

ORDINANCE NUMBER: 2016- 20

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 July 17, 2015 in addition to supporting documents and statements from the applicant which are a part of Planning and Zoning File **PUD 2015-09 Mill Creek Hardware**, 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 PUD is consistent with the goals, policies and objectives of the 2025 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 Community Commercial.
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 is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. 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.
7. 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, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
8. The PUD would not adversely affect the orderly development of St. Johns County.

9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

SECTION 2. Pursuant to this application File Number **PUD 2015-09 Mill Creek Hardware**, the zoning classification of the lands described within the legal description, Exhibit "A"

is hereby changed to PUD.

SECTION 3. The development of lands within the PUD shall proceed in accordance with the Master Development Plan Text, Exhibit "B", and the Master Development Plan Map, Exhibit "C."

SECTION 4. 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. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restrictions, or covenants shall be deemed waived or varied by any provision herein.

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.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 19 **DAY OF** April **2016.**

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

BY: Jeb S. Smith
JEB S. SMITH, Chair

RENDITION DATE April 21, 2016

ATTEST: HUNTER S. CONRAD, CLERK

BY: Hunter S. Conrad
Deputy Clerk

EFFECTIVE DATE: May 20, 2016



EXHIBIT A
Legal Description
Mill Creek Hardware PUD

A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 216, PAGE 624, OFFICIAL RECORDS BOOK 759, PAGE 1284, OFFICIAL RECORDS BOOK 2181, PAGE 306, OFFICIAL RECORDS BOOK 2181, PAGE 308, OFFICIAL RECORDS BOOK 2181, PAGE 313 AND OFFICIAL RECORDS BOOK 2273, PAGE 548, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHWEST RIGHT OF WAY LINE OF STATE ROAD NO. 16, (SAID RIGHT OF WAY AT THIS POINT BEING 200 FEET IN WIDTH) WITH THE SOUTHEAST RIGHT OF WAY LINE OF STATE ROAD NO. 16 (FORMERLY STATE ROAD NO. 16-A AND WOLFE CUT-OFF ROAD), A 66 FOOT WIDTH RIGHT OF WAY; THENCE SOUTH 55°15'00" EAST ON SAID SOUTHWEST RIGHT OF WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 720.54 FEET TO A 1/2" IRON PIPE "NO IDENTIFICATION", SAID IRON PIPE BEING AT THE NORTHEAST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 95, PAGE 336, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 20°32'14" WEST, ALONG THE EAST LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 95, PAGE 336, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 302.21 FEET; THENCE NORTH 71°40'16" WEST, A DISTANCE OF 1112.98 FEET; THENCE NORTH 18°04'39" WEST, A DISTANCE OF 149.10 FEET TO A POINT ON THE SOUTHEAST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16; THENCE NORTH 71°52'08" EAST, ALONG SAID SOUTHEAST RIGHT OF WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 649.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 435,331 SQUARE FEET OR 9.99 ACRES MORE OR LESS.

EXHIBIT B
MASTER DEVELOPMENT PLAN TEXT
Mill Creek Hardware PUD

SECTION I – INTRODUCTION

Enclosed herein, please find an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Code. The application form is attached. This petition is filed on behalf of the applicant: Greg and Patricia Severt (Mill Creek Plaza, LLC), 3304 Coastal Highway, St. Augustine, FL 32084.

A. Location: The property to be rezoned consists of 9.99 acres, described by the Legal Description - Exhibit A. It is situated in Northwest St. Johns County at the intersection of State Road 16 and County Road 16A. The site is shown on the Location Map, Exhibit D. The property is within the Residential A Land Use category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan. It is currently zoned Open Rural (OR). This PUD is a companion to the Small Scale Comprehensive Plan Amendment that seeks to change the Residential A Land Use designation portion of the site to Community Commercial (CC). The subject site is located within the Northwest Sector Overlay District.

B. Surrounding Uses: The overall area is changing from a rural, agricultural community with scattered low density single-family residences and a number of small commercial businesses to a more suburbanized residential area with commercial activities located at local crossroads and intersections. The area currently has a mixture of large developing residential planned communities to the east and widely scattered residential of various densities located along State Road 16 (and County Road 16A) to the north, west and south. The immediately adjacent parcels to the east and south are also Residential A designations. The parcel immediately adjacent to the north and just across State Road 16, has a Rural Commercial (RC) Future Land Use Map (FLUM) designation. The land use to the immediate north and across State Road 16 is Residential C (Res C). Surrounding land uses are Residential A to the south and east, Residential C to the north, Rural Silivculture (RS) to the west, Agricultural Intensive (AI) to the west, northwest and east and DRI designation to the south. Area development includes pasture and timberland, as well as single-family residences on small, medium and large sized parcels. Surrounding zonings include Open Rural (OR) to the south and east, Planned Unit Development (PUD) to the west and north.

C. Ownership: The subject property is owned by Greg and Patricia Severt, (Mill Creek Plaza, LLC) as shown by the Proof of Ownership (deed) attached as Exhibit F. Said property owners have authorized Karen M. Taylor Land Planner to act on their behalf and file the application for seeking the rezoning change indicated. Authorization is attached as Exhibit E. Adjacent property owners for notification purposes are included as Exhibit G.

