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ORDINANCE NUMBER: 2008- 18

Public Records of  
St. Johns County, FL  
Clerk # 2008021332,  
O.R. 3069 PG 514-527  
04/15/2008 at 09:54 AM,  
REC. \$57.00 SUR. \$63.50

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM RESIDENTIAL SINGLE FAMILY (RS-3) 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 November 9, 2007, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2007-25 Sattich Office 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 Sattich Office 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 Residential-C.
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

Deborah Y. King  
MTR

**SECTION 2.** Pursuant to this application File Number PUD 2007-25 Sattich Office PUD, 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 1st DAY OF April 2008.**

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

BY: Thomas G. Manuel  
Thomas G. Manuel  
Chairman

RENDITION DATE 04/04/08

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

**EFFECTIVE DATE: April 9, 2008**

**EXHIBIT A**  
**Legal Description**  
**The Sattich Offices PUD**

St. Augustine South Unit 1 Lots 1-7

**EXHIBIT C**  
**MASTER DEVELOPMENT PLAN TEXT**  
**The Sattich Offices PUD**

**SECTION I - INTRODUCTION**

Enclosed herein, please find an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Code. The application form is attached as Exhibit B. This petition is filed on behalf of the applicant: Norman and Carol Sattich, 1212 Hogarth Dr., Louisville, KY 40222.

**A. Location / Surrounding Uses:** The property to be rezoned consists of 0.64 acres, described by the Legal Description - Exhibit A. It is situated in east central St. Johns County, on the north side of Shore Drive, just north of its intersection with US 1 South, as indicated by the Location Map, Exhibit E. The property is currently vacant and has approximately two hundred eighty (280) feet of frontage on Shore Drive. There are similar sized residential single-family parcels on the south with Flagler Hospital to the north, an office building to the west and property owned by St. Johns County Park and Drainage to the east. Other properties in the surrounding area are either undeveloped or developed with single-family structures with the exception of properties with frontage on US 1 South. Properties located along US 1 South frontage are primarily commercial businesses.

**B. Ownership:** Norman and Carol Sattich, 1212 Hogarth Dr., Louisville, KY 40222 own the subject properties as shown by the Proof of Ownership (deeds) attached as Exhibit F. Said property owner has authorized Karen M. Taylor, Land Planner to act on their behalf and file the application for seeking the rezoning change indicated. The authorization is attached as Exhibit G. Adjacent property owners for notification purposes are included as Exhibit H.

**SECTION II - SITE DEVELOPMENT CRITERIA**

**A. Project Description:** The real property to be considered for rezoning consists of approximately 0.64 acres located on the north side of Shore Drive. The applicant is requesting the zoning change from Residential Single Family Three (RS-3) to Planned Unit Development (PUD) to allow for the construction of up to 4,225 square feet of commercial office and business space. The development will be known as **The Sattich Offices Planned Unit Development (The Sattich Offices PUD)**.

The Master Development Plan Map, Exhibit D, for the property indicates the general layout of the site for 4,225 square feet of neighborhood commercial office and business space. The site has been designed in such a way to locate the building on the western end so that it is close to the existing commercial use and US 1 South and the parking central and the stormwater facility on the eastern end, close to the adjacent County parcel, which is currently used for drainage. Currently the site is vacant. The development is proposed for one (1) phase. The site will contain a ten (10) foot perimeter buffer on all sides and will meet the county's screening standards "A" on the eastern boundary. It will be accessed from one (1) twenty four (24) foot wide driveway entrance directly on Shore Drive. The Master Development Plan, Exhibit D indicates the building location, parking area, landscape and buffer areas at the front of the site and a retention/detention area at the east of the site. The project will be served by central utilities by St. Johns County Utility Department, which will supply fire fighting capabilities.

