

ORDINANCE NUMBER: 2007- 15

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

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated January 11, 2006, in addition to supporting documents and statements from the applicant **which are a part of Zoning File PUD 2006-01 Ferber/SR 16 PUD**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Findings of Fact: that the need and justification for approval of the Ferber/SR 16 PUD has been considered in accordance with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code and, whereby, it is found that:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Mixed Use District (Md).
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The 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.
6. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F).of the Land Development Code.
7. The PUD would not adversely affect the orderly development of St. Johns County

SECTION 2. Pursuant to this application File Number PUD 2006-01 Ferber/SR 16, the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

SECTION 3. To the extent they do not conflict with the specific 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 except where allowed by the Land Development Code; 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 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 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 of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County 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 20th DAY OF March 2007.

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

BY: Ben Rich
Ben Rich
Chairman

RENDITION DATE 03/21/07

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 03/23/07

EXHIBIT A

SEPTEMBER 26, 2006

**FERBER COMPANY PROPERTY ON STATE ROAD 16 AND FOUR MILE ROAD
LESS AND EXCEPT PROPOSED STATE ROAD 312 EXTENSION**

A PARCEL OF LAND LYING IN SECTION 37, TRAVERSE GRANT, AND SECTION 40, SANCHEZ GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE EAST LINE OF SAID SECTION 37, WITH THE SOUTHERLY RIGHT OF WAY OF STATE ROAD NO. 16 (A VARIABLE WIDTH RIGHT OF WAY) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION NO. 78060-2506; THENCE SOUTH 89° 38' 55" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 251.03 FEET TO ITS INTERSECTION WITH THE PROPOSED WESTERLY RIGHT OF WAY LINE OF THE STATE ROAD NO. 312 EXTENSION, ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 89° 38' 55" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 753.17 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN DEED RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY IN OFFICIAL RECORDS 2417, PAGE 33; THENCE SOUTH 15° 12' 27" EAST, ALONG THE EASTERLY LINE OF SAID DEED, A DISTANCE OF 373.51 FEET TO THE SOUTHEAST CORNER OF SAID DEED; THENCE SOUTH 66° 26' 03" WEST, ALONG THE SOUTHERLY LINE OF SAID DEED, A DISTANCE OF 156.20 FEET TO THE SOUTHWESTERLY CORNER OF SAID DEED; THENCE NORTH 22° 43' 55" WEST, ALONG THE WESTERLY LINE OF SAID DEED, A DISTANCE OF 209.01 FEET; THENCE NORTH 07° 06' 00" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 33.60 FEET; THENCE NORTH 05° 47' 47" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 196.85 FEET TO THE NORTHWEST CORNER OF SAID DEED, ALSO BEING A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 89° 38' 55" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 431.61 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN DEED RECORDED IN SAID PUBLIC RECORDS IN OFFICIAL RECORDS 2341, PAGE 833; THENCE SOUTH 00° 18' 44" EAST, ALONG THE EASTERLY LINE OF SAID DEED, A DISTANCE OF 653.98 FEET TO THE SOUTHEAST CORNER OF SAID DEED, ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF FOUR MILE ROAD (A 60 FOOT RIGHT OF WAY); THENCE SOUTH 59° 06' 16" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1,726.42 FEET TO A POINT ON PREVIOUSLY MENTIONED PROPOSED WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 312 EXTENSION; THENCE NORTH 05° 32' 31" WEST, ALONG SAID PROPOSED WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,555.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.28 ACRES, MORE OR LESS.

EXHIBIT C
Master Development Plan Text
Ferber / SR16

A. Project Description: The property to be rezoned consists of approximately 33.24 acres located south of State Road 16 and northeast of Four Mile Road. The property is currently zoned Open Rural (OR). The applicant is requesting a zoning change to Planned Unit Development (PUD) to allow for the construction of up to 95,000 square feet of shopping center space. The proposed limitation to 95,000 s.f. of shopping center is a function of available transportation concurrency capacity. The applicant may seek a major modification to the PUD to add additional square footage of shopping center or other commercial, office or industrial uses once capacity becomes available. The development will be known as **Ferber/ SR16 Planned Unit Development**.

