

6

ORDINANCE NUMBER: 2007- 51

Public Records of
St. Johns County, FL
Clerk # 2007046485,
O.R. 2947 PG 625-630
07/09/2007 at 01:21 PM,
REC. \$25.00 SUR. \$27.50

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE ST AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 97-23, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS PK Real Estate Holdings LLC, the owners of lands described herein, and incorporated by reference as Exhibit "A" (legal description) and Exhibit "B"(Map) as part of the overall St. Augustine Centre DRI, filed an application, incorporated by reference as File Number MAJMOD 2007-02 for a Major Modification to the St. Augustine Centre PUD Ordinance 97-23, as amended, dated January 31, 2007, as described hereinafter, and after required notice was published, a public hearing was held on the 26 day of June, 2007, at 9:00AM on said application.

SECTION 1. That development of lands within the St. Augustine Centre PUD shall proceed in accordance with Ordinance 97-23 as amended, including the Application for Major Modification dated December 12, 2006 and attached hereto and made a part hereof.

SECTION 2. That the need and justification for modification of the St. Augustine Centre 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:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the St. Augustine Centre PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. As modified, the St. Augustine Centre 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.
4. As modified, the St. Augustine Centre 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.
5. The Master Development Plan Map and Text for the St. Augustine Centre PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

Handwritten signatures and initials:
D. H. H. et al.
M. R.

6. As modified, the St. Augustine Centre 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 97-23, as amended, 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 St. Augustine Centre 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 26 DAY OF June 2007.

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

BY: Ben Rich
Ben Rich
Chairman

RENDITION DATE 06/28/07

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wanne King
Deputy Clerk

**EFFECTIVE
DATE: 07/02/07**

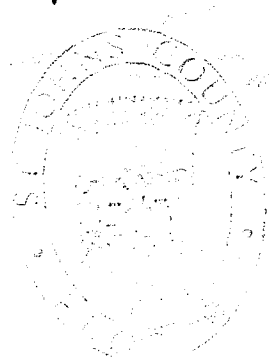


EXHIBIT "A"

ST. AUGUSTINE CENTRE PARCELS 5 AND 6

A PART OF SECTIONS 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH $02^{\circ}02'27''$ EAST ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 2748.47 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BELZ OUTLET BOULEVARD (A 110 FOOT PRIVATE RIGHT-OF-WAY AS NOW ESTABLISHED) TO THE POINT OF BEGINNING; THENCE SOUTH $55^{\circ}37'59''$ EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 99.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH $53^{\circ}32'30''$ WEST, A DISTANCE OF 33.20 FEET; THENCE NORTH $80^{\circ}33'58''$ WEST, A DISTANCE OF 10.28 FEET; THENCE NORTH $85^{\circ}12'23''$ WEST, A DISTANCE OF 19.79 FEET; THENCE SOUTH $87^{\circ}11'45''$ WEST, A DISTANCE OF 27.19 FEET; THENCE NORTH $61^{\circ}01'03''$ WEST, A DISTANCE OF 34.84 FEET; THENCE SOUTH $37^{\circ}14'00''$ WEST, A DISTANCE OF 17.88 FEET; THENCE SOUTH $03^{\circ}55'06''$ EAST, A DISTANCE OF 36.19 FEET; THENCE NORTH $88^{\circ}41'06''$ WEST, A DISTANCE OF 27.89 FEET; THENCE SOUTH $46^{\circ}14'33''$ WEST, A DISTANCE OF 252.49 FEET; THENCE SOUTH $29^{\circ}27'05''$ EAST, A DISTANCE OF 61.17 FEET; THENCE SOUTH $21^{\circ}04'56''$ EAST, A DISTANCE OF 61.37 FEET; THENCE SOUTH $23^{\circ}40'39''$ WEST, A DISTANCE OF 66.78 FEET; THENCE SOUTH $06^{\circ}19'45''$ WEST, A DISTANCE OF 57.27 FEET; THENCE SOUTH $02^{\circ}00'02''$ EAST, A DISTANCE OF 81.24 FEET; THENCE SOUTH $13^{\circ}43'20''$ EAST, A DISTANCE OF 34.13 FEET; THENCE SOUTH $17^{\circ}39'09''$ EAST, A DISTANCE OF 90.07 FEET; THENCE SOUTH $37^{\circ}33'07''$ EAST, A DISTANCE OF 56.04 FEET; THENCE SOUTH $07^{\circ}44'32''$ WEST, A DISTANCE OF 20.36 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE 95, A RIGHT-OF-WAY OF VARYING WIDTH); THENCE NORTH $27^{\circ}42'53''$ WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 107.63 FEET TO THE POINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 5879.58 FEET; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 919.34 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH $23^{\circ}52'39''$ WEST AND A CHORD DISTANCE OF 918.40 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF OUTLET CENTRE DRIVE (A 90 FOOT PRIVATE RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH $56^{\circ}36'15''$ EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 254.80 FEET; THENCE SOUTH $79^{\circ}46'51''$ EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 57.92 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID BELZ OUTLET BOULEVARD AND A POINT ON A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1205.00 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 389.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH $46^{\circ}22'30''$ EAST AND A CHORD DISTANCE OF 387.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH $55^{\circ}37'59''$ EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 40.95 FEET TO THE POINT OF BEGINNING.

