

23  
ORDINANCE NUMBER: 2008-~~30~~

Public Records of  
St. Johns County, FL  
Clerk # 2008044035,  
O.R. 3112 PG 86-108  
08/06/2008 at 03:17 PM,  
REC. \$93.00 SUR. \$104.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD); 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 30, 2007, in addition to supporting documents and statements from the applicant **which are a part of Zoning File PUD 2007-27, The Village Commons 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 **PUD 2007-27, The Village Commons 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-A**.
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.

Shirley Y. King  
mfr

**SECTION 2.** Pursuant to this application File Number **PUD 2007-27, The Village Commons 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 15<sup>th</sup> DAY OF April 2008.**

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

BY: Thomas G. Manuel  
Thomas G. Manuel, Chairman

RENDITION DATE 04/18/08

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

**EFFECTIVE DATE:** 04/24/08



# BOUNDARY SURVEY OF:

A PART OF LOTS 6 AND 11, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID LOT 11, FROM THE POINT OF REFERENCE THUS DESCRIBED RUN N 19°38'40" E, ALONG THE WESTERLY LINE OF THE SAID NORTH 1/2 OF THE NORTHEAST 1/4 OF LOT 11, AND ITS NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 1595.05' TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, A 200' RIGHT-OF-WAY AS NOW ESTABLISHED; THENCE NORTHWESTERLY ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, N 34°17'52" W, A DISTANCE OF 34.59' TO THE POINT OF CURVE TO THE LEFT, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 2794.79'; THENCE NORTHWESTERLY ALONG AND AROUND SAID CURVE, AN ARC DISTANCE OF 139.95'; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 35°43'56" W, 139.93'; THENCE CONTINUE NORTHWESTERLY ALONG AND AROUND SAID CURVE 923.22'; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 46°37'49" W, 919.03'; THENCE N 56°05'37" W, 383.29' TO THE POINT OF BEGINNING; THENCE CONTINUE N 56°05'37" W, 200.63'; THENCE S 33°34'24" W, 1107.63'; THENCE S 68°28'45" E, 205.41'; THENCE N 33°34'24" E, 1063.57' TO THE POINT OF BEGINNING. CONTAINING 5.0 ACRES.

CERTIFIED TO: LEONARA E. REIFF-NIOSI, ARTHUR A. NIOSI, ANDREW D. KORB, SUSAN P. KORB, DIANA R. NESSMITH, SUNTRUST, LAND TITLE OF AMERICA, INC., D/B/A LAND TITLE OF AMERICA GROUP; AND UNITED GENERAL TITLE INSURANCE COMPANY.

**EXHIBIT C**  
**MASTER DEVELOPMENT PLAN TEXT**  
**The Village Commons Office Park Planned Unit Development**

**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 A. This application is filed on behalf of the applicant: Andrew D. Korb, ETAL the Owners.

**A. Location** The property to be rezoned consists of five (5.0) acres, described by the Legal Description - Exhibit A. This site is shown on Location Map, Exhibit E. It is situated in northwest St. Johns County, on the south side of State Road 16, west of its intersection with Pacetti Road. The property is located within the St. Johns County Comprehensive Plan Future Land Use Map (FLUM) Residential "A" district, which allows for small commercial neighborhood businesses as included in the application.

**B. Surrounding Uses:** The property to be rezoned is located in the west central portion of the County. It has approximately 200 feet of frontage along State Road 16, which provides direct accesses to the two (2) existing single-family homes on the site. There is a drainage ditch running east/west across the mid section of the property and through to the adjoining properties. There are residential single family mobile home lots located along adjacent properties to the south and adjacent properties to the north are under cultivation and undeveloped, while to the east and west nearby properties are used for commercial and agricultural purpose as well as single family houses and mobile homes, and a church.

**C. Ownership:** The subject property is owned by Andrew Korb, Susan Korb, Arthur Niosi, Lenora Niosi and Diana Nessmith as shown by the Proof of Ownership (deeds) attached as Exhibit F. Said property owners have authorized Gary B. Davenport, PA to act on their behalf and file the application for seeking the rezoning change indicated. Authorizations are 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 5.0 acres located on the south side of State Road 16 in central St. Johns County, just west of Pacetti Road. There is approximately 200 feet of frontage along State Road 16, which accesses two (2) existing single-family homes on the site. There is a drainage ditch running east/west across the mid section of the property and through to the adjoining properties. The applicant is requesting the zoning change from Open Rural (OR) to Planned Unit Development (PUD) to allow for a development plan for primarily office uses that evolves over time, reflecting closely the growth of the area and its needs. The development is planned for a total of 17,970 square feet of office and small business uses (basically neighborhood commercial type uses) to serve the expanding residential growth in the area. As such, the project has been divided into four (4) phases, which will allow for the adaptive re-use of the site and for its development over time to correspond to the area's needs. The development will be known as **The Village Commons Office Park Planned Unit Development (PUD)**.

