

ORDINANCE NUMBER: 2004-25

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE ANDERSON PARK PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 95-32, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

OFFICE OF THE CLERK
PAGE **R** 1366

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

WHEREAS, Susan S. Bloodworth, Esquire, Rogers, Towers, Bailey, Jones and Gay, on behalf on behalf of Anderson Ltd. Partnership, the owner of lands described herein, and incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number MAJMOD 2003-01 for a major modification to the Anderson Park PUD, Ordinance Number 95-32, dated March 19, 2003, as described hereinafter, and after required notice was published, a public hearing was held on the 20th day of April, at 1:30 on said application.

SECTION 1. That development of lands within the Anderson Park PUD shall proceed in accordance with Ordinance No. 95-32, including the Application for Major Modification dated March 19, 2003 and attached hereto and made a part hereof.

SECTION 2. That the need and justification for modification of the Anderson Park PUD has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

- a. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
- b. As modified, the Anderson Park PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
- c. As modified, the Anderson Park PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
- d. As modified, the Anderson Park PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size; (D) compatibility, and (E) adequacy of facilities.

- e. The Master Development Plan Map and Text for the Anderson Park PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
- f. As modified, the Anderson Park PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance Number 95-32 not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Except to the extent that they conflict with specific provisions of the approved development plan or the PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 5. That the terms of this modification to the Anderson Park PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 20th DAY OF April 2004.

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

BY: Karen R. Stern
Karen R. Stern,
Its Chair

RENDITION DATE 04/27/04

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: April 30, 2004

EXHIBIT "A"
PAGE 1 OF 2
LEGAL DESCRIPTION

P. U. D. OFF. REC.
BOOK R PAGE 1568

All of Government Lot 2, Section 6, Township 7 South, Range 29 East, lying Southwest of the 200 foot width right of way for State Road No. 16, containing 287 square feet, more or less, and being more fully described as follows:

Beginning at the Southwest corner of said Government Lot 2; thence North $1^{\circ}13'10''$ West, on the West line of said Government Lot 2, a distance of 28.62 feet; thence South $36^{\circ}14'35''$ East, on said Southwest right of way line of State Road No. 16, a distance of 35.02 feet; thence South $88^{\circ}56'10''$ West, on the South line of said Government Lot 2, a distance of 20.10 feet to the POINT OF BEGINNING.

ALSO

Parcel 2

All of that part of Gov't Lots 3, 4, 5, 6, 7, 9, 10, 11 and 12, Section 6, Township 7 South, Range 29 East, lying North of Picolata Road (#208) and South and West of State Road #16 (Mill Creek), EXCEPT that part of Lots 9 and 10 as described in Deed Book 126, Page 175, of the Public Records of St. Johns County, Florida. ALSO EXCEPTING THEREFROM 0.6040 acre, more or less, more particularly described as follows: Commencing at the intersection of the West line of said Section 6 with the centerline of County Road 208; thence South $73^{\circ}56'00''$ East, on said centerline of County Road, 3,888.52 feet; thence North $35^{\circ}36'46''$ East, to the Northerly line of said road and continuing on the East line of that land described in Deed recorded in Official Records Book 875, Page 1001, public records of said County, 267.71 feet; thence North $36^{\circ}13'17''$ West, on the Northeast line of said land described in Official Records Book 875, Page 1001, a distance of 21.05 feet to the POINT OF BEGINNING at the most Southerly corner of the herein described parcel of land; thence continuing North $36^{\circ}13'17''$ West, on said Northeast line of that land described in Official Records Book 875, Page 1001, a distance of 105.25 feet; thence North $35^{\circ}36'46''$ East 263.11 feet; thence South $36^{\circ}13'17''$ East, on the Southwest right of way line of State Road 16, a 200 foot width right of way, 105.25 feet; thence South $35^{\circ}36'46''$ West 263.11 feet to the POINT OF BEGINNING. ALSO EXCEPTING THEREFROM 4.82 acres, more or less, more particularly described as follows: Commence at the intersection of the Westerly line of said Section 6, with the centerline of County Road #208, a 100' right-of-way as monumented and occupied; thence South $73^{\circ}56'00''$ East, along the centerline of said State Road #208, 2814.41 feet; thence North $16^{\circ}04'00''$ East, 50.00 feet to the Northerly right-of-way of County Road #208 and the POINT OF BEGINNING; thence North $16^{\circ}04'00''$ East, 300.00 feet; thence South $73^{\circ}56'00''$ East, 725.00 feet to a point lying in a curve being concave to the East, having a radius of 840.00', a central angle of $16^{\circ}30'24''$ and an arc length of 242.00'; thence along the chord of said curve, South $24^{\circ}19'12''$ West, 241.16 feet; thence South $16^{\circ}04'00''$ West, 61.33 feet to the Northerly right-of-way of County Road #208; thence North $73^{\circ}56'00''$ West, along said right-of-way, 690.38 feet to the POINT OF BEGINNING. ALSO EXCEPTING THEREFROM