The property is located within a Residential "C" designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan which allows for "Neighborhood Commercial uses and Community Commercial uses approved pursuant to the Planned Unit Development land development regulations, on a size and scale compatible with the surrounding residential area and further governed the

Future Land Use Element Policies A.1.3.6, A.1.3.8, A.1.3.9, A.1.3.11, and A.1.11.2." Therefore, this application, which includes only neighborhood office and business uses as outlined within the Land Development Code is consistent with the Comprehensive Plan. In addition, the uses are consistent and compatible in that the uses, which "serve the surrounding neighborhood or a small group of neighborhoods, "which" typically require direct access to collectors, like Shore Drive and "operate primarily in the daytime or early evening hours," and "generally include one-story and low-rise buildings outside of activity centers." In compliance with LDC Section 5.03.02.G.1.a, the design, character and architectural style will be unified and cohesive and will compliment the neighboring commercial to the west while providing a gentle transition to the residential uses to the east.

**B. Development Size:** The site contains 0.64 acres.

**C. Wetlands:** There are 0.55 acres of jurisdictional wetlands on the property, which are proposed to be filled.

**D. Development Area:** The project will use 0.64 acres for development, including drainage facilities, buffers, open space, buildings and associated parking, loading and drives. The site contains 0.55 acres of wetlands all of which are proposed to be filled for development pending receipt of proper permits.

**E. Residential Use:** There is no proposed residential use.

**F. Non-Residential Use:** The project is planned for one (1) commercial office building, 4,225 square feet total for project completion.

**G. Site Development Criteria:**

**1. Building Area:** The total Floor Area Ratio (FAR) to be occupied by buildings and structures shall not exceed fifty percent (50%). Total building area shall not exceed 4,225 square feet. The total Impervious Surface Ratio (ISR) shall not exceed seventy percent (70%). The project shall comply with the Florida Americans with Disability Implementation Act and site and building construction will conform to the Florida Accessibility Code for Building Construction (FACBC).

**2. Permitted Uses:** The development will be constructed in an orderly manner, and allow the following neighborhood office and business uses, as derived from the definitions within the St. Johns County Land Development Code. These uses shall include:

Office and Professional Services such as real estate agencies, advertising agencies (but not Sign shop), insurance agencies, travel agencies, credit bureau (but not finance company), abstract and title insurance companies, management consultants, stockbroker, and the like; or an office for the use of a person or persons generally classified as professionals such as architects, engineers, attorneys, accountants, lawyers, psychiatrists, psychologists, and the like, including doctors or dentist offices or clinics and other substantially similar facilities and Uses.

**3. Building Setbacks:** Buildings shall be setback a minimum of ten (10) feet from the west, north and east boundaries. Buildings, parking and/or storage areas will be setback a minimum of twenty (20) feet from the south boundary in compliance with LDC Section 5.03.02.G.1.a. Setbacks shall be measured per the Land Development Code from the farthest architectural feature 30 inches or more off grade.

**4. Building Height:** Buildings shall not exceed **twenty-five (25)** feet in height and single story to maintain a residential appearance.

**5. Parking:** Parking is indicated on the MDP Map, Exhibit D for 4,225 square feet of neighborhood office space. Parking spaces will be provided in conformance with the St. Johns County Land Development Code regulations applicable at the time of permitting, based upon specific parking requirement established for the Use within Article VI of the LDC and will include medical offices. Parking lots and parking space layout will conform to the current applicable County standards and regulations and handicapped spaces will be provided and appropriately marked. Parking area shown is in the general location as required by Section 5.03.02.G LDC and may be modified to accommodate compliance with parking requirements of Article VI of the LDC. Any modifications to parking will be subject to Section 5.03.05.

**6. Signage:** All signs will be consistent in style and architecturally related to the building design. Signs will conform to the current St. Johns County Land Development Code, Section 7.02.00 On-site Sign Provisions, as follows:

a. Two (2) ground signs, consistent with Section 7.02.00 totaling a maximum of 32 square feet per side, double sided, a maximum of **five (5)** feet in height, shall be allowed along Shore Drive in the general location shown on the Master Development Plan Map, Exhibit D. One (1) sign shall be the major identification sign and one (1) of the signs shall provide for a listing of the businesses and services within the development. Dimensions shall be consistent with those allowable within the Land Development Code. The signs may be single or double faced and may be illuminated (internally or externally lit) and landscaped consistent with the restrictions within the LDC. The signs shall be placed in a sign tract if they are to serve more than one specific business.

b. Building storefront signs shall be allowed at 1.5 square foot per linear foot of frontage for each unit, not to exceed 150 square feet of advertising display area. In addition, the development may have directional signs that will not exceed three (3) square feet in size and two (2) directory signs.

c. Temporary signage may be provided for "for sale" or "lease" and information signs in compliance with Section 7.03.01 of the LDC.