The Master Development Plan Map, Exhibit D, for the property indicates the general layout of the site by phase for an ultimate overall total of 17,970 square feet of office space and

neighborhood business. The Master Development Plan Map, Exhibit D, for the property indicates five (5) site plans for the four (4) phases. Phase I converts the existing 1,150 square foot single-family home located at the entrance of the site to office space, but utilizes some of the existing site improvements, including a portion of the entrance driveway to State Road 16 and the well and septic system. In order to remove the existing driveway from the Development Edge for the commercial portion of the development, Phase I will relocate a section of the driveway and add required parking, including handicapped. Phase II further adapts the office structure at the entrance of the project by adding an additional 2,094 square feet of neighborhood office space, adds required stormwater retention (to accommodate the new structure), and parking, abandons the septic tank and well and connects the project to central water and sewer. For both Phase I and II, the single family structure located at the rear of the property remains "as is" as one (1) single family private residence. Phase III provides for the conversion of the 4000 square foot single family structure at the rear of the property to an office building, provides parking, adds sidewalk connectivity between Phase I, II and III, creates additional retention area and provides for the connection to central water and sewer for that building and removes all of the remaining existing vehicular driveway and replaces it within the development area of the site, outside of the Development Edge. Phase IV provides for the construction of one (1) new 10,725 square foot neighborhood office structure with connection to central water and sewer, required parking, retention for the overall development, improvement and relocation of the entrance and interior driveway, construction of an amenity area with walkways, benches and picnic tables and restoration of the Scenic Edge. The fifth Master Development Plan, provided as sheet 3 of 3, is the final development configuration and is intended to provide clarification of what the final design will encompass. Specific time frames for each phase are provided in Paragraph R.

The property will be accessed from State Road 16 initially by the existing driveway, and later by a replaced and relocated new twenty-six (26) foot wide driveway/entrance. The Master Development Plan, Exhibit D also indicates parking areas, handicapped access, Scenic and Development Edges, and the retention area set within open space central to the site. The project will be served with central sewer and water from St. Johns County Utilities and supplied with fire fighting capabilities. As indicated, the project is planned for development in four (4) phases.

The property is located within a Residential "A" designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan which allows for "neighborhood 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 includes neighborhood office uses as outlined within the Land Development Code as uses which "serve the surrounding neighborhood or a small group of neighborhoods," which "typically require direct access to collectors" like State Road 16 "operate primarily in the daytime or early evening hours," and "generally include one-story and low-rise buildings outside of activity centers."

**B. Development Size:** The site contains five (5.0) acres.

**C. Wetlands:** The five (5) acre site contains a total of 0.648 acres of wetlands. The largest portion of these wetlands (0.5 acres) are contiguous and are located on the southwestern portion of the property. There is also a small area of isolated wetlands (0.16 acres) located along the eastern border of the property that will be impacted (0.0123) in Phase III and IV. All but 0.0123 acres of these wetlands will remain in their natural state and will be provided with the appropriate buffers and setbacks as established within this PUD to meet the St. Johns County standards. All fill that occurs on this site will be in accordance with all appropriate permits. The vegetation

within the wetland areas is described in Environmental Information/FLUCCS Code Map, Exhibit I. All appropriate buffers, Scenic and Development Edges and setbacks will be provided within this PUD to meet the County LDC standards.

**D. Development Area:** The project will use an overall total of 4.364 acres of developable property (4.352 acres uplands + 0.0123 acres impacted and filled wetlands). A total of 0.636 acres of wetlands will not be impacted and remain in their natural state.

**E. Residential Use:** There are two existing occupied single-family structures used for residences within this PUD. Phases I and II will convert the northernmost residential structure to a commercial use but allows for the continued residential use of the structure at the rear of the property as a private residence. Phase III and IV, will eliminate all residential uses since it converts the rear house into a commercial use.

**F. Non-Residential Use:** Development plans consist of five (5.0) acres of neighborhood office and business space fronting on State Road 16 for the final development of three (3) office buildings to be developed in four (4) phases. Phase I consists of the conversion of a 1151 square foot single-family home located at the entrance of the site, to office space, utilizes some of the existing site improvements, including the entrance driveway to State Road 16 and the well and septic system, but adds required parking and removes a portion of the vehicular driveway from the Development Edge and replaces it in the development area. Phase II adds 2,094 square feet of office space to the existing 1151 square foot office structure and adds required site retention, plus connection to central water and sewer. Phase III adapts the 4000 square foot single family structure at the rear of the property to an office building, creates additional retention, parking, sidewalks, connects to central water and sewer and removes all of the remaining vehicular driveway and replaces it outside of the Development Edge. Phase IV provides for the construction of a new 10,725 square foot neighborhood office structure, with central water and sewer, required parking, sidewalks, retention for the overall development, improvement and relocation of the entrance and interior driveway and construction of an amenity area with walkways, benches and picnic tables.

**G. Site Development Criteria:**

**1. Building Area:** The total ground area to be occupied by buildings and structures shall not exceed fifty percent (50%). Total building area shall not exceed 17,970 square feet. The total impervious surface area 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 Accessibly Code for Building Construction (FACBC).