SECTION II – SITE DEVELOPMENT CRITERIA

A. Project Description: The real property to be considered for rezoning consists of 9.99 acres with approximately 1,369 feet of frontage along the western side of State Road 16 just south of its intersection with County Road 16A in Northwest St. Johns County. The site is shown on the Location Map, Exhibit D. The property is currently zoned Open Rural (OR) and the applicant is requesting a zoning change to Planned Unit Development (PUD) to allow for a cohesive

development of the site for Community Commercial Uses, including Neighborhood Business and Commercial, General Business and Commercial, Cultural/Institutional and Office and Professional.

The 9.99 acres of land contains 2.03 acres of wetlands of which approximately 1.89 acres will be impacted and filled. The land has been used for pasture and for residential single family homes and mobile homes in recent years. The development will be known as **Mill Creek Hardware Planned Unit Development (Mill Creek Hardware PUD)**.

The Master Development Plan Map (MDP Map), Exhibit C indicates the general layout of the site for construction of a maximum of 45,000 square feet of commercial space to be distributed across five (5) buildings spaced across the site (see buildings A, B, C, D and E on MDP Map) with related outdoor space along the building frontage and between buildings, including Community Space. The primary objective for the rezoning is for construction of a hardware store (farm and garden supplies), which will utilize the bulk of the square footage at approximately 12,000 square feet of indoor and outdoor space. In addition to the hardware store, there will be opportunities for other retail and service type businesses. Although the area is still somewhat rural in nature, there has been significant residential growth and some commercial growth at the intersection of SR 16 and IGP, which has established the Community Commercial (CC) land use designation and associated zoning. The hardware store will maintain the rural character but offer many of the supplies necessary for the area. The complex is planned to have 2 access points on State Road 16, which are to be constructed in accordance with all State and County "driveway" standards and the applicant is providing for reserved right-of-way for future expansion of the roadway. Internal interconnectivity (within the site) will be provided via internal driveways paralleling State Road 16, connecting these new ingress/egress driveway. Interconnectivity will be made available to the site immediately to the south via a southern extension of the westernmost driveway, as shown on the MDP Map, Exhibit C.

The site plan provides for a 30 foot Scenic Edge, which will meet increased performance standards along State Road 16. There will be a 35 foot averaged Development Edge along all other interior boundaries, as required by the Northwest Sector Overlay and the Land Development Code (LDC). It should be noted that approximately 2.04 acres or over 20% of the 9.99 acre site will be used for Scenic and Development Edges to provide buffering and transitional zones to address compatibility with current and future adjacent land uses. The project will be permitted in one phase and constructed in sub-phases. The location of the property, as well as the design of the site, will provide community space areas both within the site and along the boundaries. The design incorporates areas of common open space, grassed areas and outdoor community meeting space and a long pond-side recreational area trail and gazebo with picnic benches. The project provides for a 10 foot natural/landscape vegetative perimeter buffer along the northern boundary and a 20 foot perimeter buffer with type "B" screening standards for the western, southern and eastern boundaries, which are included within the Scenic and Development Edges, and provides for added privacy to the development on adjacent parcels, as depicted on the MDP Map, Exhibit C. These areas will also serve as open space and visual green space enhancement. There is a 66 foot wide by 700 feet long Florida Department of Transportation (FDOT) drainage easement (ditch) extending through the wetlands on the property from north to south as shown on the MDP Map, Exhibit C. Approximately 1.92 acres of wetlands will be impacted and filled. The FDOT ditch will be piped to maintain the use by FDOT for drainage conveyance.

B. Development Size: There are a total of 9.99 acres of property.

C. Wetlands: The site contains 2.03 acres of wetlands of which 1.92 acres will be impacted and filled.

D. Development Area: The overall site includes 7.77 acres of uplands and 1.92 acres of impacted wetlands for a total of 9.69 acres of Development Area.

E. Residential Use: There will be no residential land uses in this PUD, beyond allowable accessory residential.

F. Non-Residential Development: Non-residential development will consist of up to 45,000 square feet of Community Commercial, Neighborhood Business and Commercial, General Business and Commercial, Cultural/Institutional, Office and Professional uses.

G. Site Development Criteria:

1. Building Area: The total ground area to be occupied by buildings and structures shall not exceed 50%. Total building area will be approximately 45,000 total square feet. Per Policy A.1.11.3 – Community Commercial Land Use, the total square footage will not exceed 45,000 square feet of floor area, the total Impervious Surface Ratio (ISR) area shall not exceed 70% and Floor Area Ratio (FAR) of 50%.

2. Permitted Uses: The development will be constructed in an orderly manner, allow the following uses, which will be consistent with those allowable Uses within the Community Commercial Future Land Use Designation. Permitted uses shall allow for all of the allowable Use categories permitted by the Commercial General (CG) Zoning Category, as may be amended from time to time, as well as those Uses allowable by Special Use and those allowed as Temporary Uses per Section 2.02.05, as derived from the definitions within the St. Johns County Land Development Code. Such Use Categories are:

a. Permitted Uses in accordance with LDC Section 2.02.01.E - General Business and Commercial: Commercial recreation, archery facilities, entertainment, retail, hospitality, and general business, such as retail goods stores; financial institutions with or without drive through facilities; pharmacies with or without drive through facilities; free standing ATM's; funeral homes and mortuaries; crematoriums; indoor farm and garden supply centers; outdoor plant sales; outdoor storage; neighborhood Convenience Stores with or without gas pumps; gas stations without auto service or repair; car wash facilities; automobile oil change facilities; tire service centers; small car rental offices with associated rental fleet; grocery stores, specialty food stores, and supermarkets; bowling alleys, billiards and pool parlors, spas, gyms, and health clubs; community hospitals; commercial, vocational, business or trade schools; Bed and Breakfast establishments and guest lodges limited to a maximum of ten (10) rental units; personal property mini-warehouses; Recreational vehicle/boat storage; service businesses such as blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries; personal services such as beauty shops, barbers, employment services, bail bond agencies, photography studios, psychics in accordance with St. Johns County Ordinance 98-18, as may be amended, Adult Care Centers, Child Care Centers, Nursing Homes; psychiatric care and treatment facilities with or without housing, alcohol rehabilitation centers with or without housing, Restaurants with or without drive

through facilities; Community Marinas, Marinas; general office, medical offices, veterinary offices without outside boarding facilities and enclosed within a sound proof building with no more than ten (10) outside runs which shall not exceed a total area of six hundred forty (640) square feet, Professional Offices, and government offices; golf driving ranges; schools for the performing or fine arts and for martial arts; movie theaters with three (3) or less screen.

b. Permitted Uses in accordance with LDC Section 2.02.01.D – Neighborhood Business and Commercial: Commercial indoor recreation, archery facilities, entertainment, retail, hospitality, and general business, such as retail goods stores; financial institutions with or without drive-through facilities; funeral homes and mortuaries; grocery stores; specialty food stores; billiards and pool parlors, spas, gyms, and health clubs; commercial, vocational, business or trade schools; churches; service businesses such as blueprint, printing, catering, travel agencies, mail and package services and laundries; personal services such as beauty shops, barbers, or photography studios; Adult Care Centers, Child Care Centers, Nursing Homes; psychics in accordance with St. Johns Count Ordinance 98-18, as may be amended; Take-Out Restaurants; medical and Professional Offices, and government branch offices, schools for the performing or fine arts and for martial arts; and other substantially similar facilities and uses.

c. Permitted Use in accordance with LDC Section 2.02.01.M - Office and Professional service businesses such as blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries; personal services such as beauty shops, barbers, bail bond agencies, employment services, or photography studios; vocational, technical, and trade schools; Restaurants; general offices, Professional Offices, and government offices; medical offices or clinics with scheduled or emergency services by physicians, dentists, Chiropractors, psychiatrists, podiatrists, physical therapists, optometrists, and other medical practitioners and medical laboratories. This category also includes diagnostic centers, which provide radiology, and medical screening and testing services. Facilities to provide medical equipment, supplies, devices, eyeglasses, hearing aids, or other similar items for personal use upon advice of a health provider may be included in this category so long as they are functionally associated with the office or clinic and are not an isolated or freestanding Use. This category does not include hospitals or other health care facilities, which provide overnight lodging.

d. Permitted Uses in accordance with LDC Section 2.02.01.C – Cultural/Institutional: Libraries, galleries, and museums; schools with conventional academic curriculum; child nurseries; Community Centers; churches and synagogues; parks and recreation facilities with or without lighted fields and courts.

e. Permitted Uses in accordance with LDC Section 2.02.01.A – Residential: Residential as may be allowed as an Accessory Use within the County land development regulations.

3. Setbacks: Setbacks shall be measured in accordance with the requirements within Section 6.01.03 of the Land Development Code. A 30 foot setback will be provided from State Road 16 to accommodate the Scenic Edge, and a 35 foot averaged setback shall be

provided along all property perimeters to allow for the Development Edge. A minimum 20 foot setback shall be provided between buildings and will be measured to the wall.

4. Building Height: Buildings shall not exceed 35 feet in height.

5. Parking: Parking is generally indicated on the MDP Map, Exhibit C. Parking spaces will be provided in conformance with the St. Johns County Land Development Code regulations applicable at the time of permitting, based upon specific parking requirement established for each Use within Article VI of the LDC. Parking lots and parking space layout will conform to the current applicable County standards and regulations and handicapped spaces will be provided and appropriately marked. Parking areas are shown in the general location as required by Section 5.03.02.G of the LDC and may be modified to accommodate compliance with parking requirements of Article VI of the LDC. Any modifications to parking will be subject to Section 5.03.05. Accessible parking spaces will be in compliance with the Florida Accessibility Code for Building Construction (FACBC) Section 11-4.1.2. All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) and the Americans Disability Act Accessibility Guidelines (ADAAG) established by Florida law and 28 CFR Part 36.

6. Signage: All signs will be consistent in style and architecturally related to the building design. Signs will conform to the current St. Johns County Land Development Code, Section 7.00.00 of the LDC where applicable, as follows:

a. The project will allow for signs in accordance with Section 7.02.00.A. of the LDC, which will include ground signs along the State Road 16 frontage in the general locations shown on the MDP Map, Exhibit C. These signs will be in accordance with Section 7.02.01.A. which allows for 2 signs at 150 square feet each and 2 signs at 100 square feet each. At least one of these signs shall be the major identification sign and one of these signs shall provide for a directory listing of the businesses and services within the project. Signs may be located within the Scenic Edge and dimensions shall be consistent with those allowable within the Land Development Code. Signs may be up to 30 feet in height in accordance with Section 7.02.01.C and may be single or double faced and may be illuminated and landscaped consistent with the restrictions within the LDC. The applicant may construct the sign(s) as a part of a fence, masonry wall, berm or install native vegetation (or provide a combination thereof) to compliment an entrance feature.