B. Development Size: There is a total of 33.24 acres of property.

C. Wetlands: The 33.24 acres contains approximately 5.43 acres of isolated wetlands.

D. Development Area: The project will use a total of 28.01 acres of developable property. The following table identifies land use acreages:

Uplands/Filled Borrow	27.81
Wetlands to remain	5.43
Totals	33.24

E. Dwelling Units: There is no Residential Development.

F. Non-Residential Development: A total of 95,000 square feet of equivalent shopping center space will be located throughout the Property with associated parking.

G. Site Development Criteria:

1. Lot Sizes and Building Area:

The Property shall be developed with up to a 95,000 s.f. shopping center. There shall be no minimum lot size for the commercial parcels. The maximum Floor Area Ratio shall be 50% and the maximum impervious surface shall be 70%.

2. Permitted Uses:

The development will be permitted those uses as defined by Section 2.02.01 of the Land Development Code in the following categories:

Cultural/Institutional Uses, Neighborhood Business and Commercial Uses, General Business and Commercial Uses, Church, High Intensity Commercial Uses and Office and Professional Services including those uses as permitted by Special Use also including but not limited to the following:

- Retail outlets for the sale of food and drugs with or without drive-thru, wearing apparel, toys, sundries and notions, books and stationery, leather goods, and luggage, jewelry (including watch repair but not a pawnshop), art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, pet shops , a full service veterinary clinic (including boarding), musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs and similar products.
- Service establishments such as barber or beauty shop, shoe repair shop, restaurant with or without drive thru, interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, 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, (may include drive-thru for pick up/drop off) and similar activities.
- Medical and dental offices and clinics.
- Professional and business offices.
- Bank and financial institutions (including stand-alone drive-up or walk-up ATM machines), travel agencies, employment offices, and similar establishments with drive-thru services allowed.
- Retail outlets for sale of home furnishings and appliances (including repair incidental to sales), office equipment, furniture, hardware and similar uses.
- Sale of alcoholic beverages for on or off site consumption.

- Art galleries, museums, community centers, dance, art of music studios, vocational, trade or business schools and similar uses.
- On premises consumption of all alcoholic beverages in conjunction with the service food which is ordered from a menu and prepared or served for pay for consumption on-premises shall be permitted.
- Drive-in (or thru) restaurants.
- Retail plant nurseries, including outside display.
- Private schools and daycare facilities.
- Personal property mini-warehousing (including boat/rv storage with fencing and buffering in compliance with LDC).
- Outdoor boat/RV storage with fencing and buffering in compliance with LDC.
- The above uses are subject to the following limitations:

Outside sale, display and storage shall be permitted in conjunction and as an accessory use to retail establishments and personal property mini-warehousing and shall be displayed adjacent to the retail establishment. No outside displays shall interfere with safe pedestrian and /or vehicular travel. No more than 30% of floor space may be devoted to storage.

- Service station or automotive repair facilities with minor repairs, including but not limited to oil changes, tire installation, brake, suspension, muffler and similar work, which may include a car wash.
- Essential services, including water, sewage, gas telephone, radio, television and electric.

3. Setbacks: Setbacks shall be measured per the Land Development Code from the portion of the structure from thirty (30) inches above the general level of the graded Lot upward; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture may be permitted in any Yard subject to height limitation and

requirements limiting obstruction of visibility, to the property line and shall be as follows:

- a. **Front setback:** Twenty (20) feet.
- b. **Side setback (internal property boundaries):** Zero (0) feet.
- c. **Rear setback:** Ten (10) feet.