**2. Permitted Uses:** The development will be constructed in an orderly manner, and allow neighborhood commercial and office and professional uses, as derived from the definitions within the St. Johns County Land Development Code. Typical uses in this category include:

**a.** General business, such as retail goods stores; financial institutions without drive-through facilities; spas and gyms and health clubs; churches;

**b.** Service businesses such as blueprint, printing, catering, travel agencies, mail and package services and laundries, small appliance repair and upholstery;

veterinary offices without outside boarding facilities and enclosed within a sound proof building;

c. Personal services such a beauty shops, barbers, or photography studios; child care centers, restaurants without drive-through facilities; take-out restaurants;

d. General offices, professional offices, as well as business offices such as real estate, government branch offices, excluding medical offices;

e. Other similar uses.

**3. Building Setbacks:** Setbacks shall be measured from the furthest projection of the structure as per the Land Development Code from the portion of the structure from thirty (30) inches above the general level of the graded lot upward as follows: a minimum of seventy five (75) feet from State Road 16 to provide for the Scenic Edge, and a minimum of thirty five (35) feet along all property perimeters to provide for the Development Edge and a minimum of twenty (20) feet between buildings. The twenty (20) feet between buildings is measured to the wall.

**4. Building Height:** Buildings shall not exceed thirty-five (35) feet in height.

**5. Parking:** Parking spaces will be provided in conformance with the St. Johns County zoning regulations applicable at the time of permitting, and will accommodate a total of 17,970 square feet of office buildings for the final development configuration. All parking requirements will be in compliance with Article 6, Table 6.17 of the Land Development Code in effect at the time of permitting.

**a. Phase I and II** parking and access has been planned to utilize the existing entrance/access drive and a portion of the existing vehicular driveway in order to serve the appropriate amount of parking to the existing building uses. Since Phase I includes the conversion of the front building to office use, the vehicular driveway that serves that area will be removed and replaced within the development area, outside of the Development Edge.

**b. Phase III** parking and access will accommodate for the adaptive reuse of the existing 4000 square foot structure located at the rear of the property. Phase III plans will continue to utilize the new driveway/entrance but will remove all of the remaining vehicular driveway and replace it to the site's interior, outside of the Development Edge and in addition, will provide parking for the conversion.

**Phase IV** parking and access provides for the relocation and re-development of the project entrance, and interior driveway to accommodate the required thirty-five (35) foot Development Edge, and the construction of all new parking improvements for a new 10,725 square foot office building.

**6. Signage:** Signs will conform to the current St. Johns County Land Development Code, Section 7.02.01 in effect at the time of permitting.

Due to the size and scope of the **The Village Commons Office Park PUD** the applicant feels a separate unified sign plan is not necessary and a waiver to the LDC Unified Sign Plan requirement Section 7.00.02B.2. is requested in Section T., Waivers.

**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 and Edges. 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 plan will be in compliance with LDC Section 5.03.06H.6.

#### **H. Infrastructure:**

**1. Stormwater:** Stormwater will be retained on site for each development phase. One (1) new retention area will be constructed in Phase I, located centrally. Phase III will provide for a new central retention area constructed as shown on the Master Development Plan Map, Exhibit D and will remove the retention area constructed in Phase II. Phase IV will use and expand this retention facility. 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 area in combination with the piping, sized to accommodate the retention requirements for the entire site. No air-conditioning and/or electrical equipment will be placed in or constructed in drainage and/or underground utility easements.

**2. Vehicular Access/Interconnectivity:** Phases I, II and III, will maintain and utilize the existing entrance to State Road 16 to provide access to the structures on the property. In Phase IV, this access will be replaced by one (1) permanent twenty-six (26) foot entrance/exit driveway, which will be constructed to access State Road 16 for the site, as shown on the Master Development Plan Map, Exhibit D, with any associated required turn lanes. The new entrance will enter the site in a perpendicular manner, through the Scenic Edge from State Road 16. The driveways, connections, and entrance/exit will be designed and permitted in accordance with current County and State standards and requirements and the applicant will provide any required improvements. The abandonment of the initial driveway will include reconstruction and planting of native vegetation within the Scenic Edge.

Interconnectivity is not feasible to the south as there is a large significant wetlands system to the south and west of the project. Interconnectivity is not practical or reasonable to the east and west since the adjacent properties land uses are currently agricultural and /or residential.

**3. Pedestrian Access/Sidewalks:** Sidewalks will be provided within the development along the building fronts, parking areas and/or around buildings where required and/or needed. Sidewalks, five (5) feet wide, as shown on the Master Development Plan, Exhibit D, will be provided along the parking area frontages of buildings, around the perimeter of the building (Phase IV) in conformance with fire codes and at the entrance to SR 16. A five (5) foot mulched walking path around the amenity area circling the retention pond, as noted on the MDP, Exhibit D, will be constructed in Phase IV.

**4. Open Space:** A minimum of 25% (1.25 acres of the project) shall be open space. The majority of the open space will be in the required Development and Scenic Edges. The



required Scenic Edge and Development Edge buffers will be used to maintain the scenic qualities desired for State Road 16 and provide visual privacy and separation from the adjacent uses.

**5. Fire Protection:** The applicant will comply with the requirements of the St. Johns County Fire Services as outlined within Section 6.03 of the Land Development Code, including installation of fire hydrants and meeting flow requirement.