b. Building storefront signs shall be allowed at 1.5 square foot per linear foot of frontage for each unit with no individual sign exceeding 150 square feet of advertising display area. Each building is allowed up to a maximum of 200 square feet of signage related to building frontage per business.

c. Temporary signage may be provided for "for sale" or "lease" and information signs in compliance with Section 7.03.01 of the LDC and Special Event signs shall be allowed in accordance with Section 7.05.01 of the LDC.

d. Construction and/or advertising signs shall be allowed as on-site temporary project sales signs, conforming to the requirements of Section 7.03.01 of the

Land Development Code, will be allowed near the entrance to the property. The signs may be 2 sided with each face limited to 32 square feet.

e. Various directional, locational, and traffic control signs shall be allowed on site to direct traffic and for identification of activities to be held within the community space or amenity areas in accordance with Section 7.07.01.E of the LDC. Such signs will be a maximum of 3 square feet in size.

H. Infrastructure:

1. Stormwater: Stormwater will be retained/detained on the southern and eastern portion of the site within the stormwater management areas designated on the MDP Map, Exhibit E, and clarified within the Construction Plans. The drainage structures and facilities will be designed and constructed in compliance with the St. Johns County Land Development Code in effect at the time of submittal, with the retention/detention area in combination with the piping sized to accommodate the retention/detention requirements for the entire site.

2. Vehicular Access / Interconnectivity: Two entrance/exit driveways shall be allowed for access to State Road 16; one on west and one on the east of the subject property, as shown on the MDP Map, Exhibit C. The driveways and connections will be designed and permitted in accordance with current County and FDOT standards and requirements and the applicant will provide any required permits and improvements, including all necessary turn lanes for both the easterly and the westerly entrances from State Road 16. Right of Way is being reserved as shown on the MDP Map, Exhibit C, for future improvements to SR 16 and the SR 16/CR 16A intersection. Interconnectivity is provided within the site via ingress/egress driveways on State Road 16 as described above. Future interconnectivity may be provided to the adjacent property (currently vacant and zoned Open Rural (OR) located to the south, as indicated on the MDP Map, Exhibit C).

3. Sidewalks/Pedestrian Access: A 5 foot wide external sidewalk connection will be installed to connect to existing (or future) sidewalks on State Road 16. A minimum 5 foot wide internal sidewalk will be provided within the development along the building fronts, connecting to the accessible routes, parking areas and the external sidewalks on State Road 16. A 5 foot sidewalk will provide a "recreational area" trail adjacent to the pond and connected to the community space with gazebo with picnic benches. All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) and the Americans Disability Act Accessibility Guidelines (ADAAG) established by Florida law and 28 CFR Part 36.

4. Fencing: The applicant may install fencing, up to 6 feet in height, meeting the requirements of LDC Section 2.02.04.C around the perimeter of the project, if desired. This fence may be of such materials as treated chain link, vinyl, masonry, wooden and/or PVC or a combination of fencing and landscaping may be located along the entire perimeter, but not within the Scenic and Development Edges.

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

6. Lighting: The applicant will provide lighting that minimizes impacts to the surrounding community and is shielded from the adjacent properties, while providing for

recognition of the business and the safety of its customers. The lighting plan will be in compliance with the requirements of the Land Development Code.

7. Solid Waste: Solid waste will be handled by the licensed franchisee in the area. All trash and solid waste for the development will be collected at dumpster locations indicated on the MDP Map, Exhibit C.

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

9. Open Space: A minimum of 25% (or 2.7 acres) of open space and green space will be provided in the areas indicated on the MDP Map, Exhibit C (the actual number is around 2.85 acres, excluding stormwater ponds). This open space calculation includes the community space, the Development Edges and Scenic Edges, and general green space, as required by the LDC. The open space and buffering are used to maintain the scenic qualities desired for State Road 16 and provide visual privacy and separation from the adjacent uses.

I. Potable Water/Sanitary Sewer: Both potable water service and sanitary sewer service will be provided via St. Johns County Utilities. It is anticipated that the project will utilize 4,500 gpd of both potable water and sanitary sewer. All utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater and Reuse Design Standards & Specifications at the time of review. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the St. Johns County Utility Department to minimize impact to the existing infrastructure or to the existing level of service. Water and/or Sewer lines that are to be dedicated to the St. Johns County Utility Department for ownership that are not in public right-of-way shall require an easement / restoration agreement. No improvements such as pavement, sidewalks, and /or concrete walks are to be placed on top of the water and/or sewer pressurized mains unless otherwise approved by SJCUD and Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

1. That all Utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, and Reuse Design Standards & Specifications at the time of review.

2. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the St. Johns County Utility Department to minimize impact to the existing infrastructure or to the existing level of service.

3. Water and/or Sewer lines that are to be dedicated to the St. Johns County Utility Department for ownership that are not in public right-of-way shall require an easement/restoration agreement.

4. No improvements such as pavement, sidewalks, and/or concrete walks are to be placed on top of the water and/or sewer pressurized mains unless otherwise approved by SJCUD.

J. Topography and Soils: The property is located on the south side of State Road 16. It is located wholly within Flood Zone X of the Federal Emergency Management Agency (FEMA) Flood Zone Map.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies 3 soil types on the site: 34 Tocoï fine sand, 36 Riviera fine sand and 63 Placid fine sand more particularly described below.