Note: Notwithstanding the setbacks noted above, a minimum twenty (20) foot setback shall be maintained for buildings, parking or storage areas that are adjacent to a right-of-way.

4. Building Height: Commercial structures shall not exceed forty (40) feet in height. Commercial structures exceeding thirty-five (35) feet in height shall require a building sprinkler system per St. Johns County Land Development Code and Florida State Fire Code. Maximum Residential Building height is forty (40') feet.

5. Parking:

Parking shall comply with the parking provisions of the St. Johns County Land Development Code depending upon actual uses at the time of future permitting. Parking shall comply with Chapter 11 of the Florida Accessibility Code and shall be shown on final engineering plans based on the uses proposed at that time.

6. Signage: The applicant is requesting the following signs with construction of the signs conforming to the Land Development Code requirements in effect at the time of permitting.

All signs will conform to Article VII of the St. Johns County Land Development Code in effect at the time of approval of this PUD. Temporary signage may be utilized and will be shown on the Master Development Plan map and construction plans. Exact size and design of the signage shall be depicted within individual site construction plans as each parcel develops. Signs may be landscaped and lighted. The maximum height of the signs will be 30 feet on State Road 16 and 20 feet on the other right-of-way frontages. A waiver is being requested from the Unified Sign Plan requirements.

7. Lighting: Project illumination will be in compliance with the St. Johns County Land Development Code, Section 5.03.06.H.

H. Infrastructure:

1. Stormwater: The stormwater management facility and all common areas may be operated and maintained by a future Property Owners Association with covenants, and restrictions approved and recorded in the Public Records of St. Johns County. The development will be required to construct a Stormwater Management System to meet the requirements of the St. Johns County Land Development Code, St. Johns River Water Management District (SJRWMD) and Florida Department of Transportation (FDOT) if a drainage connection permit is required.

2. Vehicular Access / Interconnectivity: The project may have up to three (3) access points off of State Road 16 (subject to FDOT approval), and one (1) access point off of Four Mile Road as depicted on the Master Development Plan Map.

Primarily the sidewalk system as well as vehicular access points along State Road 16, and Four Mile Road will provide interconnectivity to adjacent properties. Pedestrian and vehicular interconnectivity shall be made available to the "not included" parcel labeled. An additional 20' of right-of-way shall be reserved along Four Mile Road. Signalization at project entrances will be provided by the Developer if warranted pursuant to Section 6.04.07.K of the LDC.

3. Pedestrian Access / Sidewalks: Internal project sidewalks shall be located on both sides of the access roads. A minimum five (5) foot wide sidewalk shall be provided three (3) feet inside of the county right-of-way along Four Mile Road to be consistent with the LDC at the time of connection to Four Mile Road (Phase 2). If the sidewalk cannot be located within the right-of-way due to safety, drainage or wetland issues, the sidewalk may be located on the subject property and an easement will be established over it benefiting the County. Notwithstanding any other provision to the contrary, the project shall provide a pedestrian accessible route in compliance with the Florida Accessibility Code for Building Construction. Such compliance shall be shown on final engineering plans.

4. Parks/Recreation: N/A.

5. Open Space: Open Space and green space will be provided on the site within the wetlands, the upland and perimeter buffers. A minimum of twenty-five (25%) percent of the project shall be open space.

6. Potable Water / Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department. This development water distribution system and sewer collection system will be private. The

private water distribution system will be served by a master water meter provided by St. Johns County Utility Department (SJCUD). The private sewer collection system will connect to the SJCUD force main located in SR 16.

7. Fire Protection: The project will comply with the requirements of the St. Johns County Fire Services according to Section 6.03.00 of the St. Johns County Land Development Code. All outside storage shall meet NFPA I, Fire Prevention Code. This may include but not be limited to protecting areas with outside storage with a fire sprinkler system.