**6. Solid Waste:** Solid waste will be handled by the licensed franchisee in the area. All trash and solid waste will be collected at central dumpster locations, which will be placed upon an accessible concrete pad and will be screened from view by a concrete block wall, or equivalent structure compatible with the primary structures, such walls being higher than the dumpster and including a gate. In the final phase of development, all final dumpster locations shall be screened by concrete block walls higher than dumpster and gated, in compliance with LDC Section 6.06.04B(8). The maximum solid waste generation based on St. Johns County Solid Waste Division estimates for each phase shall be as follows: Phase I: 78 lbs/day; Phase II: 193 lbs/day; Phase III: 390 lbs/day and Phase IV: 979 lbs/day. However, it should be noted that pursuant to Section R.4 of this PUD Text, Phase IV requires additional review and approval for compatibility, which may include solid waste generation. Furthermore, the maximum generation figures above assume 100% retail development which is unlikely to occur. Retail waste generation is five times higher than office waste generation and office is the intended and most likely use.

**7. Utilities:** All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company.

**8. Potable Water/Sanitary Sewer:** Central water and sewer service will be provided by St. Johns County Utility Department. In accordance with Section 5.03.02 G. 1.i. of the Land Development Code, the total water and sewer usages for this development in its final development configuration are estimated to be 2674 gallons-unit-day water, 2140 gallons-unit-day sewer use, based on 17,970 square feet of neighborhood commercial space at 15 gallons per day per 100 square feet. The applicant is requesting to use the existing septic tanks associated with the existing homes in the first and second phase. Phase Two will connect only the front building (3245 sq. ft. total) to central sewer and water. During Phase III and IV all structures will be provided with central water and sewer, including the rear building, when converted from a single family residence to an office. The applicant understands that if the water and sewer lines are not in place in front of the property at the time connection is required, then the applicant will be responsible for the installation and extension of the 20" water main and 16" force main along SR 16 to the property. Phases II, III and IV will provide for the use of central water and sewer at the gallon-per-day rates as follows:

a. Phase I, well and septic for both structures.

b. Phase II, central water and sewer connection for the commercial portion only, estimated to be 479 gallons-unit-day water, 383 gallons-unit-day sewer use, based on 3245 square feet of neighborhood commercial space at 15 gallons per day per 100 square feet. The existing well and septic tank will be used for the rear residential portion.

c. Phase III, central water and sewer connection for all structures, estimated to be 1066 gallons-unit-day water, 853 gallons-unit-day sewer use, based on 7245 square feet of neighborhood commercial space at 15 gallons per day per 100 square feet.

d. Phase IV, water and sewer for all structures, estimated to be 2674 gallons-unit-day water, 2140 gallons-unit-day sewer use, based on 17,970 square feet of neighborhood commercial space at 15 gallons per day per 100 square feet.

Per request of the St. Johns County Utility Department and in accordance with Section 5.03.02.G.1. h. of the Land Development Code, the applicant shall:

e. Master plan all phased developments' utility infrastructures to maintain level of service to each phase. If the developer requests prioritizing alternate phases, the utility infrastructure shall have to be accommodated accordingly to minimize impact to existing SJCUD infrastructure.

f. Confirm utility connection points at the design level. Utility connection points shall be installed as listed in the Availability letter or as directed otherwise by SJCUD to minimize impact to the existing infrastructure or to the existing level of service.

g. Ensure the width of right-of-way will not limit meeting the minimum setbacks for underground utility lines set by SJCUD. The developer will provide the necessary easements in case proposed right-of-way cannot provide the required spacing for proper operation of underground utilities.

h. Not install water or sewer pressurized mains under pavement, sidewalk, and concrete walk unless it is approved by SJCUD. The developer will install such line in grassed right-of-way. All private lines will be serviced via master meters. The developer will provide restoration easements to maintain utilities in private right-of-way as long as they meet the SJCUD requirements for operation and maintenance.

i. Ensure that any landscaping trees shall be placed at a minimum of 7.5 feet away from the center line of pipeline to the center line of the trees.

**J. Topography and Soils:** The property is located in Flood Zone X. 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: **63 Placid fine sand**, located on the eastern portion of the site and **36 Riviera find sand** located in a small area along the central southern border and a larger area in the western portions of the site.

**1. 63 Placid fine sand.** This is a very poorly drained nearly level soil on broad, low flat areas. Slopes range from 0 to 2 percent. This soil type is the predominant soil type for the northern portion of the property. It has a seasonal high water table within a depth of 10 inches for more than 6 months in most years. During extended dry periods, the water table may recede to a depth of more than 40 inches. Permeability is rapid throughout. Potential for community development is medium, with the high water table being the main limitation. Dwellings without basements and local roads and streets require special

water control measures to remove excess surface water and lower the high water table. Adequate water outlets for drainage are generally available.

**2. 36 Riviera fine sand, frequently flooded:** This is a poorly drained, nearly level soil in poorly defined drainageways and on flood plains and covers a portion of the site. The seasonal high water table is within 10 inches of the surface for 2 to 4 months in most years. It is below a depth of 40 inches in the driest seasons. Permeability is rapid or very rapid in the surface and subsurface layers, very slow or slow in the subsoil and moderately rapid in the substratum. Potential for community development is very low. Excessive wetness and flooding restrict the use of soil for dwellings, small commercial buildings, and local roads and streets.

