

ORDINANCE NUMBER: 2014- 5

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO COMMERCIAL INTENSIVE (CI) AND COMMERCIAL WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

Public Records of
St. Johns County, FL
Clerk # 2014018461,
O.R. 3863 PG 669-689
04/03/2014 at 08:24 AM,
REC. \$85.00 SUR. \$95.00

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

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated January 29, 2013 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2013-01 St. Johns Marketplace, 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. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **Commercial Intensive (CI) and Commercial Warehouse (CW)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **Commercial Intensive (CI) and Commercial Warehouse (CW)** is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of **Commercial Intensive (CI) and Commercial Warehouse (CW)** is consistent with the land uses allowed in the land use designation of Business and Commerce Park as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2013-01 St. Johns Marketplace, the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI) and Commercial Warehouse (CW).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee 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.

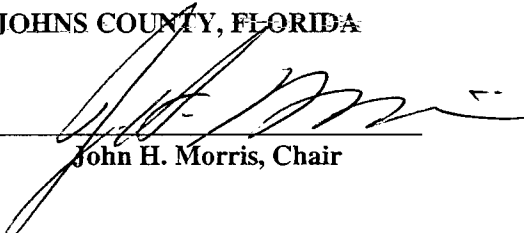
SECTION 4. This Ordinance shall take effect at the time COMPAMD 2012-01 St. Johns Marketplace becomes effective.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed maintained in the Growth Management Department by the Development Services Director or designee.

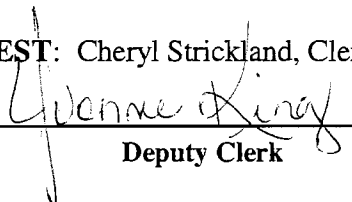
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21st DAY OF January 2014.

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

BY: 
John H. Morris, Chair

RENDITION DATE 01-23-14

ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

EFFECTIVE DATE: March 3, 2014



EXHIBIT A

PROPOSED CI

LEGAL DESCRIPTION

A PORTION OF PARCEL 1 IN SECTION 4, TOWNSHIP 8, SOUTH, RANGE 29, EAST AND A PORTION OF PARCEL 13 IN SECTION 3, TOWNSHIP 8, SOUTH, RANGE 29, EAST, BOTH LOCATED IN ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTHEAST CORNER OF SECTION 3 WITH THE NORTHWEST CORNER OF SECTION 4 KNOWN HEREAFTER AS THE POINT OF REFERENCE; THENCE SOUTH 00°39'56" EAST 1,125.27 FEET TO A POINT HEREAFTER KNOWN AS THE POINT OF BEGINNING; THENCE SOUTH 34°55'25" EAST 2,609.75 FEET TO A POINT ALONG THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 207 (A VARIABLE WIDTH RIGHT-OF-WAY); THENCE SOUTH 89°26'21" WEST 994.46 FEET TO A POINT; THENCE NORTH 00°06'03" WEST 395.36 FEET TO A POINT; THENCE SOUTH 89°26'21" WEST 551.31 FEET TO A POINT; THENCE SOUTH 00°06'03" EAST 395.36 FEET TO A POINT MARKED BY A 4"X4" CONCRETE MONUMENT; THENCE SOUTH 89°28'08" WEST 1,929.70 FEET TO A POINT ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 (A VARIABLE WIDTH RIGHT-OF-WAY); THENCE NORTH 23° 06'23" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE 2,325.22 FEET TO A POINT; THENCE NORTH 89°20'09" EAST 2,893.98 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 152.33 ACRES, MORE OR LESS.