I. Potable Water / Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department. It is estimated that the Shopping Center will generate a potable water demand of 9,500 gallons per day (95,000 x .1 gpd/sf) and a sanitary sewer demand of 7,600 gallons per day (95,000 x .1 gpd/sf [water]) reduced by a factor of .8 (the residential sewer/water ratio [280/350]) per FAC 64E-6.

J. Topography and Soils: The property falls within Zone X of the Federal Emergency Management Agency (FEMA) flood zones, outside any one hundred (100) or five hundred (500) year floodplains.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies five (5) main soil types on the site: 3 Myakka fine sand, 14 Cassia fine sand, 15 Pomello fine sand, 0-5 percent slopes,, 23 Paola fine sand, 25 Parkwood fine sandy loam, reqlently flooded, 40 Pottsburg fine sand and 42 Bluff sandy clay loam, frequently flooded.

K. Site Vegetation and Habitat: Forest types, wetlands vegetation and FLUCCS Codes are shown in the attached environmental report prepared by Bill Brown Environmental, Inc.

L. Significant Natural Communities Habitat: Bill Brown Environmental Inc. observed the site for wildlife utilization and reported that there is no evidence of any endangered or threatened species, species of special concern or significant natural communities habitat was noted within the site boundaries.

M. Historic Resources: The site is located in a "medium-probability" area as designated by St. Johns County Final Archaeological Predictive Model, Figure No. 8.4 therefore a Reconnaissance study has been completed and filed with the State of Florida. A copy of this report and its corresponding SHPO letter from the State is attached.

N. Buffers: In accordance with the current St. Johns County Land Development code, the following buffer areas will be established and maintained within the development, as shown on the Master Development Plan shall include a natural buffer, a minimum of ten (10) feet in width, will be provided along the project perimeter. This

buffer may be augmented with native/natural vegetation of required by the Land Development Code or if desired.

The development will conform to all land clearing and tree inch/replacement requirements outlined within the Land Development Code, effective at the time of permitting.

O. Special District: The project is not located in any special districts as defined by Article III of the Land Development Code.

P. Temporary Uses: The development of the PUD and construction of the improvements will require temporary uses such as construction trailers, sales offices, temporary signage and/or temporary access all in accordance with the St. Johns County Land Development Code.

Q. Accessory Use: Commercial Accessory Uses may be allowed per the requirements of the Land Development Code.

R. Phasing: The PUD shall be developed in two (2), five (5) year phases and shall be commenced within three (3) years of approval of the PUD. The phasing schedule shall be as follows:

2007-2012 – Phase I – 29,000 square foot shopping center
2012-2017 – Phase II – 66,000 square foot shopping center

Commencement shall be defined as approval of construction plans by the St. Johns County Development Services Department and completion shall be defined as the approval of as-builts. Completion shall be within ten (10) years of approval of the PUD. DEP utility line permits shall be obtained consistent with project phasing.

Notwithstanding the projected phasing schedule, future phases (or a portion thereof) may be combined with current phases so long as a phase is 50% complete before moving to the next phase. Individual buildings may receive separate building permits and certificates of occupancy so long as sufficient infrastructure to support such individual buildings has been completed and approved.

S. Project Impact: The PUD consists of in-fill development and is centrally located to all projects within the State Road 16 corridor. The proposed uses are consistent and compatible with surrounding zoning classifications and land uses. The proposed PUD is consistent with Objective A.1.2 (Control of Urban Sprawl) of the Comprehensive Plan. The rezoning will not expand the existing Development Area. Approval of the PUD will allow a neighborhood shopping center in an in-fill area, providing a compact, contiguous development pattern, consistent with the Objectives of Section A.1.2.5(a), A.1.2.5(e) and A.1.2.5(f) of the Comprehensive Plan. The proposed development is centrally located

between Interstate 95 and U.S.1 on the proposed SR 312 corridor and will be “inside” the development located in the vicinity of the intersection of State Road 16 and Interstate 95.