**K. Site Vegetation and Habitat:** The property was examined by LG2 Environmental Solutions, Inc. and a report reviewing their findings is attached as Exhibit I, Environmental Information. The property measures approximately 5.0 acres and bordered to the northwest and by northeast S.R. 16 & residential developments, and to the southwest by vacant undeveloped land. All buffers and edges will be left natural, meeting the required five (5) percent conservation of the Upland Natural Vegetation (as per LDC 5.03.03.A.3), but may be augmented and landscaped with native vegetation if desired.

A total of four (4) classifications of vegetation are present on-site, three (3) natural vegetative communities and one (1) urban feature (Figure 4). These communities are classified according to the Florida Land Use, Cover, and Forms Classification System (FLUCFCS) (FDOT 1999).

**1. Residential – Low Density (FLUCFCS 110)** A single-family home structure and paved driveway are evident in the upland area. Historically the site has been maintained with bahia grass (*Paspalum notatum*) & St. Augustine grass (*Stenotaphrum secundatum*).

**2. Temperate Upland Hardwoods (FLUCFCS 425)** The vegetative canopy consists of scattered laurel oak (*Quercus laurifolia*), water oak (*Q. nigra*), sweet gum (*Liquidambar styraciflua*), slash pine (*Pinus ellioti*), and loblolly bay (*Gordonia lasianthus*). The understory is predominantly persimmon (*Diospyros virginiana*), gallberry (*Ilex glabra*), wax myrtle (*Myrica cerifera*), winged sumac (*Rhus copallina*), and saw palmetto (*Serenoa repens*). Groundcover is sedge (*Carex* spp.), bracken fern (*Pteridium aquilinum*), and grape vine (*Vitis* spp.); on community fringe the groundcover is bahia grass and St. Augustine grass. The soils do not exhibit hydric characteristics.

**3. Flood Plain Bottomland Swamp (FLUCFCS 615)** This community is often located in flood plain or overflow areas associated with rivers. The wetland appears to be the result of a floodplain of Mill Creek. This category consists of a wide variety of hardwood species. Canopy species include red maple (*Acer rubrum*), pond cypress (*Taxodium ascendens*), bald cypress (*T. distichum*), sweet bay (*Magnolia virginiana*), black gum (*Nyssa sylvatica* var. *biflora*), laurel oak, water oak, loblolly bay, and sweet gum. Noted understory vegetation was fetterbush (*Lyonia lucida*). Groundcover species include Virginia chainfern (*Woodwardia virginica*) and netted chainfern (*Woodwardia aereolata*).

**4. Mixed Wetland Hardwoods (FLUCFCS 617)** The vegetative community contains a canopy layer comprising scattered slash pine (*Pinus elliotii*), bald cypress (*Taxodium distichum*), swamp bay (*Persea palustris*), and sweet bay (*Magnolia virginiana*). Understory vegetation consists of juvenile canopy species and saltbush (*Baccharis halimifolia* L.). Groundcover vegetation includes legumes and other plants

within the Fabaceae family, needle rush (*Juncus* spp.), buttonweed (*Diodia virginiana*), and blue water hyssop (*Bacopa caroliniana*).

None of the community designations detailed above reflects communities listed as ESA or SNC for St. Johns County.

**L. Significant Natural Communities Habitat:** LG2 Environmental Solutions, Inc. surveyed the site for wildlife utilization. A copy of their report is included in Exhibit I, Environmental Information. Sensitive species are those deemed Endangered, Threatened, or Species of Special Concern (SSC); sensitive species were not observed during the site visit, and during the performance of other environmental services. Due to the small size of the lot, the existing on-site land-use, adjacency to existing single-family residences, and proximity to the four-lane S.R. 16, it is highly unlikely that sensitive species would inhabit the site. Habitat areas that support sensitive species were not found present during the site assessment, and it was determined that there is no direct evidence of sensitive species utilizing the subject property.

According to LG2, the database search and the FNAI report, wood stork (*Mycteria americana*) is the only likely sensitive species that has the potential to utilize the on-site natural resources, but were not visible within the site visit duration. No rare species habitat was identified as occurring within the site (FNAI 2006). The flora, both within the wetland and upland areas, have a limited potential to provide food, protection and nesting materials for some common wildlife such as, but not limited to, migratory bird species and herbivorous mammals. Migratory birds could utilize contiguous on-site wetland resource for foraging cover, nesting material, and seasonal occurrence for stop-over activity; long-term utilization is unlikely due to a lack of observed occurrence and the presence of existing development. Due to the on-site residential land-use, adjacent existing development, and the heavy adjacent road traffic disturbance, the site cannot serve as a wildlife corridor. During the site visit duration, sensitive habitats listed as Environmentally Sensitive Areas (ESA) or Significant Natural Communities (SNC) were not observed (St. Johns County 2005), and no rare species occurrences or habitats were reported (FNAI 2006). According to site observations, the current land-use does not appear to significantly impact the flora or fauna within the property.

**M. Historic Resources:** The project area falls within a "Medium" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map (Figure 8.4). An archaeological reconnaissance or phase I study has been conducted in accordance with LDC Section 3.01.05.B.1. The study has been approved by the St. Johns County Planning Division, Historic Resources, and the State of Florida, Division of Historical Resources for review.