EXHIBIT "A"
PAGE 2 OF 2
LEGAL DESCRIPTION

P. U. D. OFF. REC.
BOOK R PAGE 1369

a parcel of land described as follows: Commencing at the intersection of the West line of said Section 6, with the centerline of County Road 208; thence South $73^{\circ}56'00''$ East, on said centerline of County Road, 3,888.52 feet; thence North $35^{\circ}36'46''$ East, to the Northerly line of said road and continuing on the East line of that land described in Deed recorded in Official Records Book 875, Page 1001, public records of said County, 267.71 feet; thence North $36^{\circ}13'17''$ West, on the Northeast line of said land described in Official Records Book 875, Page 1001, a distance of 126.30 feet to the POINT OF BEGINNING at the most southerly corner of the herein described parcel of land; thence continuing North $36^{\circ}13'17''$ West, on said Northeast line of that land described in Official Records Book 875, Page 1001, a distance of 249.47 feet to a point on a curve being concave easterly having a radius of 760.00 feet, delta of $08^{\circ}33'37''$, a tangent of 56.88 feet; thence along the chord of said curve North $49^{\circ}29'11''$ East, 113.44 feet to the point of curvature of said curve; thence North $53^{\circ}46'00''$ East, 136.87 feet to the Southerly right of way line of State Road #16; thence along said Southerly right of way South $36^{\circ}13'17''$ East, 175.96 feet; thence South $35^{\circ}36'46''$ West, 263.11 feet to the POINT OF BEGINNING. ALSO EXCEPTING THEREFROM 12.05 acres, more or less, in Government Lot 5 more particularly described as follows: From the point labelled POINT OF BEGINNING North $1^{\circ}6'27''$ West approximately 875 feet; thence South $88^{\circ}57'28''$ East approximately 600 feet; thence South $1^{\circ}6'27''$ West approximately 875 feet to State Road 208; thence West along a line of unknown distance whose arc follows that of the State Road 208 right of way to POINT OF BEGINNING. ALSO EXCEPTING THEREFROM rights of way for roads, as set forth in Minute Book 5, Page 52 and Official Records Volume 202, Page 250.

TOGETHER WITH all of Grantor's interest in that Joint Use Access Agreement recorded in Official Records Volume 919, Page 1367, public records of St. Johns County, Florida.

Parcel Nos. 06-07-29-87420-0000 and 06-07-29-87420-0010

ST. JOHNS COUNTY
APPLICATION FOR MAJOR MODIFICATION
TO A PLANNED UNIT DEVELOPMENT (PUD) OR PLANNED RURAL
DEVELOPMENT (PRD)

DATE: 3/19/03

P. U. D. OFF. REC.
BOOK R PAGE 1570

PROJECT NAME: Anderson Park PUD (96-66)

OWNER/APPLICANT: Anderson Ltd. Partnership

ADDRESS: c/o Rogers Towers, 170 Malaga Street, Suite A, St. Augustine, FL
32084

PHONE: (904) 824-0879 FAX: (904) 825-4070

E-MAIL ADDRESS: sbloodworth@rtlaw.com

CONTACT PERSON: Susan S. Bloodworth, Esquire

ADDRESS: 170 Malaga Street, Suite A, St. Augustine, FL 32084

PHONE: (904) 824-0879 FAX: (904) 825-4070

E-MAIL ADDRESS: sbloodworth@rtlaw.com

PROPERTY APPRAISERS PARCEL NO.: 087420-0000

SECTION: 6 TOWNSHIP: 75 RANGE: 29E

CENSUS TRACT: _____ PROPERTY APPRAISERS MAP SHEET: 4E6N/4E65X

LEGAL DESCRIPTION: 4 All lots 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 lying N of CR 208
and South & West of SR 16 - See attached Exhibit "A"