PROPOSED CW

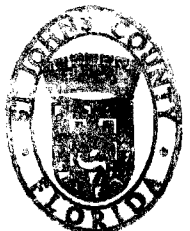
LEGAL DESCRIPTION

A PORTION OF PARCEL 1 IN SECTION 4, TOWNSHIP 8, SOUTH, RANGE 29, EAST AND A PORTION OF PARCEL 13 IN SECTION 3, TOWNSHIP 8, SOUTH, RANGE 29, EAST, BOTH LOCATED IN ST JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTHEAST CORNER OF SECTION 3 WITH THE NORTHWEST CORNER OF SECTION 4 KNOWN HEREAFTER AS THE POINT OF BEGINNING; THENCE SOUTH 00°39'56" EAST 1,125.27 FEET TO A POINT; THENCE SOUTH 89°20'09" WEST 2,893.98 FEET TO A POINT ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95 (A VARIABLE WIDTH RIGHT-OF-WAY); THENCE NORTH 23°06'23" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE 433.55 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD SECTION 78080-2405; THENCE NORTH 29°07'44" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 322.95 FEET TO A POINT; THENCE SOUTH 60°05'46" EAST 690.14 FEET TO A POINT; THENCE NORTH 29°54'14" EAST 926.42 FEET TO A POINT; THENCE NORTH 89°24'39" EAST 1,833.63 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 63.43 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND
THIS 2nd DAY OF April, 2014
CHERYL STRICKLAND,
Ex-Officio Clerk of the Board of County Commissioners

BY: Juanee King D.C.



THE ST. AUGUSTINE RECORD

ROGERS TOWERS
ATTN TINA BENTLEY
1301 RIVERPLACE BLVD STE 1500
JACKSONVILLE FL 32207

Ref.#: L3526-13
P.O.#: AVERY-SMITH

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

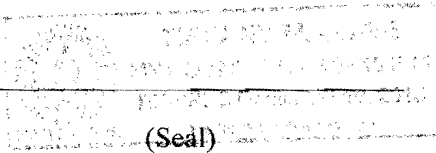
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared STEVEN SMITH
who on oath says that he/she is an Employee 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 REZONING
In the matter of REZ 2013-01 SJ MKTPL - HGS DEC 5, 2013, JAN 21, 2014
was published in said newspaper on 11/20/2013

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 newspap
heretofore has 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/she has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this ___ day of ___
by [Signature] who is personally known to me
or who has produced as identification

[Signature of Notary Public]
(Signature of Notary Public)

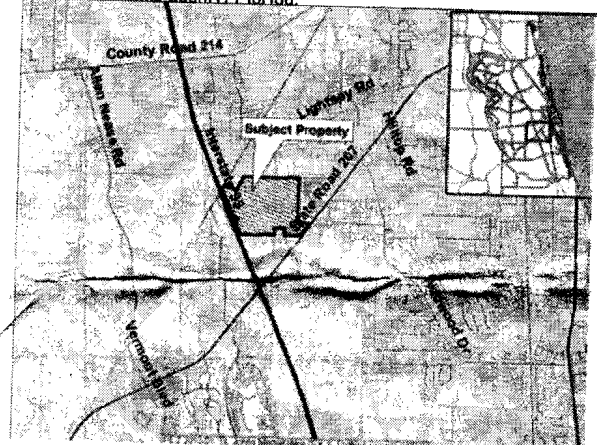


NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday,
December 5, 2013 at 1:30 p.m. by the St. Johns County Planning and Zoning
Agency, and Tuesday, January 21, 2014 at 9:00 a.m. by the St. Johns County
Board of County Commissioners in the County Auditorium, County Adminis-
tration Building, 500 San Sebastian View, St. Augustine, Florida, to consider
a request to rezone approximately 216 acres of the property from Planned
Unit Development to Commercial Intensive and Commercial Warehouse.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE
PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOP-
MENT (PUD) TO COMMERCIAL INTENSIVE (CI) AND COMMERCIAL
WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The subject property is located at North of State Road 207, east of Interstate
95, within St. Johns County, Florida.



This file is maintained in the Planning & Zoning Section of the Growth Man-
agement Department, at the Permit Center, 4040 Lewis Speedway, St.
Augustine, Florida, and may be examined by interested parties prior to
said public hearing.

Interested parties may appear at the meeting and be heard with respect to
the proposed request.

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 inter-
preter to participate in this proceeding should contact the County's ADA
Coordinator at (904) 209-0650 or at the County Administration Building, 500
San Sebastian View, St. Augustine, Florida, 32084. For hearing impaired
individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days
prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter
considered at the meeting or hearing, he or she 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 in compliance with Resolution 95-126, to properly noticed public
hearings or to written communication care of St. Johns County Planning &
Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.
ST. JOHNS COUNTY, FLORIDA BOARD OF COUNTY COMMISS-
IONERS
BRAD NELSON, CHAIR JOHN H. MORRIS

FILE NUMBER: REZ 2013-01 St. Johns Market Place
L3526-13 Nov 20, 2013



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 27, 2014

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 2014-5, which was filed in this office on January 27, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

2014 JAN 27 PM 2:57
SECRETARY OF STATE