BHR, Inc.
October 10, 2005
PP-351

{OR966583; 2}
T:\REAL\36389\170077\OR966583.DOC

MAP H
DEVELOPMENT PLAN
Exhibit B

LEGEND

PROPERTY LINE	
WETLANDS	49.74 ACRES
RETAIL SALES/HOTEL	145.66 ACRES
LIGHT INDUSTRIAL	22.74 ACRES
RESIDENTIAL	70.20 ACRES
RIGHT-OF-WAY	11.80 ACRES
ISOLATED UPLANDS	11.06 ACRES
TOTAL SITE AREA	315.30 ACRES

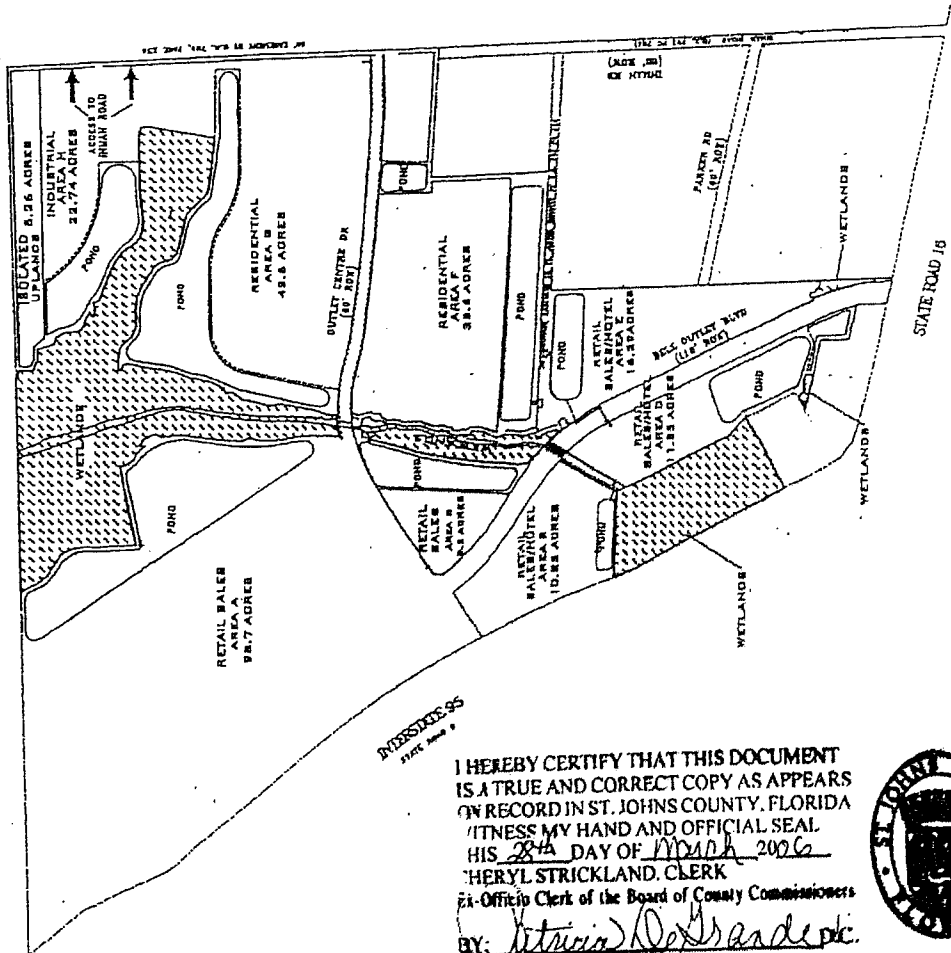
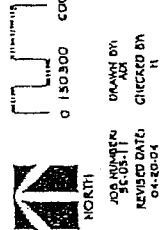
NOTE: RIGHTS OF WAY WITH DEVELOPMENT INCLUDE SIDEWAYS MINIMUM OF 3' WIDE. SEPARATE FROM THE DEVELOPMENT AREAS OF RESIDENTIAL PARCELS (EAST OF WETLANDS) APPROXIMATE ONLY.