LOCATION: SR 16 @ CR 208

911 ADDRESS (IF KNOWN): 2705 State Road 16

CITY: St. Augustine STATE: FL ZIP CODE: 32080

TAZ: 96 MAJOR ACCESS: SR16

OVERLAY DISTRICT?: No IF YES, WHICH ONE: _____

NAME OF PUD: Anderson Park Ord. 95-32 COMP. PLAN DESIGNATION: Md

WATER/SEWER: St. Johns County

RECEIVED
MAR 19 2003
ST. JOHNS COUNTY
PLANNING DEPARTMENT

ACRES: Approx 196.76 NO. OF LOTS/UNITS: 120 Units SQ. FOOTAGE: _____
(SIZE OF PROPERTY) (IF SUBDIVISION) (OF EACH BUILDING)

PRESENT USE OF PROPERTY: Vacant

LIST REQUESTED CHANGES TO APPROVED PUD/PRD - BE SPECIFIC
(ADDITIONAL SHEETS MAY BE ATTACHED):

To extend the phasing of development and to allow for overlapping phases.
See attached Revised MDP Text attached hereto.

Please list below and applications currently under review or recently approved which may assist in the review of this application: Concurrency Certificate # 2003-01

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signature: Susan S. Bloodworth

Printed or typed name(s): Susan S. Bloodworth, Esquire

JEN:dac
1/2/96

P. U. D. OFF. REC.
BOOK R PAGE 1572

Recorded in Public Records St. Johns County, FL
Clerk# 96003395 O.R. 1152 PG 882 10:43AM 01/31/96
Recording \$13.00 Surcharge \$2.00 Doc Stamps \$0.70

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, Made the 26th day of January, 1996, by JOE ANDERSON, a/k/a JOE ANDERSON, JR., a/k/a JOE H. ANDERSON, JR., individually and as Trustee of the Joe Henry Anderson, Jr. Revocable Living Trust, P. O. Box 38, Old Town, Florida 32680, hereinafter called the Grantor, to ANDERSON (1995) LIMITED PARTNERSHIP, a Delaware partnership under Agreement dated February 5, 1995, FEIN 51-0364915, P. O. Box 38, Old Town, Florida 32680, hereinafter called the Grantee;

W I T N E S S E T H:

That the Grantor, for and in consideration of the sum of TEN and No/100 (\$10.00) DOLLARS and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, its successors and assigns, all that certain land situate in St. Johns County, Florida, described in Schedule A attached hereto and by this reference made a part hereof, subject to taxes and special assessments for 1995 and subsequent years, restrictions and easements of record and easements shown by the plat of said property, and which said property does not constitute the homestead of Grantor.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

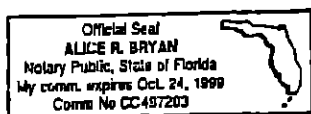
Sign Allen Murphy
Print Allen Murphy

Sign Elizabeth Land
Print Elizabeth Land

Joe H. Anderson, Jr. (SEAL)
JOE ANDERSON, a/k/a JOE ANDERSON, JR., a/k/a JOE H. ANDERSON, JR., Individually and as Trustee of the Joe Henry Anderson, Jr. Revocable Living Trust

STATE OF FLORIDA
COUNTY OF DIXIE

The foregoing instrument was acknowledged before me this 26th day of January, 1996, by JOE ANDERSON, a/k/a JOE ANDERSON, JR., a/k/a JOE H. ANDERSON, JR., Individually and as Trustee of the Joe Henry Anderson, Jr. Revocable Living Trust, who is personally known to me.



NOTARY PUBLIC:
Sign Alice R. Bryan
Print Alice R. Bryan
State of Florida at Large (Seal)
My Commission Expires:

from a legal description
provided by Grantor and
without a title search.