**7. Fencing:** The applicant will be permitted to install a maximum six (6) foot high fence, to be constructed of wood, aluminum or similar material along the interior boundaries of all perimeter buffers if desired. Should the fence be erected, a gate will be provided for emergency access. It should be noted that no fencing will be allowed within any buffers. No masonry walls or masonry fences will be constructed or located in a drainage or underground utility easement.

**8. Lighting:** The applicant will provide lighting that minimizes impacts to the surrounding community and is shielded from the adjacent residential properties, while providing for recognition of the businesses and the safety of their customers. The lighting levels will not exceed the requirements of the Land Development Code, Section 5.03.06.H.6.

## **H. Infrastructure:**

**1. Stormwater:** Stormwater will be retained/detained on the eastern portion of the site within the designated area shown on the Master Development Plan Map, Exhibit D. The drainage structures and facilities will be designed and constructed in compliance with the St. Johns County Land

Development Code in effect at the time of submittal, with the retention/detention area in combination with the piping sized to accommodate the retention/detention requirements for the entire site.

**2. Vehicular Access/Interconnectivity:** One (1) twenty four (24) foot wide entrance/exit driveway shall be allowed on Shore Drive at the driveway cut, as shown on the Master Development Plan Map, Exhibit D. The driveway will enter the site perpendicular to Shore Drive, with the associated parking to the center of side and along the front of the building, as indicated on the Master Development Plan Map, Exhibit D. The driveway and connection will be designed and permitted in accordance with current County standards and requirements and the applicant will provide any required improvements. Interconnectivity is not feasible at this time. To the north is property owned by Flagler Hospital where their stormwater facility is located, to the west is an existing commercial building, to the south is Shore Drive and to the east is vacant/park property owned by St. Johns County.

**3. Pedestrian Access/Sidewalks and Pathways:** A five (5) foot wide external sidewalk will be installed along the projects frontage on Shore Drive. A four (4) foot wide internal sidewalk will be provided within the development along the building front, connecting to the parking area and the external sidewalk on Shore Drive.

**4. Open Space:** Over 6,969 square feet of open space and green space, constituting twenty-five (25%) percent of the site, excluding retention/detention areas, will be provided. This open space will be contained within the development area of the site and within buffers along the property boundaries, which will be used to maintain the scenic qualities desired for Shore Drive and provide visual privacy and separation from the adjacent uses. These open space areas are inclusive of approximately 1,400 square feet or five (5%) percent of conserved upland natural vegetation in compliance with LDC Section 5.03.03.A.3.

**5. Fire Protection:** The applicant will comply with the requirements of the St. Johns County Fire Services as outlined within Section 6.03.00 of the Land Development Code, including installation of fire hydrants and meeting flow requirements.

**6. Solid Waste:** Solid waste will be handled by the licensed franchisee in the area, with collection by curbside pickup. **Trashcans will be placed upon an accessible concrete pad and will be screened from view in accordance with Section 6.06.04.B.8 of the LDC.** Should a dumpster be required it would be provided according to LDC regulations with a concrete pad and proper screening per Section 6.06.04B(8) **located in the northwest corner of the site.**

**7. Utilities:** All electrical and telephone lines will be installed underground per LDC Section 5.03.03.H.6. Florida Power and Light Company will provide electrical power.

**8. Potable Water/Sanitary Sewer Service:** Both potable water service and sanitary sewer service will be provided via St. Johns County Utilities. It is anticipated that the project will utilize 960 gpd of both potable water and sanitary sewer.

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**J. Topography and Soils:** The property is located on the north side of Shore Drive. The property lies in Flood Zone X per FEMA Panel Number 12109C0377H and has an average site msl of twenty (20) feet sloping from west to east to sixteen (16) feet.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service in 1983, identifies two (2) soil types on the site: **7 - Immokalee fine sand** and **26 Samsula Muck**.