T. Waivers / Variances / Deviations: This application requests one waiver.

Waiver to Section 7.00.02.B.2 to not include a Unified Sign Plan. The waiver is justified as the project is relatively small. The waiver shall not effect the provisions of Section 5.03.03.E of the LDC that allows the PUD to be considered a “single premise” for purposes of signage.

U. Ownership / Agreement to Comply: The applicant agrees to proceed with the Project in accordance with the adopted PUD and such conditions and safeguards as may be set by the Board of County Commissioners in the adopting Ordinance and to bind its successors in title to the commitments and conditions of the Master Development Plan.

V. Future Land Use Designation: The project is located within the Mixed Use District (Md).

MASTER DEVELOPMENT PLAN

FERBER S.R. 16

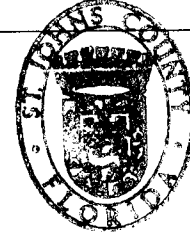
33.24 PARCEL

PROPERTY I.D. # A PORTION 102140-0010, 102140-0000, 102140-0020

REVISED: 03/05/07

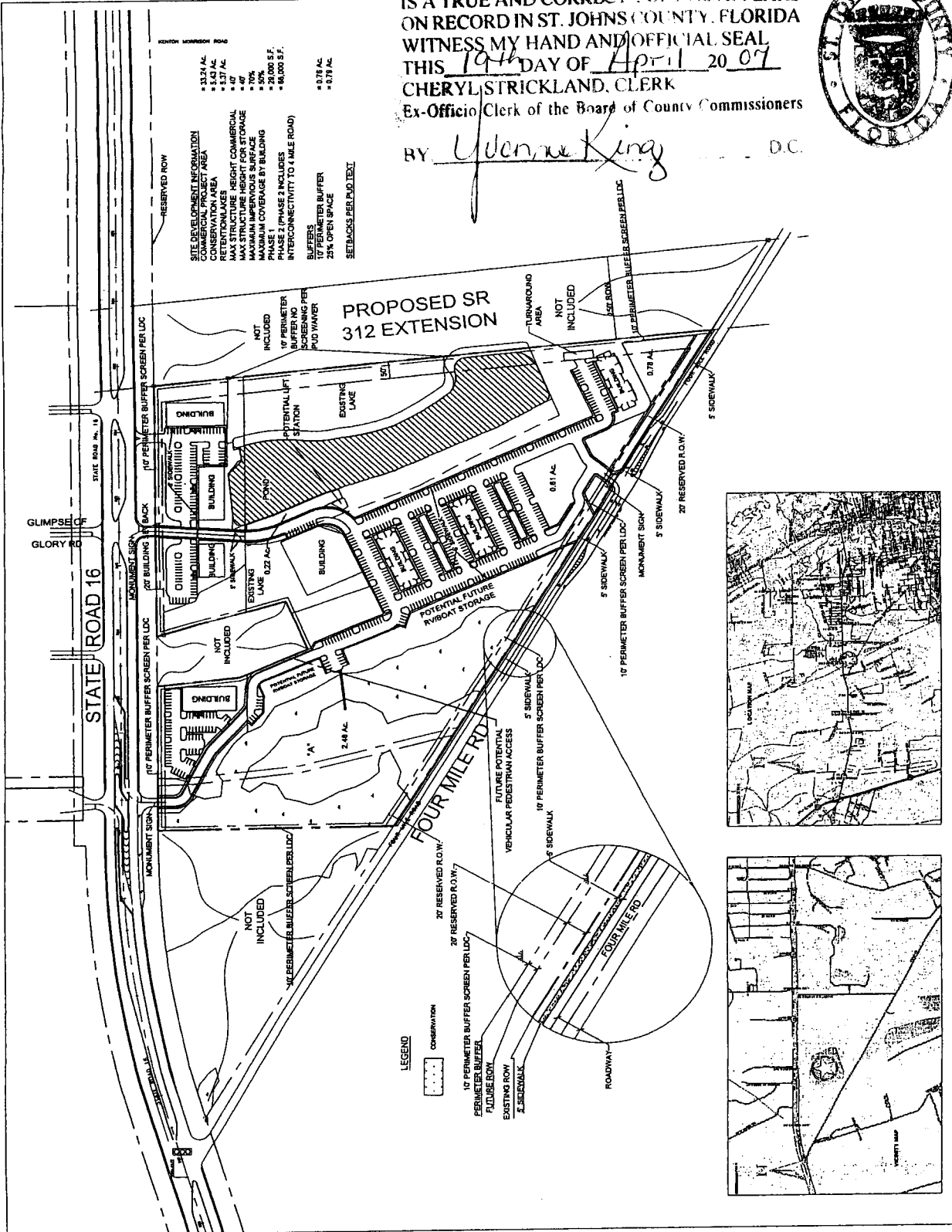


I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 19th DAY OF April 2007
CHERYL STRICKLAND, CLERK
 Ex-Officio Clerk of the Board of County Commissioners



BY Yvonne King D.C.

- SITE DEVELOPMENT INFORMATION**
- COMMERCIAL PROJECT AREA
 - CONSERVATION AREA
 - 13.24 AC
 - 5.43 AC
 - 2.17 AC
 - 4.07 AC