Schedule A

St. Johns County, Florida

P. U. D. OFF. REC.
BOOK R PAGE 1523

Parcel 1

All of Government Lot 2, Section 6, Township 7 South, Range 29 East, lying Southwest of the 200 foot width right of way for State Road No. 16, containing 287 square feet, more or less, and being more fully described as follows:

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Parcel 2

All of that part of Gov't Lots 3, 4, 5, 6, 7, 9, 10, 11 and 12, Section 6, Township 7 South, Range 29 East, lying North of Picolata Road (#208) and South and West of State Road #16 (Mill Creek), EXCEPT that part of Lots 9 and 10 as described in Deed Book 126, Page 175, of the Public Records of St. Johns County, Florida. ALSO EXCEPTING THEREFROM 0.6040 acre, more or less, more particularly described as follows: Commencing at the intersection of the West line of said Section 6 with the centerline of County Road 208; thence South 73°56'00" East, on said centerline of County Road, 3,888.52 feet; thence North 35°36'46" East, to the Northerly line of said road and continuing on the East line of that land described in Deed recorded in Official Records Book 875, Page 1001, public records of said County, 267.71 feet; thence North 36°13'17" West, on the Northeast line of said land described in Official Records Book 875, Page 1001, a distance of 21.05 feet to the POINT OF BEGINNING at the most Southerly corner of the herein described parcel of land; thence continuing North 36°13'17" West, on said Northeast line of that land described in Official Records Book 875, Page 1001, a distance of 105.25 feet; thence North 35°36'46" East 263.11 feet; thence South 36°13'17" East, on the Southwest right of way line of State Road 16, a 200 foot width right of way, 105.25 feet; thence South 35°36'46" West 263.11 feet to the POINT OF BEGINNING. ALSO EXCEPTING THEREFROM 4.82 acres, more or less, more particularly described as follows: Commence at the intersection of the Westerly line of said Section 6, with the centerline of County Road #208, a 100' right-of-way as monumented and occupied; thence South 73°56'00" East, along the centerline of said State Road #208, 2814.41 feet; thence North 16°04'00" East, 50.00 feet to the Northerly right-of-way of County Road #208 and the POINT OF BEGINNING; thence North 16°04'00" East, 300.00 feet; thence South 73°56'00" East, 725.00 feet to a point lying in a curve being concave to the East, having a radius of 840.00', a central angle of 16°30'24" and an arc length of 242.00'; thence along the chord of said curve, South 24°19'12" West, 241.16 feet; thence South 16°04'00" West, 61.33 feet to the Northerly right-of-way of County Road #208; thence North 73°56'00" West, along said right-of-way, 690.38 feet to the POINT OF BEGINNING. ALSO EXCEPTING THEREFROM

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P. U. D. OFF. REC.
 BOOK R PAGE 1574

from a legal description
 provided by Grantor and
 without a title search.

TOGETHER WITH all of Grantor's interest in that Joint Use Access Agreement recorded in Official Records Volume 919, Page 1367, public records of St. Johns County, Florida.

Parcel Nos. 06-07-29-87420-0000 and 06-07-29-87420-0010

OWNER'S AUTHORIZATION FOR AGENT

P. U. D. OFF. REC.
BOOK R PAGE 1375

ROGERS, TOWERS, P.A., is hereby authorized TO ACT ON BEHALF of Anderson Ltd. Partnership, the owners of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- | | | | |
|-------------------------------------|-----------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning/Modification | <input type="checkbox"/> | Special Use Permit |
| <input type="checkbox"/> | Zoning Variance | <input type="checkbox"/> | Non-Zoning Variance |
| <input type="checkbox"/> | Appeal | <input type="checkbox"/> | Overlay District Review |
| <input type="checkbox"/> | Concurrency | <input type="checkbox"/> | Other |

ANDERSON LTD. PARTNERSHIP

BY: *Joe H. Anderson, Jr.*
Signature of Owner
Joe H. Anderson, Jr.
Print Name

STATE OF FLORIDA

COUNTY OF DIXIE

Sworn to and subscribed before me this the 18th of MARCH, 2003, by Joe Anderson, Jr., who is personally known to me or who has produced identification and who has taken an oath.