**7 Immokalee fine sand**, which is a somewhat poorly drained, nearly level soil on broad flats and low knolls in the flatwoods, with slopes ranging from 0 to 2 percent. The seasonal high water table is at a depth of less than 10 inches for about two (2) months of the year and at a depth of 10 to 40 inches for more than eight (8) months of the year, receding to a depth of more than 40 inches during extended dry periods. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. In most areas, the natural vegetation includes slash pine, longleaf pine, saw palmetto, fetterbush, inkberry, and scrub oak, running oak, blackberry, and sumac. The potential for community development is medium if measures are taken to lower the seasonal high water table. Potential for use of septic tank absorption facilities is medium with suitable fill material needed to raise the absorption field above the high water table.

**26 Samsula Muck:** This is a very poorly drained soil in narrow to broad swamps and depressional areas in the flatwoods. Areas are irregular in shape and range from 8 to 60 acres. Under natural conditions, in most years, the seasonal high water table is at or above the surface, except during extended dry periods. Permeability is rapid throughout. Available water capacity is very high in the surface layer. Natural vegetation includes blackgum, cypress, loblolly bay, waxmyrtle, greenbriar, and cinnamon fern. Potential for community development is very low.

**K. Site Vegetation and Habitat:** A field assessment specifically focusing on the occurrence of wetlands, based on federal, state and local jurisdictional criteria was performed by Bill Brown Environmental, Inc. (BBE, Inc.) where there were two (2) FLUCFCS types located on site: Undeveloped Land within Urban Areas (FLUCFCS 191) and Wetland Forested Mixed (FLUCFCS 630). BBE, Inc. also located approximately 0.5 acres of isolated wetlands on site. A copy of the letter is attached as Exhibit I, Environmental Information. It should be noted that a large portion of the site contains jurisdictional wetlands. Since this is basically the last remnant of a much larger wetland system that divided the Hospital site as well as a large area across US 1 South and SR 312, the applicant feels that the site has little environmental value and is pursuing permits to fill.

**L. Significant Natural Communities Habitat (SNCH) / Listed Species:** A survey of the site was completed by BBE, Inc. for both the presence or potential utilization of any threatened endangered or specials of special concern as listed by the US Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FFWCC) and SNCH as defined by Article IV of the LDC. Neither listed species nor SNCH was observed and the likelihood of any species listed by FWS or FFWCC occurring is very low.

**M. Historic Resources:** The project area falls within a "High" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map. An archaeological and historic structures reconnaissance study will be conducted in accordance with LDC Section 3.01.05.B.1. The study will be reviewed by St. Johns County Planning Division, and the State of Florida, Division of Historical Resources for a formal determination of whether the areas of the property were found to exhibit characteristics that would make it eligible for listing on the National Register of Historic Places.



**N. Buffers/Landscaping:** Ten (10) foot perimeter buffers are shown on the Master Development Plan Map, Exhibit D and will be provided along all property lines in accordance with the LDC for PUD districts. In the areas that have been cleared, landscaping will be installed to meet buffering requirements. For the areas that are natural this buffer will remain natural but may be augmented and landscaped with native vegetation. Landscape plans will be submitted with the Construction Plans and the development will conform to all land clearing and the tree credit/replacement requirements established within the Land Development Code.

**O. Special Districts:** This project is not located within any special districts as defined by Article III of the Land Development Code.

**P. Temporary Uses:** There may be a temporary construction/sales trailer located on the property until construction is complete. Parking shall be provided for such use in temporary, but defined unpaved lots, within the area nearby per the requirements of the Land Development Code Part 2.02.04(10). On-Site Construction signage may be provided in accordance with Part 7.03.01(b) of the Land Development Code, including temporary signage relative to the future project that may not exceed thirty-two (32) square feet. In addition, temporary sales and/or lease, contractor signs, etc. are allowed with each sign not exceeding six (6) square feet. Temporary construction/sales trailer shall be removed within thirty (30) days of the issuance of a final certificate of occupancy for the development.

**Q. Accessory Uses:** Standard office/professional accessory uses will be allowed per the Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure and shall include those allowable per the provisions of LDC Part 2.02.04 C. No outside display and sales shall be allowed.