 - MAX STRUCTURE HEIGHT COMMERCIAL
 - MAX STRUCTURE HEIGHT FOR STORAGE
 - MAXIMUM IMPROVED SURFACE
 - MAXIMUM COVERAGE BY BUILDING
 - PHASE 1 / PHASE 2 INCLUDES
 - INTERCONNECTIVITY TO 4 MILE ROAD
 - 0.78 AC
 - 0.78 AC
 - 25% OPEN SPACE
 - SETBACKS PER PUD TEXT



NOTES

- ALL SIGNS (GROUND AND Pylon) SHALL BE AS ALLOWED BY P.U.D. AND S.J.C.D.C.
- CONSTRUCTION TRAFFIC IS TO BE LIMITED TO A LOCAL ROUTE WITHIN THE PARCEL.
- IF OF THE D.A.C. MANUA, PRIOR TO ISSUANCE OF ANY C.C.
- CONTRACTOR SHALL CONTACT S.J.C.D.C. INSPECTORS AT LEAST 24 HOURS PRIOR TO ALL NECESSARY SITE WORK INSPECTIONS AT LEAST 1 DAY PRIOR TO FINAL INSPECTION.
- PROJECT LINES SHALL BE PROPOSED WITH L.O.C. SEC. 30.08 TO MEET REQUIREMENTS OF PERMITTING AGENCIES.
- COMPLIANCE WITH L.O.C. SEC. 30.08 TO MEET REQUIREMENTS OF PERMITTING AGENCIES.
- SCREENING AND LOCATION OF SOLID WASTE STORAGE DAMPERS AND AREAS WILL BE IN COMPLIANCE WITH SECTION 6.08 OF THE P.U.D. SEC. 30.08 TO MEET REQUIREMENTS OF PERMITTING AGENCIES.
- SECTION 6.03 OF P.U.D.
- DEVELOPER SHALL SEEK LIFT STATION APPROVAL PRIOR TO CONSTRUCTION PLAN SUBMITTAL.
- ON U.S.A. IS BE PROPOSED PER FOOT.
- TURN LINES ON FOUR MILE RD ARE PROPOSED PER PUD (L.O.C.).
- SCREENING OF MECHANICAL EQUIPMENT (LOCATED ON THE GROUND AND/OR ROOF TOP) WILL BE IN COMPLIANCE WITH L.O.C. 6.08 (L.O.C.).