Alice R. Bryan
Notary Public, State of Florida
Name: *Alice R. Bryan*

My Commission Expires _____
My Commission Number is: _____



EXHIBIT C

NARRATIVE PLAN DESCRIPTION

ANDERSON PARK

PLANNED UNIT DEVELOPMENT

P. U. D. OFF. REC.
BOOK R PAGE 1576

INTRODUCTION

The Anderson Park site consists of + 197 acres, located between County Road (C.R.) 208 and State Road (S.R.) S.R. 16, approximately ½ mile west of Interstate 95. The legal description is included as Exhibit A. Planned development includes up to + 68 acres of industrial/warehousing, up to 3.0 acres of Office, up to 31.7 acres of retail/service and up to 10.0 acres of multi-family. The retail/service components will support the industrial park, plus will also provide services to the community. The industrial warehousing uses are more limited than those allowed under the County's IW Zoning. The office and retail/service uses are more limited than the uses allowed under CG Zoning.

This is the type of development envisioned along this section of S.R. 16 per the Future Land Use Map of the County's Comprehensive Plan.

Construction trailers may be placed on the PUD property on a temporary basis in support of off-site road, utility and drainage improvements. The constructions trailers may be placed on and off for a period of 5 years from approval date of the ~~minor~~major modification.

ON-SITE CHARACTERISTICS

The site was previously a timber forest and is mostly cleared. Existing tree cover consists of bay, holly, maple, cypress and blackgum. There are several large wetland areas which have been located by photographic interpretation and are shown on the master plan map. A formal wetland delineation is not yet complete.

OFF-SITE CHARACTERISTICS

The site is bordered on the west by a haul road and vacant land, on the north by S.R. 16, on the east by a proposed County road and commercial development, and on the south by C.R. 208. Development on the north side of S.R. 16 includes the St. Augustine Outlet Mall and other existing and proposed commercial uses. Development of this site will not impact the off-site wetlands areas.

ZONING AND COMPREHENSIVE PLAN

The current zoning of the parcel is OR (Open Rural). On the Future Land Use Map of the County's Adopted Comprehensive Plan, the site is designated for Mixed Use. District (Md). A PUD with industrial, commercial and residential uses is consistent with this designation.

CONFORMANCE WITH THE ZONING CODE

P. U. D. OFF. REC.
BOOK PAGE 1577

The Anderson Park PUD conforms to the County's Zoning Code, and the intent of Article 8 with respect to Planned Unit Development.

The planning and design of the Anderson Park PUD will further accomplish the following:

- Permit a creative approach to the development of the land;
- Accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the zoning ordinance;
- Provide for an efficient use of the land, resulting in smaller networks of utilities and streets and thereby lowering development costs;
- Provide an environment of stable character compatible with surrounding residential areas;
- Achieve 100 percent conformity with the county Comprehensive Plan, Zoning Code, and other applicable County ordinances;
- Reduce the burden of maintenance costs through efficient infrastructure and the provision of low-maintenance common areas; and
- Create jobs and support the County's economic base.

UTILITIES

Water and Sewer will be provided by the County. The County Utility Department has agreed to service this property from existing service along S.R. 16. Water is available adjacent to the property on the south side of S.R. 16. Sewer is available on the north side of S.R. 16 and sleeves have been installed under S.R. 16 at the applicant's expense.

SITE ACCESS

Access to this development is shown on the site plan. Access on S.R. 16 meets the FDOT access management requirements. The proposed entrance locations on S.R. 16 conform to existing or planned median openings, and line up with existing entrances for the development on the north side of S.R. 16. Internal access to the business to be located in Parcel A will be provided through a private frontage road or internal drives.

The C.R. 208 bypass along the eastern boundary of the PUD ("East By-Pass") has been constructed by the Applicant. A future C.R. 208 bypass ("West By-Pass") is routed through this property and has been realigned to match the existing mall entrance on S.R. 16. Both roads are proposed for dedication to St. Johns County as part of a Development Agreement. All internal roads will remain private and be maintained by the Owner's

Association. The driveway entrances from County roads near their intersection with S.R. 16 are located a safe distance from the intersections.