**R. Phasing: The Sattich Offices PUD** is to be permitted in one (1) phase, with horizontal construction commencing within five (5) years of approval of the PUD and completed within five (5) years of commencement. Commencement shall be defined as the approval of construction plans for all horizontal improvements and completion shall be defined as the installation of all horizontal infrastructure and the approval of "as-builts" for the project.

**S. Project Impact:** The property is located along Shore Drive just southeast of the intersection of SR 312 and US 1 South, within a commercial lined corridor. The southern property line fronts on Shore Drive and the northern boundary fronts along the Flagler Hospital Imaging Center and its retention pond. There are platted residential single-family parcels to the south across Shore Drive and to the east is vacant land owned by St. Johns County. Other properties in the surrounding area are mostly commercial parcels immediately to the west, which continue along both US 1 and SR 312, either undeveloped or developed with commercial structures. Properties located east of the project, along Shore Drive are primarily residential. As such, the applicant desires the zoning change to provide for neighborhood professional office space that will be convenient and provide services for the surrounding neighborhood. As indicated previously, the project is planned for development within a Residential "C" designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan which allows for "Neighborhood Commercial uses and Community Commercial uses approved pursuant to the Planned Unit Development land development regulations, on a size and scale compatible with the surrounding residential area and further governed the Future Land Use Element Policies A.1.3.6, A.1.3.8, A.1.3.9, A.1.3.11, and A.1.11.2.

In this case, due to the location of the property adjacent to a residential neighborhood, more intense Neighborhood or Community Commercial uses would not be appropriate, but low intensity office uses would be complementary and compatible. Recognizing the need for office and business services within a limited area, this property is situated on a major transportation facility (Shore Drive, a Minor Collector Roadway and US 1) and is a logical location for small-scale service type businesses. The maximum

square footage for the site will be 4,225 square feet, which is small enough to retain the local residential feel, but also provide a convenient location for residents to access services and for residents to conduct their own businesses close to home. In order to provide adequate buffering between the differing adjacent land uses, a ten (10) foot buffer containing landscaping and or/ fencing to the Screening Standard "A" will be installed along the east and south property boundaries in accordance with the requirements of the County's Land Development Code.

As indicated, the property has excellent access to major roadways and transportation corridors including Shore Drive, connecting to US 1 South and SR 312 to the east and west. It will provide for local office space for small offices, which will reduce the need for extensive vehicular travel to St. Augustine. Area residents may benefit by additional future employment opportunities and services and the County will collect higher tax revenue generated by commercial use.

The applicant believes that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan to provide goods and services at a size and scale appropriate to serve the surrounding community and conform to the requirements of the St. Johns County Comprehensive Plan, which has established the parameters for developing business, service and office space within residential communities. The PUD will allow for County control of the quality, scale and type of the development and provide for a more desirable environment than could be accomplished through traditional zoning.

The planning and design of this property will allow for an integrated development plan, affording better compatibility with the surrounding land uses, as well as providing all necessary improvements to offset its impacts. The project will generate increased revenues without the demands that are commonly associated with residential development and will provide additional employment opportunities, as well as service opportunities for the surrounding residential communities. A consistent and consolidated development plan will improve the appearance of the area, and provide a location for services, which will hopefully reduce some of the travel for business and services out of the area.

**T. Waivers / Variances / Deviations:** The applicant requests the following waiver from the Land Development Code:

**2. Unified Sign Plan:** The applicant hereby requests a waiver from LDC, **Section 7.00.02.B.2** and **Section 5.03.03.E** requirements to provide a separate Unified Sign Plan, due to limited size and scope (single use) of the project. The requirements for the types, sizes, height and location of the signs have been provided within Section II, Paragraph G.6 of this MDP Text, Exhibit C, and as shown on the MDP Map, Exhibit D, where appropriate, to provide staff with the necessary guidelines to review and approve the signs. Providing a Unified Sign Plan is not appropriate for the size of this project (two small buildings on 0.64 acres) however signage will be consistent throughout the development. The requested waiver shall not affect the provision of Section 7.00.02 B.2 of the Land Development Code that allows a PUD to be considered a single parcel for purposes of signage.

The Applicant requests no other waivers, variances or deviations from the Land Development Code or other land development regulation within this PUD, however, the applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.

