensive Plan. If the Future Land Use Map is amended as requested, the County Comprehensive Plan will allow activities as proposed within this application. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall trend of the area. The applicant believes that the proposed PUD will be a benefit to the workers in the area and to and to the residents of St. Johns County in that the County will be afforded strict control over the site utilization.

Elkton Concrete Castings - Planned Unit Development

(2) The project will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood and will accomplish the objectives, standards and criteria set forth in the LDCs.

(3) The conditions stipulated in the PUD application and imposed by this ordinance provide for strict regulation and maintenance of this project.

(4) When developed in accordance with the conditions stipulated by this ordinance, the PUD will maintain the standards of the area, complement the neighboring developments and will be compatible with the desired future development of the area.

p. A description of any waivers, variances, or deviations from this Code included in the application and justification for such waivers, variances, or deviations.

Surrounding property is vacant and the site is an area of intense agricultural activity, usually with no buffers. The site is already developed and no immediate change is contemplated. All sides of the property border dedicated rights of way. As such Petitioner requests a waiver of any landscaping requirement on Pine Street. Applicant also requests a waiver of any paving requirements for parking or traffic circulation on the site. The site will not be accessed by the public. The site already has been fully developed and has a very stable and functional surface for Applicant's intended use.

q. A statement binding all successors and assigns in title to the commitments and conditions of the MDP.

The Applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the St. Johns Board of County Commissioners. The applicant also agrees to comply with all conditions and safeguards established by the St. Johns County Board of County Commissioners regarding said PUD as outlined in the Agreement to Comply attached hereto as **Exhibit H**.

Elkton Concrete Castings - Planned Unit Development

r. When the subject property is designated as more than one Future Land Use designation on the Comprehensive Plan Future Land Use Map, a map shall be provided depicting the boundaries between the designations and provide the total upland and Wetland acres for each land Use designation.

Not applicable.

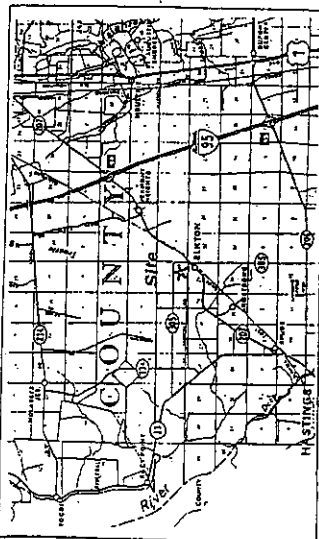
EXHIBIT D Master Development Plan

Date: 9/14/14
Drawn: [Signature]
Revisions:

LAND - P L Z N E R
3070 HARBOR DRIVE - ST. AUGUSTINE, FLORIDA 32095

Elkton Concrete Castings
Planned Unit Development

EXHIBIT D

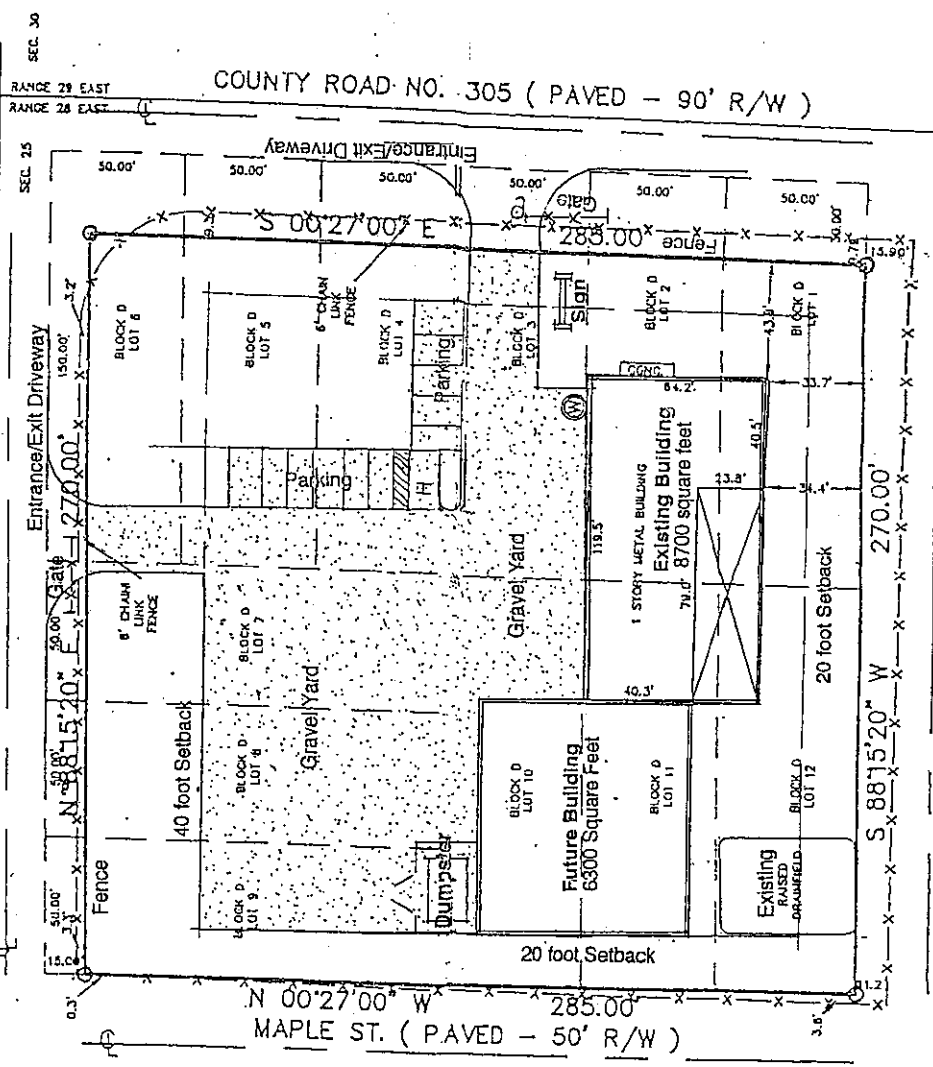


Location Map

Approved: _____ Date: _____

North
Scale: 1" = 30'

ST. AMBROSE CHURCH ROAD (PAVED - 60' R/W)



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LINDA Y MURRAY**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a

NOTICE OF PROPOSED REZONING

in the matter of **PUD 2001-01**

5811 COUNTY ROAD 305

in the Court, was published in said newspaper in the issues of

JUNE 8, 2001

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **8TH** day of **JUNE** 2001

by *Linda Y Murray* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # **68541814** EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

Zoe Ann Moss

ORDINANCE BOOK 27 PAGE 214

COPY OF AD

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, June 26th, 2001 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider a rezoning from Residential-Single (R8-3) to Planned Unit Development (PUD). The use proposed within this PUD consists of the manufacture of precast concrete products.

The subject property is located at 5811 County Road 305, within St. Johns County, Florida.

EXHIBIT "A"
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, of Block "D", TOWN OF ELKTON, according to map of ELKTON, recorded in Map Book 1, Page 154 of the Public Records of St. Johns County, Florida. EXCEPTING therefrom any part lying within the right-of-way of State Road No. 305 as now established.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS and RESERVATIONS of record, if any; However, this reference does not operate to reimpose same: **SUBJECT TO Zoning Ordinances** that may affect subject property; **SUBJECT TO Taxes** for the year 1999 and Subsequent Years.

This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals, Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made 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 appeal is to be based.

It is anticipated that one or more St. Johns County Commissioners may attend and participate in the meeting. This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY,
FLORIDA
By **MARY F. KOHNKE,**
ITS CHAIR
FILE NUMBER:
PUD-2001-01,
Elkton Concrete
L1245-1 June 8, 2001