P.U.D. OFF. REC.
BOOK **R** PAGE **1528**

SUBDIVISION OF PARCELS

The Master Plan Map, Exhibit D, shows a generalized layout of uses and parcels. Internal parcel boundaries and the development assigned to each parcel may be adjusted provided the number of parcels remains the same or less, and the maximum square footage is not exceeded. The location of facilities and structures will be shown on the Master Development Plans.

PEDESTRIAN CIRCULATION

A pedestrian circulation system shall be provided within the PUD as follows:

- Within all retail/service areas, designated as Parcels A, B, and C on the Master Plan Map.
- Within the multi-family parcel (Parcel F on the revised map), a sidewalk system shall be provided along the main internal roads.
- A sidewalk connection shall be provided between Parcel H (on revised plan) and the adjacent retail/service Parcel A.

The location of the sidewalks shall be determined at the time of final Development Plan review.

DRAINAGE

All drainage facilities and structures shall be constructed in conformance with the St. Johns County Land Development Code. Drainage within any County road rights-of-way will be the responsibility of the County. All other drainage system components shall be the responsibility of the developer, owners association, or parcel owners, as stipulated in the Covenants and Restrictions.

SIGNAGE

Major signs may be erected at the main entrances to identify the park and its occupants. Minor signs may be erected at parcel driveways to identify the uses in each area. All signs will conform to the Land Development Code at the time of permitting. Sign locations and sizes will be shown on final development plans.

INDUSTRIAL SITES

Industrial development will consist of up to 670,000 s.f. industrial/warehouse on approximately + 68 acres. Location is shown on the Master Plan Map. Allowable

industrial uses will be more limited than those allowed under the County's IW Zoning classification. The allowable uses are as follows:

- A. Wholesaling, warehousing, storage or distribution establishments and similar uses.
- B. Light manufacturing, processing, including vegetable or food processing, packaging or fabrication. Animal food processing shall be not be included or allowed hereby.
- C. Printing, lithographing, publishing or similar establishments.
- D. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight feet high except for entrance and exist and such openings shall be equipped with eight-foot high visual barrier gates; and provided further than this provision shall not permit the storage, dumping or disposal of scallop shells, wrecking yards (including automobile wrecking yards) junk yards or yards used in whole or in part for scrap, salvage or second hand building materials, junk automotive vehicles, or second hand automotive vehicles, or second hand automotive parts.
- E. Vocational, technical, trade or industrial schools and similar uses.
- F. Clinic in connection with industrial activity.
- G. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.
- H. Radio or television broadcasting offices, studios, transmitters, or antennas.
- I. All essential public services including water, sewer, gas or electrical systems such as substations, lift stations, treatment plants and similar installations.
- J. Service establishments catering to commerce and industry including linen supply, laundry, package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants) hiring and union halls, employment agencies, and sign companies.
- K. Building trade contractors.

Certain restrictions shall apply to all of the previously listed uses as follows:

- 1. No uses will be permitted requiring the use or storage of toxic, hazardous or flammable chemicals without such permits as may be

required from time to time by all State and federal Agencies. St. Johns County shall be furnished with copies of all Material Safety Data Sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of Flammable and Combustible Liquids shall comply with the latest National Fire Protection Association Publication 30, as adopted by St. Johns County.

- 2. All manufacturing process shall be conducted within enclosed buildings. No aerial dispersion shall be allowed without such permits as may be required from time to time by State and Federal permits. St. Johns County shall be furnished copies of all permits issued.
- 3. Processes producing noise shall be controlled by property sound barriers so that the sound levels at the boundary do not exceed the levels established for such uses by St. Johns County and pursuant to St. Johns County Noise Ordinance.

In the industrial section of the PUD the minimum building setbacks are as follows:

- Front Yard: 50 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from property line; minimum of 20 feet between buildings

Setbacks are measured from the vertical surfaces of the buildings.

OFFICE SITES

Office development shall consist of up to 30,000 s.f. on +3 acres. The office areas may be interspersed within the retail/service areas are shown on the Master Plan Map. The allowable uses will be:

- A. Medical and dental offices and clinics
- B. Professional and business offices, travel agencies, employment offices, and similar establishments.
- C. Miscellaneous uses such as express or parcel delivery office and telephone exchange.