**N. Buffers, Development Edges and Scenic Edges:** In accordance with the current St. Johns County Land Development Code, the following buffer areas will be established and maintained within the development, as follows:

**1. Scenic Edge:** A seventy-five (75) foot Scenic Edge will be provided and maintained along State Road 16. It should be noted that the access / entrance driveway crosses and travels through the Scenic Edge in one location within Phases I, II and III, which will be removed and then replaced in another location in Phase IV, providing for restoration. One (1) identification sign will be allowed within the Scenic Edge as shown on the MDP Map, Exhibit D.

**2. Development Edge:** A thirty-five (35) foot Development Edge shall be provided around the perimeter of the property by phases as each phase is converted or improved for development as shown on the MDP map. The Development Edge may include the retention area and berms, fencing (along the interior boundary) and landscaping to meet the screening requirements of Section 5.03.03. It will also provide for common “green” space with walkways, benches and picnic benches along the retention “lake”. The existing buildings currently encroach upon the Development Edge, as does an existing driveway. Phase I and II provide for the allowance of the continued encroachment of the existing driveway to serve the residential portion of the project as shown on the MDP map. The existing structures shall also be permitted their continued encroachment into the Development Edge.

**3. Natural Vegetative Buffer:** A minimum 25-foot natural vegetative upland buffer plus a 25-foot building setback shall be maintained between developed areas and contiguous wetlands. This buffer is to be measured landward from the State jurisdictional wetland line, and is to remain in a natural, undisturbed, vegetative state. Removal or alteration of native vegetation and soils within the upland buffer is prohibited. Certain accessory uses are allowed within the additional 25-foot building setback. The Natural Vegetative Upland Buffer and additional Building Setback shall be depicted on all construction plans and shall be recorded on the plat. (Reference: Sections 4.01.06.B.1 & 4.01.06.B.2, Land Development Code)

**4. Perimeter Buffer:** A ten (10) foot natural vegetative buffer, around the project perimeter, which will maintain proper screening according to Policy A.2.1.9.a. LDC Section A.2.1.4. This ten (10) foot buffer is included within the required Scenic and Development Edges and may be augmented with native/natural vegetation.

Land clearing plans will be submitted for the roads and drainage facilities with the Construction Plans. Landscape plans will be submitted with the Construction Plans and the development will conform to all land clearing and tree inches/replacement requirements, as outlined within the Land Development Code, effective at the time of permitting. All buffers and edges will be left natural, meeting the required five (5) percent conservation of the Upland Natural Vegetation (as per LDC 5.03.03.A.3), but may be augmented and landscaped with native vegetation if desired. All common areas, including the retention pond, entranceway and open space will be grassed or landscaped.

**O. Special Districts:** The project is located within the Northwest Sector Overlay.

**P. Temporary Uses:** There may be a temporary construction/sales trailer located on the property until construction is complete. On-Site Construction signage may be provided in accordance with Part 7.03.01(b) of the Land Development Code, as stated above in Section II, G, 5 of this exhibit. Temporary construction trailers shall be removed within thirty (30) days of the issuance of a final certificate of occupancy for each phase of development. Construction signs to be placed up to 30 days prior to start of project construction and to be removed within 30 days of Certificate of Occupancy.

**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 Village Commons PUD** shall be developed in four (4) phases, with development plans consisting of neighborhood commercial and professional office space fronting on State Road 16 for the final development of three (3) office buildings in four (4) phases. Completion of each phase shall be within five (5) years of approval of commencement. Commencement shall be defined for each phase as approval of construction plans by the St. Johns County Development Services Department and completion shall be defined as the installation of all horizontal infrastructure for the phase and approval of as-builts. Each phase will obtain a FDEP construction permit and FDEP certification of completion will be applied as permitted for construction. All phases shall be complete within five (5) years of commencement.

**1. Phase I** of the project shall commence within three (3) years of approval of the PUD and shall be completed within five (5) years of commencement. Phase I, converts the existing 1,151 square foot single-family home located at the front of the site, along State Road 16, to office space. This phase utilizes some of the existing site improvements, but removes a portion of the vehicular drive from the Development Edge and replaces it within the development area with required parking, and maintains the existing driveway for the single family dwelling at the rear of the site. This existing house on the rear of the property will remain for residential use and will not be converted in this phase and will retain its vested residential use as to Edge impacts.

**2. Phase II:** Development of the second phase shall be commenced within six (6) years of approval of the PUD (but not sooner than one year after approval of the PUD) and shall be completed within five (5) years of commencement. It provides for an addition of 2094 square feet to the “front” 1151 square foot office (for a total of 3245 square foot) and adds parking and retention. Commencement of this phase shall also require connection to central water and sewer. The exiting rear residential shall remain and shall be vested as to Development Edge impacts. Commencement of Phase II shall not occur before completion of Phase I.