ST. AUGUSTINE CENTRE

1-33 E.S.R. 14, ST. JOHNS CO., FL.

OWNER:
ST. AUGUSTINE ASSOCIATES

CONSULTING TEAM:
KANE ENGINEERING ASSOCIATES, INC.
ELIZABETH C. BOWMAN, P.E.
VICTORIAN, SMITH & UPTON, INC. P.A.



MISSISSIPPI-95
STATE ROAD 16

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 28th DAY OF March 2006
HERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners
By: *Peterson D. Brande*



MAJOR MODIFICATION TO ST. AUGUSTINE CENTRE PUD

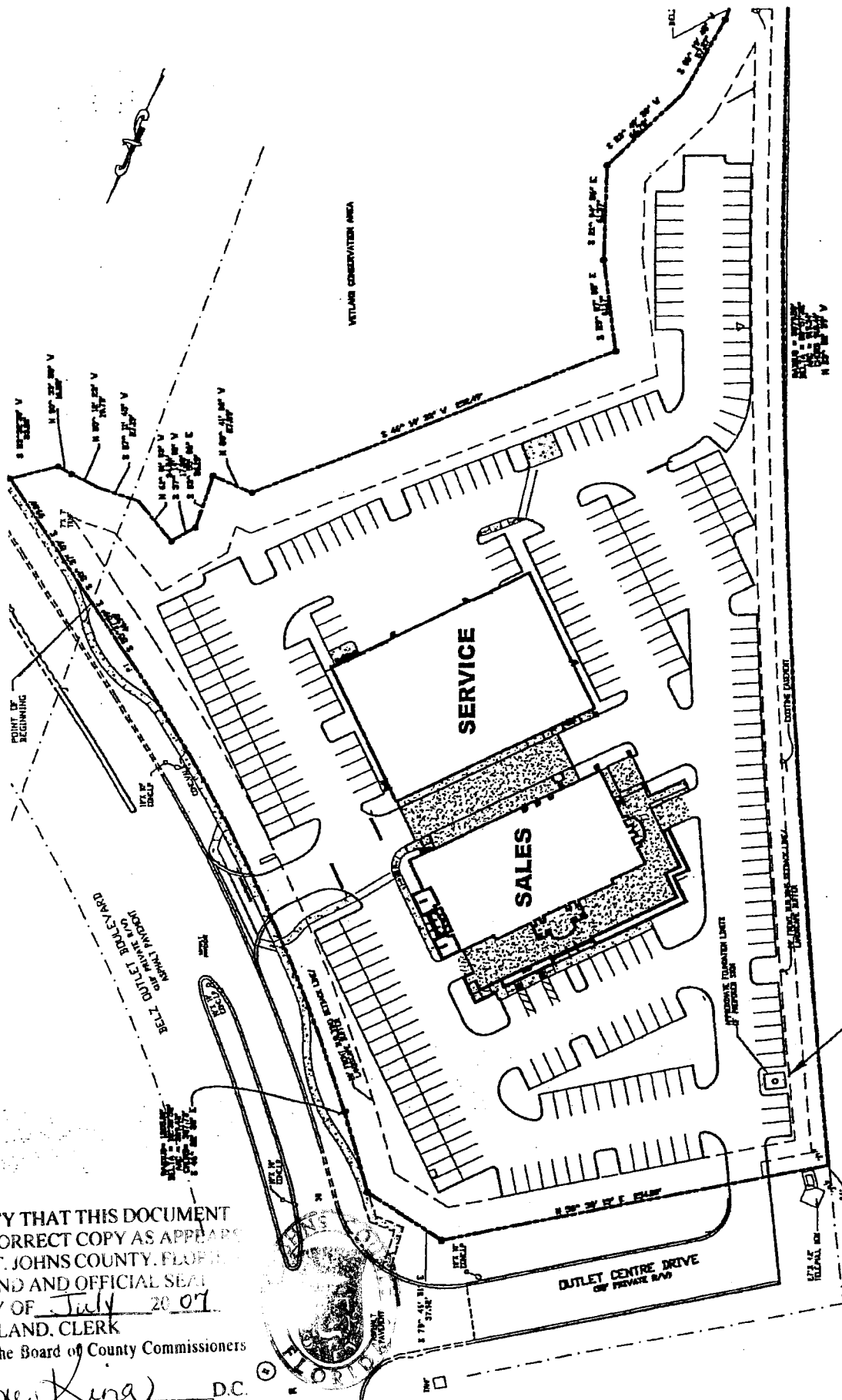
The St. Augustine Centre PUD, Ordinance No. 97-23, as modified, is hereby modified to add the following subparagraph under Section 7. Development Plan, B. Signage:

- II. Area B of the Map H Development Plan, as shown in Attachment B of the St. Augustine Centre PUD, Ordinance No. 97-23, shall be allowed additional project signage in the form of a pole sign up to 85 feet in height with a maximum advertising display area of 250 square feet. Further, Area B shall be allowed to have wall signage up to a total of 400 square feet. This wall signage would be at a ratio of 2.65 feet of signage to every 1 foot of building width.

<p>Note: This subparagraph is numbered "II" to account for the major modification proposed by Oppidan Investment Group for Gander Mountain (MAJMOD 2006-32), which contemplates adding a Section 7.B.I. to Ordinance No. 97-23.</p>

The St. Augustine Centre PUD, Ordinance No. 97-23, as modified, is hereby modified to add the following subparagraph under Section 7. Development Plan, N. Landscaping:

- III. Area B of the Map H Development Plan, as shown in Attachment B of the St. Augustine Centre PUD, Ordinance No. 97-23, shall be allowed an unbroken row of parking more than 100 feet in length but less than 120 feet in length for the parking row immediately fronting the primary entrance to the sales building. In exchange one additional tree will be required on the site. All other landscaping requirements of this Section N. must be met.



PARKER CADILLAC

INTERSTATE 95
STATE ROAD 99
ONLY VEHICLES

PROPOSED PYLON SIGN

SIZE OF MARKET FOOTPRINT

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY. FLORENCE WITNESS MY HAND AND OFFICIAL SEAL THIS 9th DAY OF July 2007
CHERYL STRICKLAND, CLERK
 Ex-Officio Clerk of the Board of County Commissioners



BY: Yvonne King D.C.

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 **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 **MAJ 07-02 PARKER CADILLAC**
was published in said newspaper in the issues of **JUNE 13, 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 **13TH** day of **JUNE, 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 DD27599;
Expires December 18, 2007

(Seal)

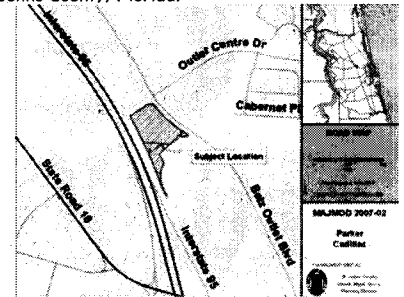
PATRICIA A. BERGQUIST

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, June 26, 2007 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, requesting a modification to allow an unbroken row of parking more than 100' in length but less than 120' in length for the parking row immediately fronting the primary entrance of the Sales Building and additional project signage in the form of a pylon sign up to 85 ft. in height with a max ADA of 250 sq.ft. 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 near the intersection of SR 16 & I-95 along Belz Outlet Blvd, within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 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 procedures. 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

FILE NUMBER: MAJMOD 2007-02 Parker Cadillac
© St. Augustine Center
L1559-7 June 13, 2007



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

July 2, 2007

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

07 JUL -6 AM 9:24
FILED
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

Attention: Yvonne King, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 29, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-51 through 2007-54, which were filed in this office on July 2, 2007.

Sincerely,

Liz Cloud
Program Administrator

LC/lbh

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

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