**U. Ownership/Agreement:** The **Sattich Offices PUD** will be constructed, owned and operated by the applicant. The applicant, its successors and/or assigns shall be responsible for all improvements made to

the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to St. Johns County. The applicant reserves the right to transfer the ownership of the PUD or portions of the building thereof to multiple entities by condominium rules, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements stipulated herein. Prior to any transfer of ownership for any portions of the building (after issuance of original Building permit) a change of use/ownership or occupancy will be submitted to the Building Department in order to make sure such ownership does not violate building code.

The applicant also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD as follows: To the extent that they do not conflict with the specific and detailed provisions of this approved 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.

**V. Future Land Use Designation:** The property is located within the Residential "C" designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan, as amended.

### **PART III - SUMMARY AND CONCLUSIONS**

The need and justification for approval of **The Sattich Offices PUD** has been considered in accordance with the St. Johns County Land Development Code (LDC) and the St. Johns County Comprehensive Plan, whereby, it is found that:

**A. Consistency with Comprehensive Plan:** Development of the subject project is consistent with the St. Johns County Comprehensive Plan as it is located within a "Residential C" on the FLUM which allows the type of development envisioned (and is actually less intense) within the PUD and further described within the text under Goal A.1 as follows:

"To effectively manage growth and development by designating areas of anticipated future development which satisfy demand where feasible, in a cost-efficient and environmentally acceptable manner. Encourage / accommodate land uses which make St. Johns County a viable community. Creating a sound economic base and offering diverse opportunities for a wide variety of living, working, shopping and leisure activities, while minimizing adverse impact on the natural environment."

It is consistent with Objective A.1.2 Control of Urban Sprawl, in that the project does not constitute leapfrog development nor is it strip development. It sets a standard for neighborhood professional office and professional services development requests within a residential area within the County, that are low intensity uses located adjacent to residential areas. In addition, the development is consistent with the Comprehensive Plan as embodied in Objective A.1.3, Surrounding Land Use, as the project includes uses allowable within the County Comprehensive Plan and land development regulations although the uses have been restricted to maintain only low intensity office uses, which are compatible with residential. It is consistent with Policy A.1.3.12 Compatibility, whereas the property provides buffers to adjacent land

uses and along the major roadways and Policies A.1.3.6, A.1.3.9, A.1.3.11, and A.1.11.2 and limits the scale and scope of these uses.

The project also conforms to Objective A.1.11, Provision of Efficient, Compact Development and Policy A.1.11.1(h), Residential that provides for neighborhood commercial and/or office uses within the Residential "C" category approved pursuant to the PUD regulations of the Land Development Code. Therefore, the request is consistent with and furthers the objectives and policies of the Comprehensive Plan.

**B. Location:** The project is located within a Residential "C" area on the FLUM, which allows the type of development envisioned within the PUD, provided it is approved pursuant to a Planned Unit Development. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

**C. Minimum Size:** The area encompassed by this project is greater than the minimum size criteria for development of a typical commercial development under the criteria established within Article V of the Land Development Code.

**D. Compatibility:** The proposed uses are compatible with the area and the overall community and meet the criteria established within Objective A.1.3, Surrounding Land Use, Policy A.1.3.12, which provides that "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within Objective A.1.3, Policy A.1.3.12, as stated, that a "rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties."

Office and business uses proposed within this project are very low intensity, daytime activities that are consistent with the neighborhood. Adjacent land uses surrounding this property are mixed with primarily commercial along US 1 and SR 312 and scattered residential uses east along Shore Drive, which would be deemed compatible with the proposed use of the property. This property actually acts as a transition from the more intense commercial uses along US 1 South and the residential to the east with providing smaller scale, less intense office uses. The uses on the adjacent properties and this property are in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area in respect to sensory characteristics; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Residential "C". The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance. Development will conform to the current Land Development Code standards.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the

residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood.

**E. Adequacy of Public Facilities:** The subject property is served by a major transportation system, central water and sewer and will provide on-site stormwater and drainage facilities for any development activities that would mitigate any off-site drainage impacts. The development will proceed only upon receipt of a Certificate of Concurrency, indicative that there are adequate public facilities to accommodate the development.

