

ORDINANCE NUMBER: 2015 - 76

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE 500,000 WAREHOUSE PROJECT PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2005-91, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the development of the lands within this Major Modification shall proceed in accordance with the application, dated July 27, 2015 in addition to supporting documents and statements from the applicant which are a part of Zoning File MAJMOD 2015-10 St. Augustine 500,000 Warehouse PUD, for a Major Modification to the St. Augustine 500,000 Warehouse PUD, Ordinance Number 2005-91, as amended and 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.** That development of lands within the St. Augustine 500,000 Warehouse PUD, described in the attached Exhibit A, shall proceed in accordance with Ordinance Number 2005-91, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibit B.

**SECTION 2.** That the need and justification for modification of the St. Augustine 500,000 Warehouse PUD, Ordinance Number 2005-91, as amended, has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the St. Augustine 500,000 Warehouse PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the St. Augustine 500,000 Warehouse PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the St. Augustine 500,000 Warehouse PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size, (D) compatibility, and (E) adequacy of facilities.

5. The Master Development Plan Map and Text for the St. Augustine 500,000 Warehouse PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the St. Augustine 500,000 Warehouse PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

**SECTION 3.** That all other provisions of Ordinance 2005-91, as amended, not in conflict with the provision of this Ordinance shall remain in full force and effect.

**SECTION 4.** Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

**SECTION 5.** That the terms of this modification to the St. Augustine 500,000 Warehouse PUD shall take effect immediately upon receipt of this Ordinance by the Secretary of State.

**SECTION 6.** This ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 15 DAY OF December 2015.**

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

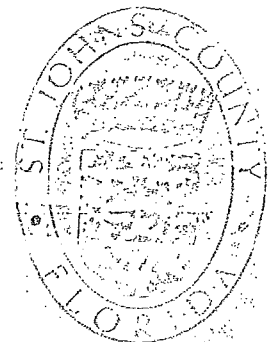
BY: [Signature]  
Chair

RENDITION DATE December 17, 2015

ATTEST: HUNTER S. CONRAD, CLERK

BY: [Signature]  
Deputy Clerk

EFFECTIVE DATE: December 17, 2015



## EXHIBIT "A"

## PARCEL ONE:

A PARCEL OF LAND LYING IN SECTIONS 4 AND 9, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 95 MARKING THE BEGINNING OF THE WESTERLY RIGHT-OF-WAY LINE FOR THE LIMITED ACCESS RAMP TO STATE ROAD NO. 207, SAID POINT BEING 150 FEET LEFT OF CENTERLINE SURVEY STATION 7902+84.30 AS SHOWN ON THE RIGHT-OF-WAY MAP FOR SECTION 78080-2405, STATE ROAD NO. 9 (I-95), SHEET 7 OF 16, APPROVED 4-23-64; THENCE S12° 03' 41"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 595.19 FEET; THENCE S84° 12' 50"W FOR 61.37 FEET; THENCE S70° 29' 07"W FOR 257.03 FEET; THENCE S84° 12' 50"W FOR 727.30 FEET; THENCE N12° 35' 05"W FOR 451.21 FEET; THENCE S89° 39' 15"W FOR 269.41 FEET; THENCE N00° 35' 11"W FOR 297.30 FEET; THENCE N01° 11' 37"E FOR 983.11 FEET; THENCE S89° 06' 56"E FOR 207.43 FEET; THENCE N61° 28' 28"E FOR 50.38 FEET; THENCE S58° 20' 24"E FOR 65.89 FEET; THENCE N66° 51' 30"E FOR 492.62 FEET TO AN INTERSECTION WITH THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE S23° 08' 31"E FOR 1252.13 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE LYING AND BEING IN ST. JOHNS COUNTY, FLORIDA. SUBJECT TO A 25 FOOT WIDE NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF PUBLIC UTILITIES LYING OVER, UNDER, AND ACROSS THE EAST 25 FEET OF THE ABOVE DESCRIBED PARCEL.

## PARCEL TWO:

SOUTH 100.00 FEET OF LOT 13, ST. AUGUSTINE INDUSTRIAL PARK, PHASE 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 42, PAGES 65-73, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TPA#2318046.3

ATTACHMENT

2. Exhibit B – Proposed MDP Text

## Exhibit B

### Proposed Major Modification to Extend Phasing and Buildout

#### St. Augustine 500,000 SF Warehouse PUD

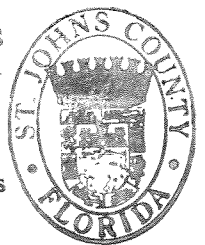
r. **Phasing Schedule**

The St. Augustine 500,000 SF Warehouse PUD shall be developed in one, ten (10) year phase commencing with the effective date of approval of this major modification. Completion of this PUD shall occur within ten (10) years of commencement. Completion shall be defined as County approval of as-builts for horizontal infrastructure.

I HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY AS APPEARS  
ON RECORD IN ST. JOHNS COUNTY, FLORIDA  
WITNESS MY HAND AND OFFICIAL SEAL  
THIS 22nd DAY OF December, 2015  
ST. JOHNS COUNTY CLERK OF COURT  
Ex-Officio Clerk of the Board of County Commissioners

BY: Gwenne King

D.C.



# THE ST. AUGUSTINE RECORD

ENGLAND THIMS & MILLER INC  
14775 OLD SAINT AUGUSTINE RD  
JACKSONVILLE FL 32258

Ref.#: L3338-15  
P.O.#: HG 12-15

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

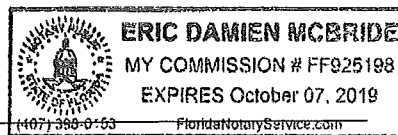
STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LEAH NELSON**  
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 HEARING**  
In the matter of **MAMJOD 2015-10 - 500,000 WAREHOUSE HG 12/15**  
was published in said newspaper on **11/30/2015**

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 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 NOV 30 2015

by [Signature] who is personally known to me  
or who has produced as identification



(Signature of Notary Public)

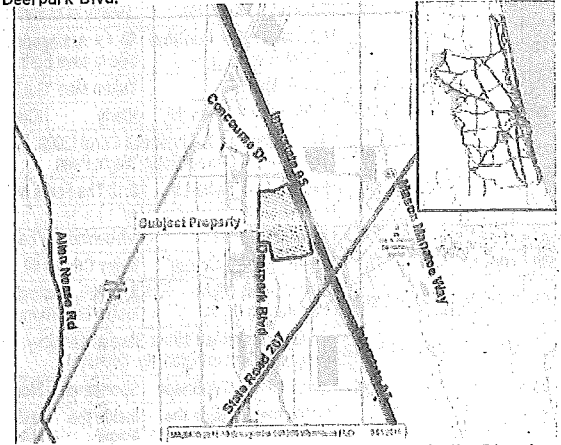
(Seal)

## NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that the Board of County Commissioners on Tuesday, 12/15/2015 at 9:00 a.m., will hold a public hearing in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a request to extend the phasing to one ten-year phase to allow for build out.

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The subject property is West of I-95, north side of State Road 207 and east of Deerpark Blvd.



This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

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

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

**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, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JEB S. SMITH, CHAIR

FILE NUMBER: MAJMOD-2015000010, St Augustine 500,000 Warehouse PUD  
L3338-15 Nov 30, 2015



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

December 17, 2015

Honorable Hunter S. Conrad  
Clerk of Court  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2015-76, which was filed in this office on December 17, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

FILED December 17, 2015  
ST. JOHNS COUNTY  
CLERK OF COURT  
BY: Yvonne King  
DEPUTY CLERK