MAP SHOWING BOUNDARY SURVEY OF

SEPTEMBER 14, 2006
 FERBER COMPANY PROPERTY ON STATE ROAD 16 AND FOUR MILE ROAD
 LESS AND EXCEPT PROPOSED STATE ROAD 312 EXTENSION

A PARCEL OF LAND LYING IN SECTION 11, TAYLOR GRANT, AND SECTION 49, SANCHEZ GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 A PORTION OF THE EAST LINE OF SAID SECTION 11, WITH THE SOUTHERLY RIGHT OF WAY OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 1964-JMK, THENCE SOUTH BY 17° 37' 37" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 211.03 FEET TO ITS INTERSECTION WITH THE PROPOSED WESTERLY RIGHT OF WAY LINE OF THE STATE ROAD NO. 312 EXTENSION, ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THENCE SOUTHWEST BY 18° 54' 36" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 101.14 FEET TO THE NORTHEAST CORNER OF SAID DEED DESCRIBED IN DEED RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY IN OFFICIAL RECORDS 2411, PAGE 13, THENCE SOUTH BY 17° 37' 37" EAST, ALONG THE EASTERLY LINE OF SAID DEED, A DISTANCE OF 171.51 FEET TO THE SOUTHWEST CORNER OF SAID DEED, THENCE SOUTH BY 18° 54' 36" WEST, ALONG THE SOUTHWESTERLY CORNER OF SAID DEED, A DISTANCE OF 145.93 FEET TO THE SOUTHWESTERLY CORNER OF SAID DEED, THENCE NORTH BY 49° 59' 59" WEST, ALONG THE WESTERLY LINE OF SAID DEED, A DISTANCE OF 299.41 FEET TO THE SOUTHWEST CORNER OF SAID DEED, THENCE SOUTH BY 18° 54' 36" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16, THENCE SOUTH BY 18° 54' 36" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 414.41 FEET TO THE NORTHEAST CORNER OF SAID DEED, ALSO BEING A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16, THENCE SOUTH BY 18° 54' 36" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 431.94 FEET TO THE SOUTHWEST CORNER OF SAID DEED, ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF FOUR MILE ROAD (A 66 FOOT RIGHT OF WAY), THENCE SOUTH BY 17° 37' 37" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 171.74 FEET TO A POINT ON SAID DEED, SAID POINT BEING THE POINT OF BEGINNING, THENCE NORTH BY 17° 37' 37" WEST, ALONG SAID PROPOSED WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 104.95 FEET TO A POINT ON SAID DEED, SAID POINT BEING THE POINT OF BEGINNING.

NORTH BEACH ENGINEERING, INC.
 3811-14 ST. JOHNS AVENUE
 SUITE 100
 ST. JOHNS, FLORIDA 32056
 TEL: 407.351.1715
 FAX: 407.351.1716
 WWW.NORTHBEACHENGINEERING.COM

The St. Augustine Record

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

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**
who on oath says that he 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 **PUD 06-01 FERBER**
was published in said newspaper in the issues of
FEBRUARY 28, 2007.

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
he 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 **28TH** day of **FEBRUARY, 2007.**

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission # 275991
Expires December 18, 2007

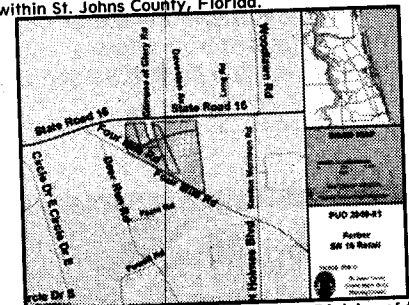
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, March 15, 2007 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and March 20, 2007 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Open Rural (OR) to Planned Unit Development (PUD). Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is located at 1085 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 the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. 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 procedure. It is anticipated that one or more County Commissioners may attend this meeting. 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
BEN RICH, CHAIRMAN

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
HENRY GREEN, CHAIRMAN
FILE NUMBER: PUD 2006-01 Ferber/SR 16 Retail
L510-7 Feb 28, 2007