**3. Phase III:** Development of the third phase shall be commenced within nine (9) years of approval of the PUD (but not sooner than three years after approval of the PUD) and shall be completed within five (5) years of commencement. Phase III, converts the 4000 square foot single family home located at the rear of the site to office use, utilizing existing site improvements, but adding the required parking, and sidewalks, and removes the remainder of the existing vehicular drive from the Development Edge and replaces it interior to the site and restores it to a natural vegetated state. The total office space at phase III will be 7245 square foot. Commencement of Phase III shall not occur before completion of Phase II.

**4. Phase IV:** Development of the fourth phase shall be commenced within twelve (12) years of approval of the PUD (but not sooner than five years after approval of the PUD) and shall be completed within five (5) years of commencement. Prior to commencement of this phase, the PUD shall require major modification review and recommendation by the Planning and Zoning Agency and review by the Board of County Commissioners for compatibility with then existing adjacent uses. If buildout is determined to not be compatible at such time, the Applicant may elect up to a five (5) year extension of the PUD and further review by Planning and Zoning Agency and the Board of County Commissioners for compatibility. Nothing in the PUD text or MDP Map shall create the inference that the Board of County Commissioners is obligated to approve such major modification. This phase provides for the construction of all horizontal improvements to provide for the total build-out for the development, including replacement of the existing

driveway and parking for the addition of a 10,725 square foot office building between the two (2) office structures for a total buildout of 17,970 square foot. It also provides for stormwater retention for the overall development, construction of an amenity area with walkways, benches and picnic tables, and changes the driveway encroachment in the Scenic Edge by constructing a new entrance access on State Road 16. Specifically the retention Southwest of the rear drainage ditch shall be a part of this phase and shall be subject to WMD approval as to size and location. Commencement of Phase IV shall not occur before completion of Phase III.

**S. Project Impact:** The property is located along State Road 16 in central St. Johns County, on the south side of State Road 16, west of its intersection with Pacetti Road and within a predominantly residential area. The applicant desires the zoning change to provide for neighborhood professional office space that will be convenient and provide services for the neighborhood and area. As indicated previously, the property is within a Residential "A" district of the St. Johns County Comprehensive Plan, which provides for neighborhood commercial and office activities through a PUD. Recognizing the need for professional office and neighborhood business type services within a limited area, this property is centrally located for the residential area, is situated on a major transportation facility (State Road 16) and is a logical location for small scale neighborhood service businesses. The maximum square footage for the site is less than 20,000 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.

As indicated, the property has excellent access to major roadways and transportation corridors including State Road 16 to the east and west, connecting to Interstate 95 for further destinations. The project will not be a strip shopping or business center, but will consist of separate one story staggered buildings. The development is planned to blend in with the residential neighborhood and compliment the other commercial and office facilities in the vicinity. It will provide for local office space for small businesses, which should reduce the need for some of the extensive area travel to St. Augustine (for both work and services) and allow the County to collect tax revenues, especially those generated by office activities.

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 serve to help reduce travel for business and services out of the area.

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

**1. Unified Sign Plan:** A waiver from the LDC Section 7.00.02.B.2 requirement to provide a separate Unified Sign Plan due to limited size and scope of the project. The requirements for the types, sizes, height and location of the signs have been provided within Section II,G.8 of this PUD text, Exhibit C, and shown on the MDP Map, Exhibit D, where appropriate, to provide staff with the necessary guidelines to review and approve the signs. The applicant does not desire to waive the ability to have the site considered a single premise.

The applicant requests no other waivers, variances or deviations the Land Development Code. 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 Land Development Code.

**U. Ownership/Agreement:** The Village Commons Office Park 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 buildings 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.

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 "A" designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan, as amended.

### **SECTION III - NEIGHBORHOOD PROFILE NORTHWEST SECTOR PLAN COMPLIANCE**

The Village Commons Office Park PUD is designed as a small professional office and neighborhood business center to be developed along State Road 16, which is to include three (3) commercial buildings, associated parking, retention, open space and developments edges and buffers in four (4) separate phases. The five (5) acre site, contains both uplands and wetlands. The design has been planned to reflect the community goals and objectives of the Northwest Sector Plan of providing an environment of stable character, which is compatible with



surrounding residential area, while offering complimentary professional office and small business opportunities for the area. The Sector Plan for the area promotes enhancing the appearance through the preservation of natural features and the provision of substantial open space, maintenance of the character of the existing environment and vistas, preservation of the native tree canopy and under story prevalent in the area. It encourages designs, which allow for a variety of civic and commercial activities, which promote increased resident interaction while striving for efficient use of the land that results in more compact infrastructure, providing for lessened impacts on the facilities and relieve the burden from the County of having to maintain such facilities.

The project is located within the area designated by the Northwest Sector Plan and as such, meets the Goals, Objectives and Policies of the Plan outlined above and more specifically Goal A.2 and Objective A.2.1 Northwest Sector Overlay which provides for the basis for the plan of development. **The Village Commons Office Park PUD** is also consistent with the Policies of the Plan, including Policy A.2.1.3. regarding the provision of a Development Edge, Policy A.2.4 regarding the provision of a Scenic Edge and Policy A.2.1.9 regarding the general pattern of development. **The Village Commons Office Park PUD** reflects the vision in that it is designed to ensure a safe transition into and out of the area. Development within the project is oriented away from the highway.