34 Tocoï fine sand. This is a poorly drained, nearly level soil in broad flatwood areas. Slopes range from 0 to 2 percent. Areas of this soil are irregular and range from 15 to 40 acres. The seasonal high water table is at a depth of less than 10 inches for 2 to 4 months, during the rainy season. It is within a depth of 20 to 40 inches for 6 months or more during the year. The permeability is rapid in the surface layer and moderate or moderately rapid in most of the lower layers. The natural vegetation consists of slash and longleaf pines, waxmyrtle, sawpalmetto, greenbriar, inkberry, bluestem and pineland threeawn. The soil has high potential for cultivated crops and a moderately high potential productivity for pine trees. Potential for community development is medium, with the high seasonal water table being a limitation for urban uses. Potential for use for septic tank absorption fields is medium.

36 Riviera fine sand, frequently flooded: This is a poorly drained, nearly level soil in poorly defined drainage ways and on flood plains. 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. The natural vegetation includes a few slash pines, cabbage palms, sweetgum, water oaks, waxmyrtle, sawpalmetto, and various ferns. 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.

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 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. The natural vegetation includes long leaf and slash pines, sweetgum, water oak, waxmyrtle, wild grape, simlax, and a few cypress. The native grasses include maidencane, bluestems, cinnamon fern, pineland threeawn, and lopsided indiagrass.

K. Site Vegetation and Habitat: Carter Environmental Services conducted an environmental site assessment of the above-referenced site located in St. Johns County, Florida. The site consists of improved pastureland in west central St. Johns County, as seen in Exhibit H, Environmental Information. Habitats and land use/cover were classified according to the Florida Department of Transportation's Florida Land Use, Cover and Forms Classification System (FLUCFCS, 1999) and consists of 4 classifications, which are: FLUCFCS Code 320 -Shrub and Brushland, Code 110 - Residential, 434- Hardwood Conifer Mixed and 630 -Wetland Forested Mixed.

L. Significant Natural Communities Habitat and Listed Species: During the site visit, Carter Environmental Services, Inc., conducted a limited pedestrian survey of the property to look for the presence of or potential utilization by any threatened, endangered, or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and

Wildlife Conservation Commission (FWC). Prior to the site visit, CES compiled a list of potentially occurring species. The resources used to compile this list included a literature review of the soil units mapped on-site and 2011 aerial photography of the property. The results of this survey are listed below.

1. Protected animal species

a. **Bald Eagle (*Haliaeetus leucocephalus*)** Using the FWC Eagle Nest Locator Database (2014), CES located 4 bald eagle nests on record within a five mile radius of the property, but none were located within 3 miles of the site. While the bald eagle is not listed as threatened, endangered or a SSC, it is protected by the Bald and Golden Eagle Protection Act (Eagle Act) and the Migratory Bird Treaty Act (MBTA). Based on these acts, certain activities are regulated by FWS when they occur near an active nest during nesting season (1 October to 15 May).

b. **Gopher Tortoise** CES determined that there was a low potential for gopher tortoise habitat on the referenced property because all on-site soils are poorly drained and have a shallow depth to water table. The site visit confirmed that the habitat was not suitable to support any gopher tortoises. At this time there are no gopher tortoises or their appropriate habitats located on the site. No other protected species were observed.

2. **Protected plant species** In addition to protected animal species, CES biologists reviewed the site for protected plant species and none were observed. No coordination would be required with any regulatory agency if protected plant species were observed in the future. Currently, no regulations exist for protected plant species occurring on privately owned land, unless the landowner is harvesting and engaging in the commercial sale of the protected plant species.

In conclusion, no endangered, threatened or SSC or their habitats were observed by CES biologists during the site review and the likelihood of any occurring is low.

M. Historic Resources: The property falls within a "Medium" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map. An archaeological survey and study was conducted by Bland & Associates in accordance with LDC Section 3.01.05.B.1. The completed study was sent directly to the St. Johns County Planning Division, Historic Resources, for review. Approval of the study by the county and a letter stating the determination of final action will be expected prior to the BCC public hearing.

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 shown on the MDP Map, Exhibit C as follows:

1. **Scenic Edge:** A 30 foot Scenic Edge will be provided and maintained along State Road 16. The site plan provides for a 30 foot Scenic Edge along the property's frontage on State Road 16. This reduction is needed due to the property depth being less than 500 feet (older criteria) and the practical difficulty in meeting the requirements of a 75 foot Scenic Edge due to its shallowness and unusual shape. The provision of a full 75 foot Scenic Edge would reduce the available depth for buildings and parking. The request for this reduction is in accordance with the Northwest Sector Overlay Policy A.2.1.4.(a). The 30 foot Scenic Edge will include additional performance standards that will meet those regulations contained in Policy A.2.1.4(a) of the Comprehensive Plan and the LDC

and an enhanced landscape plan will be submitted as required. The applicant may include noise abatement measures located within the Scenic Edge, which will be detailed within the Construction Plan documents.

2. Development Edge: A 35 foot averaged Development Edge (a minimum of 20 feet in width) shall be provided around the western, southern and eastern property boundaries. The retention pond located along the southern property will be located within the Development Edge. The pond is designed as an amenity for the commercial community/civic use as a walking trail with benches adjacent to the "Civic Space" area as per Policy A.2.1.3.d of the Comprehensive Plan. The Development Edge may include fencing along the interior boundary. The access / entrance driveway will cross and/or travel through the Scenic Edge on the eastern perimeter and the northwestern perimeter. A waiver is requested to that provides for averaging the 35 foot Development Edge along the western, southern and eastern boundaries, as allowed by Policy A. 2.1.3 (a) due to the exceptional shallowness of the property (less than 500 feet) and the extraordinary condition related to the shape of the property. The waiver request is in Section II, T. 2 of this text.