**F. Relation Of PUD Regulations and Zoning:** The subject project meets all applicable requirements of general zoning, subdivision and other regulations except as those that may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

**G. Master Development Plan Required:** The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.

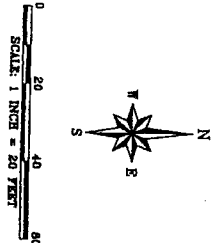
This project, as previously mentioned, represents a small personal services and neighborhood professional offices, which will offer a convenience and services to the single family residences in the area, which will in turn reduce the required travel out of the area. Therefore, the applicant feels that the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area, and hereby request approval.

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 15th DAY OF April, 2008.

CHEKYL STRICKLAND, CLERK  
 Ex-Officio Clerk of the Board of County Commissioners



CAD: SATTICH-7-267-2007-wb-jnnC.dwg



U.S. HIGHWAY

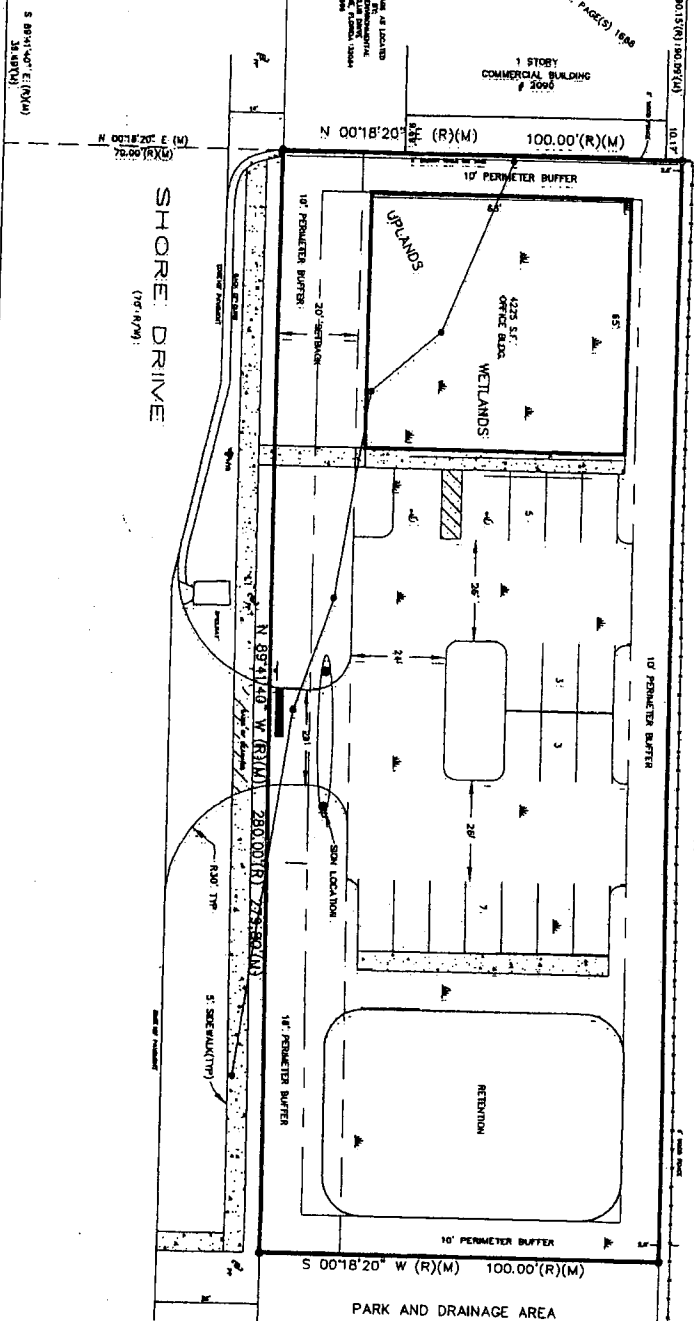
BY: John Noble

D.C.