This is requested in that this development plan is unique and provides for the adaptive re-use of existing structures, in order to maintain the more "residential" character desired and allowing for a continuing residential use (in Phase I & II) with the "phasing in" of the office/commercial uses. The overall plans is consistent with the goals of the Northwest Sector Plan in that it allows for the development to grow with the surrounding neighborhood as it grows (avoiding urban sprawl) and preserves the character, integrity and scale of the area by lessening impacts on the streetscape. This is accomplished by keeping and adapting the existing structures, particularly the structure along S.R. 16, which will maintain the neighborhood scale by keeping the structure "stepped back" from the highway frontage and out of the Scenic Edge.

**The Village Commons Office Park PUD** is consistent with the goals, objectives and policies of the Northwest Sector Overlay and meets the intent of the Overlay's Vision through its design and enhancement to area sustainability. With regard to the proposed project's sustainability as provided in Policy A.2.1.13, the applicant feels that this development of the site will serve to enhance and continue the viability and sustainability of the area by providing office and small business space so that nearby residents may find many of their consumer needs just a short distance away. The general plan of development is intended to retain as much of the existing site character as possible, while meeting the goals of the Northwest Sector Plan.

With regard to Neighborhood Sustainability, **The Village Commons Office Park PUD** is designed to accommodate small neighborhood type business and professional offices that serve and to co-exist within the existing character of the area. In accordance with Policy A.2.1.13 - Northwest Sector Overlay General Development and Neighborhood Sustainability Indicators, approximately 2.2 acres of Development Edge and Scenic Edge buffers will be provided within the development. The total five (5) acre site contains 0.648 acres of wetlands (with minimal impact to 0.123 acres) and will provide for the conversion of existing homes for office use, while eventually providing for up to 17,970 square feet of space as the community grows.

#### **SECTION IV - SUMMARY AND CONCLUSIONS**

The need and justification for approval of **The Village Commons Office Park PUD** has been considered in accordance with the St. Johns County Land Development Code 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 A" on the FLUM which allows the type of development envisioned 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, and it sets a standard for neighborhood professional office development requests within a residential area within the County, that are located within low-density 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. 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.

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 "A" 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 "A" 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 under the criteria established within Section 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, 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 the previous Objective, within Policy

A.1.3.12, which states 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."

Adjacent land uses surrounding this property include residential uses which will be well served by the small scale neighborhood business and professional office uses as planned in this PUD and will be protected (buffered) by the extensive Development Edge along either side boundary and the Scenic Edge along State Road 16. The proposed use of the property is compatible and complimentary with the area and the uses on the adjacent properties and is 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; 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 "A" Future Land Use designation. 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.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, 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. As a result of the conditions and safeguards included in the application, this development will provide for a needed facility and will be beneficial to the area as a whole. It will be compatible, per Policy A.1.3.12 with the adjacent properties, through the site design and the provision of buffers and screening. It has been designed with the buildings and parking near the center of the site, with buffers and screening to reduce the impact of activities on the any the adjacent land uses or neighborhoods.

**E. Adequacy of Public Facilities:** The subject property and future project is served by a county transportation system, water and sewer and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states "The County shall only issue development orders or development permits consistent with the provision of the County's Concurrency Management System, as provided in Objective J.1.5". It should be noted that the Land Development Code provides that properties can be rezoned only upon receipt of a Certificate for at least one-third of the developments projected traffic, which will be complied with by the applicant.

**F. Relation to PUD Regulations:** The subject project meets all applicable requirements of Section 5.03.00 Planned Unit Development districts, as well as general zoning, subdivision and other regulations except as may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

**G. Master Development Plan:** 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 neighborhood professional office center, which will offer a convenience and services to the large number of single family residences in the area, which will in turn reduce the required travel out of the area and lessen impacts to the road capacity. 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. This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. When developed in accordance with the conditions stipulated in the PUD application, the PUD will contain the type of uses compatible with the emerging development patterns of the area, will be compatible and consistent with the overall development trend for the area. Therefore, the applicant hereby requests approval for this application.

S:\Team Village Realty\PUD\PUD Text redlined 04 17 08.doc







# 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 **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 07-27/VILLAGE COMMONS**

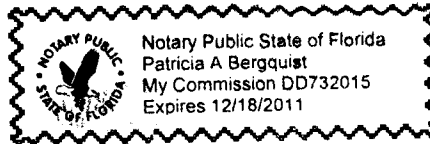
was published in said newspaper **MAR 31, 2008.**

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 **31<sup>st</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

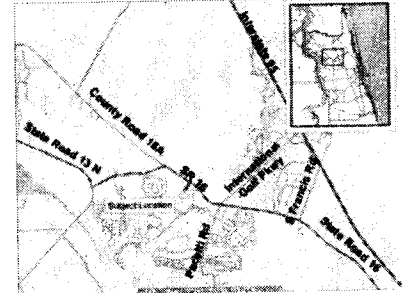


(Seal)

## NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, April 15, 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 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 South side of SR 16, West of Pacetti Road 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, 4040 Lewis Speedway, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
THOMAS MANUEL, CHAIRMAN  
FILE NUMBER: PUD 2007-27 Village Commons  
Office Park  
L896-8 Mar 31, 2008