3. Perimeter Buffer: A 10 foot landscaped perimeter buffer will be provided, which will be included within the Scenic Edge and Development Edge, around the project perimeter. Additionally, the perimeter buffer will be increased to 20 feet along the western, eastern and southern property boundaries. The intent is to maintain any existing natural vegetation, but plans are to augment the buffer with native/natural vegetation and meet the desired screening and performance standards.

Land clearing plans will be submitted for the drives, building areas and drainage facilities with the Construction Plans. Clearing will be allowed by permit through the County. The development will conform to all land clearing and tree credit/replacement requirements outlined within the Land Development Code, effective at the time of permitting. All buffers and edges will be left natural, meeting the required 5% conservation of the Upland Natural Vegetation (as per LDC Section 5.03.03.A.3), but may be augmented and landscaped with native vegetation if desired.

It is the applicant's intention to implement Low Impact Development principles, that may include but not be limited to reducing overall irrigation usage, using retention ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, using pervious concrete in parking areas, reducing cleared and filled areas and leaving existing vegetated areas, and using bio-retention areas and swales to reduce sheet flows. The specific Low Impact Development Principles will be determined at the time of construction plan approval, based upon the requirements contained within the Land Development Code (LDC).

O. Special Districts: The project is not located in any Special District as defined by Article III of the LDC. However it is located within the Northwest Sector Overlay as defined by Objective A.2.1 of the Comprehensive Plan. Please refer to the Northwest Sector Neighborhood Sustainability Indicators, Exhibit K, and Section III of the MDP Text, Exhibit C for additional language regarding Northwest Sector compliance.

P. Temporary Uses: There may be a temporary construction trailer located on the property, for each phase, until construction is complete. On-Site Construction signage may be provided in accordance with Part 7.03.01(b) of the Land Development Code, including temporary signage relative to the future project that may not exceed 32 square feet. In addition, temporary sales

and/or lease, contractor signs, etc. are allowed with each sign not exceeding 6 square feet. Temporary construction trailer shall be removed within 30 days of the issuance of a final certificate of occupancy for the development.

Q. Accessory Uses: Standard office, commercial and planned districts 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., including alcohol sales in accordance with all County and State licensing requirements.

R. Phasing: The **Mill Creek Hardware PUD** shall be permitted and developed in sub-phases, with each subphase able to act independently, which will be demonstrated on the Construction Plans. The PUD will commence upon approval of this PUD and shall be completed within 10 years of Commencement (see waiver in Section II. T.2). Commencement shall be defined as approval of the PUD and Completion shall be defined as the installation of all infrastructure and approval of "as-builts" surveys for the phase. The project will obtain permits in accordance with the St. Johns County LDC, as well as an FDEP construction permit and FDEP certification of completion.

S. Project Impact: The property will be located within the Community Commercial (CC) Land Use area of the 2025 St. Johns County Comprehensive Plan, within the Northwest Sector Overlay. This PUD is a companion request, to a request for a Small Scale Comprehensive Plan Amendment for the project, which is currently located in the current Residential A Land Use category. The property is being changed to Community Commercial (CC) Land Use, in order to provide for a variety of commercial uses as provided for within the Land Development Code, and specifically to allow for the hardware store. Such uses will include those allowable within the General Business and Commercial Use and Neighborhood Business and Commercial Use categories (which allow for a myriad of business and services uses), as well as those allowable by Office and Professional Use category and the Cultural and Institutional category (which allow for offices and cultural venues), as included within the application. This PUD and associated land use change provides for a commercial development site and will promote use for community oriented services and commercial activities and businesses. As stipulated within this PUD, the site is located at the intersection of an Arterial and a Major Collector Roadway; adjacent to property already planned for commercial development and as such will be compatible with the overall emerging commercial development character needed to serve the area. Therefore, this PUD application would create a cohesive compact commercial development plan. The parcel location is appropriate and well suited to this type of development, as it is in close proximity to neighborhoods and planned developments, whether containing or set to contain, a large number of residential homes, with few alternative commercial sites or retail opportunities, other than large scale shopping centers.

The project will not create "strip development" and while the LDC does not define the term, strip development is generally applied to long linear structures located prominently on property fronting on road arterials that provide direct access for automobiles. The development proposed will be laid out in such a way as to protect the view-shed by the off-set placement of the building positions along the road as displayed on the MDP Map, Exhibit C. The project will provide adequate transition areas between the adjacent uses and the proposed commercial uses, by providing and meeting the 35 foot wide Development Edge requirement, and also containing a 10-foot wide vegetative perimeter buffer (as required by LDC Sections 5.03.05.A.4). A 20 foot perimeter buffer and type "B" screening standards will be provided on the west, south and east property boundaries to meet LDC 6.06.04. Approximately 2.12 acres or 21% of the site, will be

used for Scenic and Development Edges to provide buffering and transitional zones to address compatibility with current adjacent land uses. The location of the site, offers excellent access to major roadways and transportation corridors, including State Road 16.