In the Office section of this PUD the setbacks are as follows:

- Front Yard: 25 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from property line; minimum of 20 feet between buildings

RETAIL/SERVICE SITES

Retail/Service development shall consist of up to 317,000 s.f. on +32 acres. The retail/service areas are shown on the Master Plan Map. The allowable uses will be more limited than those allowed under the County's CG Zoning classification. The retail and service uses will support the industrial park as well as service the community. The allowable uses are as follows:

- A. Retail outlets for sale of food and drugs, wearing apparel toys, sundries and notions, books and stationary, leather goods, and luggage, jewelry (including watch repair but now a pawnshop), art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, and pet shops (but not animal kennel or veterinarian), musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale baker), drugs and similar products.
- B. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, interior decorator, photographic studio, dance or music studio, reducing sale or gymnasium, self-service laundry or dry cleaner, tailor or dressmaker, dry cleaning and laundry package plants in completely enclosed building using nonflammable liquids such as perchlorethylene and with no odor, fumes or steam detectable to normal senses from off the premises, and similar activities.
- C. Art gallery, museum, community center and little theater.
- D. Research laboratories not involving odors, noise, smoke or other obnoxious effects detectible to normal sense from outside the building nor involving electrical interference to any television or radio receivers off the premises, nor involving any manufacturing activities.
- E. Bank and financial institutions.
- F. Retail outlets for sale of home furnishings and appliances (including repair incidental to sales), office equipment, furniture, hardware and similar uses.
- G. Service establishments such as blueprinting, job printing, radio and television repair shop and similar uses.
- H. Commercial indoor recreational facilities such as motion picture theater, billiard parlor, swimming pool, bowling alley and similar uses.
- I. Vocational, trade or business schools.
- J. Union Halls.
- K. Indoor skating rink in completely enclosed building.

- L. Sale and service of alcoholic beverages with content not more than 14 percent for consumption off-premises. Sales and service of all alcoholic beverages on or off-premises in accordance with Section 7-16-13(e) of the County Zoning Code.
- M. Mini-Mart or convenience store with fuel pumps.
- N. Drive-in restaurants.

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In the retail/service section of this PUD the setbacks are as follows:

- Front Yard: 25 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from the property line; minimum of 20 feet between buildings

Setbacks are measured from the vertical surfaces of the buildings.

MULTI-FAMILY

Multi-family development shall include up to 120 units on 10 acres. The setbacks shall be as follows:

- Front Yard: 25 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from the property line; minimum of 10 feet between buildings

SITE DEVELOPMENT CONSTRAINTS

1. The total ground area to be occupied by all buildings and structures shall not exceed 35 percent.
2. The impervious area shall not exceed 75 percent.
3. Buildings shall not exceed 45 feet in height. All buildings over 35 feet will be sprinkled for fire safety purposes unless such requirement is waived or modified by the St. Johns County Fire Service and approved by the Board at the time subdivision or final development plan approval.
4. A natural vegetative buffer of 25 feet shall be maintained along the western property line, as shown on the Master Plan Map.
5. Vegetative buffers of at least 25 feet shall be required and maintained between natural drainage courses and developed areas to protect the water quality of the drainage course.

6. The wetland areas shown on the Master Plan Map are not included as part of the development area.

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PHASING

Phasing is shown below. Market conditions will determine the actual pace of development. Specific development phasing will be incorporated in the Final Development plans.

Phase	Years	Development (S.F. Cumulative)			
		Industrial	Office	Retail Service	Multi-Family
1	1996 2005- 992008	200,000	30,000	200,000	0
2	2000 2008- 20032010	500,000	30,000	317,000	120
3	2004 2010- 20062012	670,000	30,000	317,000	120

PARKING

The parking requirements shall be in conformance with the St. Johns County Zoning Ordinance and shall be determined at the time of Final Development Plan approval.

TEMPORARY USES

Development of the site and construction of the improvements may require temporary uses such as construction trailers, sales offices, temporary signage, or temporary access. The location and timing of these uses may be depicted on the Master Development Plan. Construction trailers may be placed on the PUD property in support of off-site road, utility and drainage improvements. The construction trailers shall be removed within 30 days after completion of the off-site improvements.