LEGAL DESCRIPTION  
 LOTS 1 THROUGH 7, ST. AUGUSTINE SOUTH UNIT 1,  
 AS RECORDED IN MAP BOOK B, PAGE 33 OF THE  
 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

OFFICIAL RECORDS BOOK 1510, PAGE(S) 1846

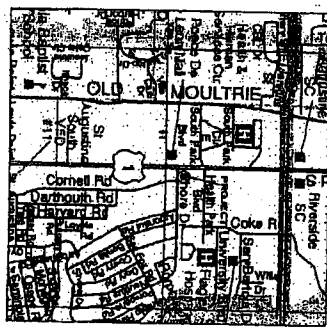
S 89°41'40" E (R)(M) 280.00'(R) 279.80'(M)



**PARKING:**  
 PROVIDED IN SPACES INCLUDING TWO HOVS.  
 PER LIC REC. W/ TABLE A.17.

SITE DATA		AREAS:	
TOTAL SITE AREA:	24,000 S.F. / 0.5431 AC.	TOTAL	24,000
WETLAND AREA:	24,991 S.F.	WETLANDS	24,991
UPLAND AREA:	409 S.F.	UPLANDS	409
TOTAL WETLANDS AREA:	13,194 S.F.	WETLANDS	13,194
WETLANDS:	429 S.F.	WETLANDS	429
DRIVEWAY-PARKING-SW	8929 S.F.	WETLANDS	8929
W/ PERIMETER BUFFER:	8196 S.F.	WETLANDS	8196
20' SETBACK:	5800 S.F.	WETLANDS	5800
UNPAVED WETLAND AREA:	24,991 S.F.	WETLANDS	24,991
WETLANDS PERM. (ACRES):	3.062 S.F.	WETLANDS	3.062

- NOTES:**
1. PROPERTY IS ZONED IN FLOOD ZONE "X". FOR FLOOD HAZARD INFORMATION, SEE 15-11-1, BIRTHDAY, COUNTY OF WASHINGTON, GEORGIA. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL ORDINANCES.
  2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL ORDINANCES.
  3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL ORDINANCES.



**EXHIBIT "D" MASTER DEVELOPMENT PLAN  
 SATTICH OFFICE COMPLEX  
 PLANNED UNIT DEVELOPMENT**

*John Noble*  
 LAND PLANNER

JAMES NOBLE DRAFTING SERVICES  
 312 S. OCEAN TRACE RD.  
 ST. AUGUSTINE, FL 32080  
 PHONE: (904) 480-1288  
 FAX: (904) 480-8241  
 jnoble@cornmoast.net

NO.	EXTENSIONS	BY
1	PREPARED	JN
2	REVISION	JN
3	REVISION	JN

DATE: 12-28-07  
 DRAWN BY: SATTICH  
 SCALE: 1" = 20'  
 SHEET: 1 OF 1

# 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 **KAREN J BRANNON**

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 **PUD 07-25/SATTICH OFFICES PUD**

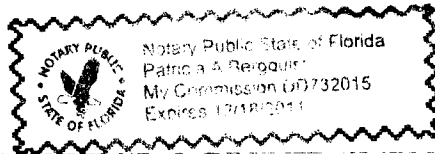
was published in said newspaper **MARCH 17, 2008.**

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 17<sup>th</sup> day of **MARCH 2008.**

by *Karen J Brannon* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A Bergquist*  
(Signature of Notary Public)  
PATRICIA A BERGQUIST



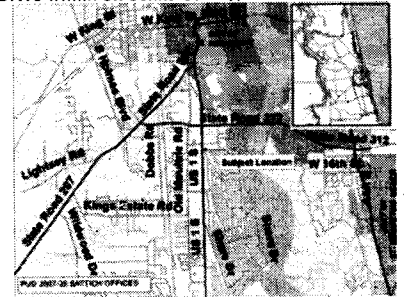
(Seal)

COPY OF ADVERTISEMENT

## NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, April 1, 2008 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, to rezone from Residential Single Family Three (RS-3) to Planned Unit Development. 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 101 and 201 Shore Drive 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) 209-0450 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 notified public hearings or to written communication care of St. Johns County Planning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
THOMAS MANUEL, CHAIRMAN  
FILE NUMBER: PUD 2007-25  
The Sattich Offices PUD  
L760-8 Mar 17, 2008**