Additionally, the site is located within the Northwest Sector Overlay District and as such will conform to the guidelines and requirements. The development plan will provide for an open grassed community space between the commercial uses and a gazebo with picnic benches overlooking the pond to offer patrons an outdoor area for patrons to enjoy within the site. Therefore, the design of the project combined with the provisions for buffering and transitional space from other development in the area (as required in the Scenic and Development Edges) will provide open space and green space, including landscaping. The site design will provide for the commercial structures and infrastructure to be situated within the interior, away from outside roads or development but easily accessible to those roads. The project will be served by central utilities with service provided by St. Johns County Utility Department. 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 and provide for a more desirable environment than could be accomplished through traditional zoning.

T. Waivers / Variances / Deviations: The applicant requests the following waiver to the requirements of the LDC:

Development Edge: The Northwest Sector Overlay Comprehensive Plan Policy A. 2.1.3 (a) requires a 35 foot Development Edge be provided. However, it does allow for deviations where there are practical difficulties in meeting the development edge requirement due to exceptional shallowness or unusual shape of a specific piece of property, where connectivity to adjacent development makes a logical pattern or other extraordinary condition of such property. Therefore, a waiver is requested that provides for a 35 foot averaged Development Edge along the western, southern and eastern boundaries, as allowed by this policy due to the exceptional shallowness of the property (less than 500 feet) and the extraordinary condition related to the shape of the property. There are practical difficulties in providing for a plan that provides for an attractive site layout that accommodates a variety of businesses that can be well distributed over the site and provide for desirable civic space and open space. The site is elongated and relatively narrow to accommodate the commercial uses and the needed retention. This request is for an averaging of the Development Edge to accommodate one of the buildings and provide for the retention. This waiver will allow for a 35 foot averaged (minimum 20 feet in width) Development Edge along the rear of the site, as indicated on the MDP Map, Exhibit C to combat the exceptional shallowness and unusual shape of the property. Additionally, a 20 foot perimeter buffer with type "B" screening standards will be provided along the western, eastern and southern property boundaries. It should be noted that the applicant owns property immediately adjacent to the southern boundary, that will function as an additional buffer, should the adjacent property develop at a future time.

The applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the requirements set forth for Planned Unit Developments within the LDC.

U. Ownership / Agreement to Comply: The Mill Creek Hardware 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 hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. 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 specifically outlined as follows:

"To the extent that they do not conflict with the unique 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."

The site shall be maintained in a clean and orderly manner in accordance with all provisions of this PUD and conditions included within the adopting Ordinance.

V. Future Land Use Designation: The property will, after the appropriate land use change, be wholly located within a Community Commercial Land Use designation on the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan.

SECTION III – NEIGHBORHOOD PROFILE NORTHWEST SECTOR PLAN COMPLIANCE

The Mill Creek Hardware PUD is designed as a facility for commercial and business uses to be developed along State Road 16. These uses will include construction of approximately 45,000 square feet of Community Commercial, Business and Commercial Uses with open space and developments edges and buffers in one phase. 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 and complimentary with surrounding residential areas. A significant amount of planned residential development in the area dictates a strong need for these uses, since many of these developments do not currently offer, or plan to offer commercial activity centers of this size and scale. The proposed development conforms to the intent of the Sector Plan, which promotes enhancing the appearance of the area through the preservation of natural features, the provision of substantial open space, and the maintenance of the character of the existing environment and vistas. It encourages design, which strives for efficient use of the land that results in more compact infrastructure, provides for lessened impacts on existing facilities and relieves the burdening effect of wasteful distribution of new infrastructure. This use with substantial buffers (via the Scenic and Development Edges) will meet these standards and objectives.

The project will not create "strip development" and while the LDC does not define the term, strip development is generally applied to long linear structures located on property fronting on road arterials that provide direct access for automobiles. The individual structures will be laid out in

such a way that will provide a setting for commerce that includes a centralized community use area. The site plan will preserve the visual plane along the roadway by stepping the buildings back, as displayed on the MDP Map, Exhibit D. The project will provide adequate transition areas between the adjacent uses and its proposed commercial uses by providing and meeting the 35 foot wide Development Edge requirement. A minimum of 2.12 acres or 21% of the site will be used for Scenic and Development Edges to provide buffering and transitional zones to address compatibility with current adjacent land uses.

The project is located within the Northwest Sector Plan and as such, this PUD 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 **Mill Creek Hardware 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.2.1.7 Community Participation, Policy A.2.1.4 regarding the provision of a Scenic Edge. The **Mill Creek Hardware 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, buffering it from any negative aspects of the ever-increasing traffic along its roadway frontage along State Road 16.

The **Mill Creek Hardware PUD** is consistent with the goals, objectives and policies of the Northwest Sector Overlay and meets the intent of the Overlay's Vision Principals through its design and enhancement to area's sustainability by providing commercial Community Support Uses. The applicant feels that this development of the site will serve to enhance and continue the viability and livability of the area by providing for commercial and community oriented needs to residents living a short to medium distance away. The general plan of development's goal is intended to provide indoor and outdoor commercial and community space, organized in such a way to offer opportunities for patrons to interact with one another in a setting that encourages the continuation of the traditional rural/agricultural way of life, and thus meeting the goals of the Northwest Sector Plan. This has been accomplished by providing community space that can accommodate a variety of outdoor activities such as a farmers or vegetable market where locals can meet and interact. The site plan will set aside 2.12 acres or 21% of the site in Development Edge and Scenic Edge buffers within the 9.99 acre site in order to keep a generous amount of the current view-shed in place as well as provide separation between the on-site activities and adjacent properties.