COMMON AREA MAINTENANCE

Legal documents which assure adequate management and maintenance of the open space area shall be provided by the developer at the time of Final Development Plan submittal for all areas proposed for common ownership by the developer or parcel owners within the PUD. Legal instruments provided for dedications, covenants, owners associations, and development controls shall:

- Place title of common property in a form of common ownership by the developer or parcel owners within the PUD; e.g., a duly constituted and legally responsible owners association.
- Appropriately limit the use of common property.
- Place responsibility for management and maintenance of common property.

Place responsibility for enforcement of covenants.

Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

DEVELOPER'S AGREEMENT

The developers of Anderson Park PUD and their successors or assigns agree to proceed with the proposed development in accordance with the approved PUD ordinance and plans as per St. Johns County's Ordinances and regulations and any such conditions and safeguards as may be set by the Board of County Commissioners with respect to its approval. All detailed plans submitted for development shall be in accordance with the approved Master Site Plan for Anderson Park PUD. Private facilities, areas and systems not operated and maintained by St. Johns County shall be the responsibility of the developers and their successors in interest. The owners of the property agree to bind any successors in title to all commitments made herein.

REZONING JUSTIFICATION

The Anderson Park PUD will be a comprehensively planned, mixed-use development. The industrial park will provide a good location for new businesses to start, and existing businesses to expand. At build-out, over 1,000 permanent jobs will be offered at the park. This project will promote the County's economic development goals.

The project provides adequate protection for any valuable jurisdictional wetlands on the site. All on-site improvements will be constructed at the developer/owner's expense. This project will add to the County's tax base. In summary, the plan as submitted assures a quality development designed to support the County's comprehensive plan objectives.

Respectfully submitted,

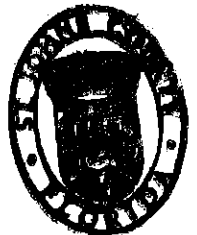
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FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLORIDA

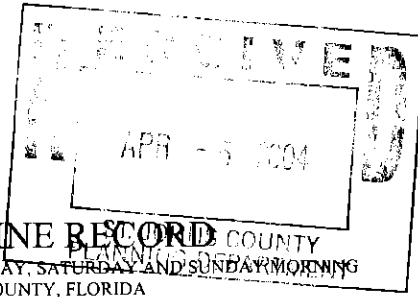
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CHEYL STRICKLAND
CLERK OF COUNTY COMMISSIONERS

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 3rd DAY OF June 2004
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



-10- BY: Luanne King DC



COPY OF ADVERTISEMENT

THE ST. AUGUSTINE RECORD COUNTY PLANNING DEPARTMENT
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 **AMANDA N. BRUNK** 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 HEARING**

In the matter of **MAJ 03-01 ANDERSON PARK PUD** in the Court, was published in said newspaper in the issues of

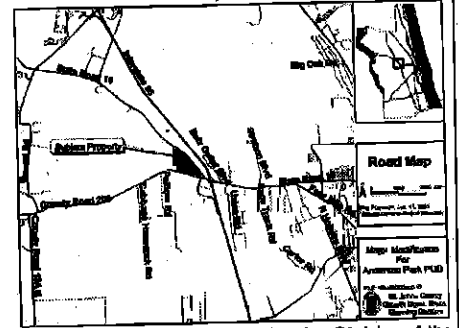
APRIL 1, 2004

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 1ST day of **APRIL 2004**

by Amanda N. Brunk who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

NOTICE OF A PROPOSED MAJOR MODIFICATION
NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, April 20 2004 at 1:30 p.m. by the St. Johns County Board of County Commissioners, in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to extend the phasing of development and to allow for overlapping phases. The subject property is located at 2705 State Road 16 within St. Johns County, Florida.



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 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, 32084. For hearing impaired individuals, call Florida Relay Service at 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.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the Board of County Commissioners or the Planning 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
KAREN STERN, CHAIR
FILE NUMBER: MAJMOD 2003-01
Anderson Park PUD
L747-4 Apr 1, 2004

Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

Patricia A. Bergquist
(Signature of Notary Public)

(Seal)

PATRICIA A BERGQUIST