SECTION IV – SUMMARY AND CONCLUSIONS

The need and justification for approval of the **Mill Creek Hardware 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 proposed to be located within a "Community Commercial" designation 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. It sets a standard for general business and commercial development requests within a commercial area within the County, that are uses located adjacent to residential areas. In addition, the development is consistent with the Comprehensive Plan as embodied in Objective A.1.3, Surrounding Land Use, as the project includes uses allowable within the County Comprehensive Plan and land development regulations although the uses have been restricted to maintain only retail and storage uses, which are compatible with the surrounding properties. 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 and limits the scale and scope of these uses.

The project conforms to Objective A.1.11, Provision of Efficient, Compact Development and Policy A.1.11.1(c)(2), Commercial that provides for commercial and business uses intended to serve the surrounding community with a larger market area than Neighborhood Commercial, but of a sub-regional nature, 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.

The project also conforms to the requirements contained within the Northwest Sector Plan as delineated within Section III, Northwest Sector Plan Compliance, of this application.

B. Location: The project will, after the appropriate land use change, be located wholly within the Community Commercial (CC) Land Use designation on the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan. Therefore, the project will conform 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 5 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"

The overall area is changing from a primarily rural agricultural community with scattered low density single family residences and few commercial businesses to a more suburbanized residential area with commercial activities located at local crossroads and intersections. The area currently has a mixture of large developing residential planned communities (St. Johns DRI and Silverleaf DRI) to the east and widely scattered residential located along State Road 16 to the

north, west and south.

This property is located at a major localized intersection and it is an ideal location to serve the area, which has a mixture of large developing residential, planned communities (St. Johns DRI and Silver Leaf DRI) to the east and widely scattered residential located along State Road 16 and County Road 16A to the north, west and south. The immediately surrounding land uses are Rural Commercial to the west, Residential C designation to the east and south. The land uses further out into the surrounding area are; Agriculture to the west and Residential A to the east and DRI designations to the south. Area development includes pasture and timberland, as well as are single-family residences on small, medium and large sized parcels. Surrounding zonings include Open Rural (OR) to the east and south, and PUD to the north and west. The project will be substantially "buffered" from the residential community by the provision of both the commercial use zoning buffers and perimeter buffers which will occur within the Scenic and Development Edges.

The proposed use of the property is compatible 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 Community Commercial 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. Development will conform to the current Land Development Code standards.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood.

E. Adequacy of Public Facilities: The subject property and future project is served by a major transportation system. St. Johns County Utility Department will provide both potable water and sanitary sewer service to the site. The adequate stormwater and drainage facilities needed to mitigate any off-site drainage impacts will be provided. Construction of 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".

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 PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. The project has available and adequate public facilities and services are available to support it. 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 with the desired future development of the area, and will be consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines.

THE ST. AUGUSTINE RECORD

KAREN M TAYLOR
ATTN LAND PLANNER
77 SARAGOSSA ST
SAINT AUGUSTINE FL 32084

Ref.#: 16635399D
P.O.#: TAYLOR KAREN

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

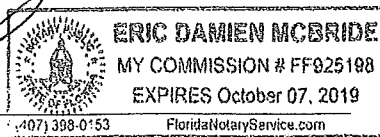
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **NICOLE CORRIVEAU**
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 2015-09 - MILL CREEK HARDWARE PUD**
was published in said newspaper on **03/02/2016**

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 MAR 02 2016

by Nicole Corriveau who is personally known to me
or who has produced as identification



(Signature of Notary Public)

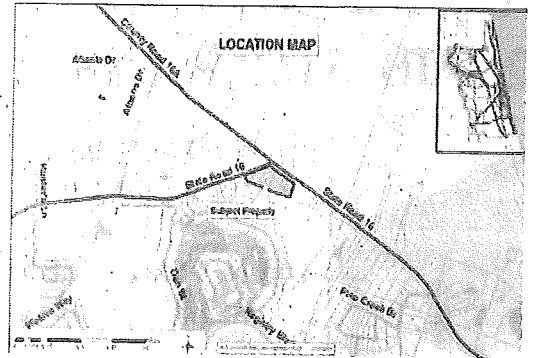
(Seal)

NOTICE OF A PROPOSED REZONING

CC NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 3/17/2016 at 1:30 p.m. and the St. Johns County Board of County Commissioners on Tuesday, 4/19/2016 at 9:00 a.m., will each hold public hearings in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a request to rezone from Open Rural to Planned Unit Development to allow commercial development.

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.

The subject property is 6205, 6155, 6145 State Road 16. See attached map (Exhibit A). 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 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 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
DICK WILLIAMS, CHAIR

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

FILE NUMBER: PUD-2015000009, Mill Creek Hardware PUD
1635399D Mar 2, 2016



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 21, 2016

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. 2016-20, which was filed in this office on April 21, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED April 21, 2016
ST. JOHNS COUNTY
CLERK OF COURT
BY: (Yvonne King)
DEPUTY CLERK

This ordinance was refiled with the Florida Department of State due to a scrivener's error. The map was revised to depict the sign locations.



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

June 20, 2016

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 corrected electronic copy of St. Johns Ordinance No. 2016-20, which was filed in this office on June 20, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED *June 20, 2016*
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK