

ORDINANCE NUMBER: 2016 - 57

Public Records of St. Johns County, FL
Clerk number: 2016072592
BK: 4282 PG: 35
11/4/2016 3:45 PM
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AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ANDERSON PARK PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1996-66, 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 March 28, 2016, in addition to supporting documents and statements from the applicant which are a part of File MAJMOD 2016-08 Waffle House at Anderson Park PUD for a Major Modification to the Anderson Park PUD, Ordinance 1996-66, as amended and as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. The Major Modification will extend Phase 1 from 2016 to 2017 to allow only the construction of the Waffle House, as shown on the Incremental Master Development Map. 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. The development of lands within the Anderson Park PUD, described in the attached Exhibit A, shall proceed in accordance with Ordinance Number 1996-66, as amended, including the Application for Major Modification and attached hereto and made a part of hereof as Exhibit B.

SECTION 2. That the need and justification for modification of the Anderson Park PUD, Ordinance Number 1996-66, as amended has been considered in accordance with Sections 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 a public hearing with legal notice duly published as required by law.
2. As modified, the Anderson Park PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Anderson Park 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 Anderson Park 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 Incremental Master Development Plan Map and Text for the Anderson Park PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

6. As modified, the Anderson Park 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 1996-66, 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 Anderson Park 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 1st **DAY OF** November **2016.**

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

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

REVISION DATE November 3, 2016

ATTEST: HUNTER S. CONRAD, CLERK

BY: Hunter S. Conrad
Deputy Clerk

EFFECTIVE DATE: November 3, 2016



EXHIBIT A

Legal Description

Waffle House @ Anderson Park PUD

A PORTION OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2801, PAGE 1386 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (ALSO KNOWN AS MILL CREEK ROAD, A 200 RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH $36^{\circ}14'12''$ WEST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 40.00 FEET, TO THE NORTHWESTERLY LINE OF AN INGRESS/EGRESS EASEMENT, DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2801, PAGE 1392 OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE SOUTH $53^{\circ}45'48''$ WEST, ALONG THE NORTHWESTERLY LINE OF SAID INGRESS/EGRESS EASEMENT, 218.13 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID INGRESS/EGRESS EASEMENT, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 32.50 FEET, AN ARC DISTANCE OF 44.61, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $86^{\circ}54'37''$ WEST, 41.19 FEET; THENCE NORTH $09^{\circ}27'54''$ WEST, 34.62 FEET, TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 121.00 FEET, AN ARC DISTANCE OF 53.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $25^{\circ}01'27''$ WEST, 52.71 FEET; THENCE NORTH $53^{\circ}37'58''$ EAST, 224.15 FEET, TO THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH $36^{\circ}14'12''$ EAST, ALONG LAST SAID LINE, 109.23 FEET, TO THE POINT OF BEGINNING.

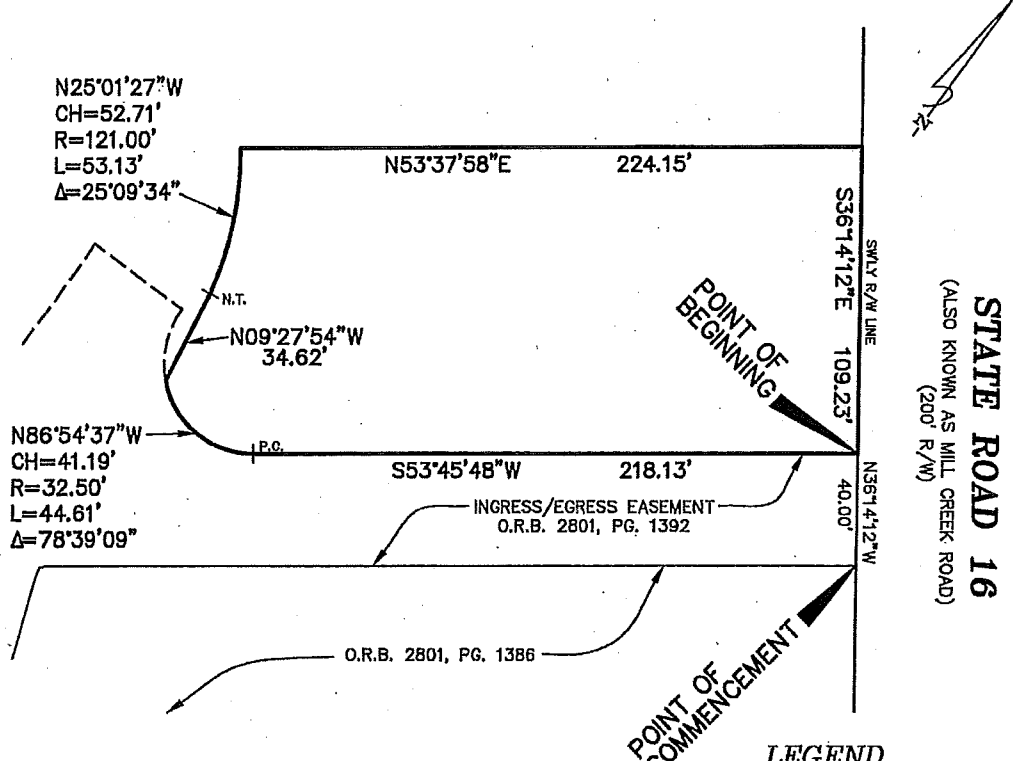
CONTAINING 25,612 SQUARE FEET (0.588 ACRES), MORE OR LESS.

MAP SHOWING

A PORTION OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2801, PAGE 1386 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT LYING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (ALSO KNOWN AS MILL CREEK ROAD, A 200 RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 36°14'12" WEST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 40.00 FEET, TO THE NORTHWESTERLY LINE OF AN INGRESS/EGRESS EASEMENT, DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2801, PAGE 1392 OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE SOUTH 53°45'48" WEST, ALONG THE NORTHWESTERLY LINE OF SAID INGRESS/EGRESS EASEMENT, 218.13 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID INGRESS/EGRESS EASEMENT, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 32.50 FEET, AN ARC DISTANCE OF 44.61, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 86°54'37" WEST, 41.19 FEET; THENCE NORTH 09°27'54" WEST, 34.62 FEET, TO THE ARC OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 121.00 FEET, AN ARC DISTANCE OF 53.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 25°01'27" WEST, 52.71 FEET; THENCE NORTH 53°37'58" EAST, 224.15 FEET, TO THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°14'12" EAST, ALONG LAST SAID LINE, 109.23 FEET, TO THE POINT OF BEGINNING.

CONTAINING 25,612 SQUARE FEET (0.588 ACRES), MORE OR LESS.



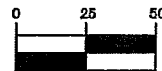
GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 1983 (1990 NGS ADJUSTMENTS.) AND ARE REFERENCED TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16, AS N36°14'12" W.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
5. CROSS REFERENCE SURVEY BY CLARY, FILE NO.

LEGEND

- R/W = RIGHT OF WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- P.C. = POINT OF CURVATURE
- N.T. = NON-TANGENT POINT
- CH = CHORD DISTANCE
- R = RADIUS
- L = ARC LENGTH
- Δ = DELTA ANGLE

GRAPHIC SCALE



(IN FEET)
1" = 50'

JOB NO. 2015-605-2

DRAFTER JRS

DATE 3-16-16

SCALE 1"=50'

CHECKED BY:

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 63-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAN OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 63-17, FLORIDA ADMINISTRATIVE CODE).

GREGORY B. CLARY, P.S.M. CERT. NO. 3377

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EXHIBIT B

MASTER DEVELOPMENT PLAN TEXT ANDERSON PARK PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION

INTRODUCTION

The Anderson Park site consists of + 197 acres, located between County Road (C.R.) 208 and State Road (S.R.) S.R. 16, approximately ½ mile west of Interstate 95. The legal description is included as Exhibit A. Planned development includes up to + 68 acres of industrial/warehousing, up to 3.0 acres of Office, up to 31.7 acres of retail/service and up to 10.0 acres of multi-family. The retail/service components will support the industrial park, plus will also provide services to the community. The industrial warehousing uses are more limited than those allowed under the County's IW Zoning. The office and retail/service uses are more limited than the uses allowed under CG Zoning.

This is the type of development envisioned along this section of S.R. 16 per the Future Land Use Map of the County's Comprehensive Plan.

Construction trailers may be placed on the PUD property on a temporary basis in support of off-site road, utility and drainage improvements. The constructions trailers may be placed on and off for a period of 5 years from approval date of the major modification.

ON-SITE CHARACTERISTICS

The site was previously a timber forest and is mostly cleared. Existing tree cover consists of bay, holly, maple, cypress and blackgum. There are several large wetland areas which have been located by photographic interpretation and are shown on the master plan map. A formal wetland delineation is not yet complete.

OFF-SITE CHARACTERISTICS

The site is bordered on the west by a haul road and vacant land, on the north by S.R. 16, on the east by a proposed County road and commercial development, and on the south by C.R. 208. Development on the north side of S.R. 16 includes the St. Augustine Outlet Mall and other existing and proposed commercial uses. Development of this site will not impact the off-site wetlands areas.

ZONING AND COMPREHENSIVE PLAN

The current zoning of the parcel is OR (Open Rural). On the Future Land Use Map of the County's Adopted Comprehensive Plan, the site is designated for Mixed Use. District (Md). A PUD with industrial, commercial and residential uses is consistent with this designation.

CONFORMANCE WITH THE ZONING CODE

The Anderson Park PUD conforms to the County's Zoning Code, and specifically meets the intent of Article 8 with respect to Planned Unit Development.

The planning and design of the Anderson Park PUD will further accomplish the following:

- Permit a creative approach to the development of the land;
- Accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the zoning ordinance;
- Provide for an efficient use of the land, resulting in smaller networks of utilities and streets and thereby lowering development costs;
- Provide an environment of stable character compatible with surrounding residential areas;
- Achieve 100 percent conformity with the county Comprehensive Plan, Zoning Code, and other applicable County ordinances;
- Reduce the burden of maintenance costs through efficient infrastructure and the provision of low-maintenance common areas; and
- Create jobs and support the County's economic base.

UTILITIES

Water and Sewer will be provided by the County. The St. Johns County Utility Department ("Utility Department") has agreed to service this property from existing service along S.R. 16. Water is available adjacent to the property on the south side of S.R. 16. Sewer is available on the north side of S.R. 16 and sleeves have been installed under S.R. 16 at the applicant's expense. At the request of the Utility Department, the following additional and more specific commitment to master plan the site's utility infrastructure to maintain level of service to each phase. If a change is sought in the priority of alternate phases, the utility infrastructure shall be accommodated accordingly to minimize impact to existing Utility Department infrastructure. FDEP permits will be obtained in accordance with the phasing schedule.

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

Minimum setbacks for underground utility lines, as set by the Utility Department, shall be met, regardless of right-of-way width. Any easements necessary in the event the proposed right-of-way is insufficient to provide the required spacing for proper operation of underground utilities will be provided to the Utility Department.

All lines shall be installed in grassed areas of rights-of-way and no water or sewer pressurized mains shall be installed under pavement, sidewalk, or concrete walk unless approved by the

Utility Department. Any private lines will be serviced via master meters and restoration easements for maintenance of utilities in private rights-of-way, which meet the Utility Department's requirements for operation and maintenance, shall be granted as necessary.

Any landscaping trees shall be placed at a minimum distance from pipelines of seven and one-half feet (7.5'), measured from the centerline of any pipeline to the centerline of the trees. 2. Add to Section 5.03.02.G.1.i of the Master Development Plan Text water and sewer usage as it is required in Section 11.05.02.C.2 and 11.05.03.C.2.

SITE ACCESS

Access to this development is shown on the site plan. Access on S.R. 16 meets the FDOT access management requirements. The proposed entrance locations on S.R. 16 conform to existing or planned median openings, and line up with existing entrances for the development on the north side of S.R. 16. Internal access to the business to be located in Parcel A will be provided through a private frontage road or internal drives. Access to Parcel C will be provided through an existing adjacent commercial PUD as well as to Tom's Road and CR 208.

The C.R. 208 bypass along the eastern boundary of the PUD ("East By-Pass") has been constructed by the Applicant. A future C.R. 208 bypass ("West By-Pass") is routed through this property and has been realigned to match the existing mall entrance on S.R. 16. Both roads are proposed for dedication to St. Johns County as part of a Development Agreement. All internal roads will remain private and be maintained by the Owner's Association. The driveway entrances from County roads near their intersection with S.R. 16 are located a safe distance from the intersections.

SUBDIVISION OF PARCELS

The Master Plan Map, Exhibit D, shows a generalized layout of uses and parcels. Internal parcel boundaries and the development assigned to each parcel may be adjusted provided the number of parcels remains the same or less, and the maximum square footage is not exceeded. The location of facilities and structures will be shown on the Master Development Plans.

PEDESTRIAN CIRCULATION

A pedestrian circulation system shall be provided within the PUD as follows:

- Within all retail/service areas, designated as Parcels A, B, and C on the Master Plan Map.
- Within the multi-family parcel (Parcel F on the revised map), a sidewalk system shall be provided along the main internal roads.
- A sidewalk connection shall be provided between Parcel H (on revised plan) and the adjacent retail/service Parcel A.

The location of the sidewalks shall be determined at the time of final Development Plan review. All multifamily housing that are determined to be "Covered Dwelling Units", shall meet the

requirements of the Fair Housing Act for accessible routes including sidewalks, as well as accessible parking and other parts of this Statute.

DRAINAGE

All drainage facilities and structures shall be constructed in conformance with the St. Johns County Land Development Code. Drainage within any County road rights-of-way will be the responsibility of the County. All other drainage system components shall be the responsibility of the developer, owners association, or parcel owners, as stipulated in the Covenants and Restrictions.

SIGNAGE

Major signs may be erected at the main entrances to identify the park and its occupants. Minor signs may be erected at parcel driveways to identify the uses in each area. All signs will conform to the Land Development Code at the time of permitting. Sign locations and sizes will be shown on final development plans.

INDUSTRIAL SITES

Industrial development will consist of up to 670,000 s.f. industrial/warehouse on approximately + 68 acres. Location is shown on the Master Plan Map. Allowable industrial uses will be more limited than those allowed under the County's IW Zoning classification. The allowable uses are as follows:

- A. Wholesaling, warehousing, storage or distribution establishments and similar uses.
- B. Light manufacturing, processing, including vegetable or food processing, packaging or fabrication. Animal food processing shall be not be included or allowed hereby.
- C. Printing, lithographing, publishing or similar establishments.
- D. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight feet high except for entrance and exist and such openings shall be equipped with eight-foot high visual barrier gates; and provided further than this provision shall not permit the storage, dumping or disposal of scallop shells, wrecking yards (including automobile wrecking yards) junk yards or yards used in whole or in part for scrap, salvage or second hand building materials, junk automotive vehicles, or second hand automotive vehicles, or second hand automotive parts.
- E. Vocational, technical, trade or industrial schools and similar uses.
- F. Clinic in connection with industrial activity.
- G. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.

- H. Radio or television broadcasting offices, studios, transmitters, or antennas.
- I. All essential public services including water, sewer, gas or electrical systems such as substations, lift stations, treatment plants and similar installations.
- J. Service establishments catering to commerce and industry including linen supply, laundry, package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants) hiring and union halls, employment agencies, and sign companies.
- K. Building trade contractors.

Certain restrictions shall apply to all of the previously listed uses as follows:

1. No uses will be permitted requiring the use or storage of toxic, hazardous or flammable chemicals without such permits as may be required from time to time by all State and federal Agencies. St. Johns County shall be furnished with copies of all Material Safety Data Sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of Flammable and Combustible Liquids shall comply with the latest National Fire Protection Association Publication 30, as adopted by St. Johns County.
2. All manufacturing process shall be conducted within enclosed buildings. No aerial dispersion shall be allowed without such permits as may be required from time to time by State and Federal permits. St. Johns County shall be furnished copies of all permits issued.
3. Processes producing noise shall be controlled by property sound barriers so that the sound levels at the boundary do not exceed the levels established for such uses by St. Johns County and pursuant to St. Johns County Noise Ordinance.

In the industrial section of the PUD the minimum building setbacks are as follows:

Front Yard: 50 feet from road right-of-way
 Rear Yard: 10 feet from property line
 Side Yard: 10 feet from property line; minimum of 20 feet between buildings

Setbacks are measured from the vertical surfaces of the buildings.

OFFICE SITES

Office development shall consist of up to 30,000 s.f. on +3 acres. The office areas may be interspersed within the retail/service areas are shown on the Master Plan Map. The allowable uses will be:

- A. Medical and dental offices and clinics

- B. Professional and business offices, travel agencies, employment offices, and similar establishments.
- C. Miscellaneous uses such as express or parcel delivery office and telephone exchange.

In the Office section of this PUD the setbacks are as follows:

Front Yard: 25 feet from road right-of-way
 Rear Yard: 10 feet from property line
 Side Yard: 10 feet from property line; minimum of 20 feet between buildings

RETAIL/SERVICE SITES

Retail/Service development shall consist of up to 317,000 s.f. on +32 acres. The retail/service areas are shown on the Master Plan Map. The allowable uses will be more limited than those allowed under the County's CG Zoning classification. The retail and service uses will support the industrial park as well as service the community. The allowable uses are as follows:

- A. Retail outlets for sale of food and drugs, wearing apparel toys, sundries and notions, books and stationery, leather goods, and luggage, jewelry (including watch repair but not a pawnshop), art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, and pet shops (but not animal kennel or veterinarian), musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale baker), drugs and similar products.
- B. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, interior decorator, photographic studio, dance or music studio, reducing sale or gymnasium, self-service laundry or dry cleaner, tailor or dressmaker, dry cleaning and laundry package plants in completely enclosed building using nonflammable liquids such as perchlorethylene and with no odor, fumes or steam detectable to normal senses from off the premises, and similar activities.
- C. Art gallery, museum, community center and little theater.
- D. Research laboratories not involving odors, noise, smoke or other obnoxious effects detectible to normal sense from outside the building nor involving electrical interference to any television or radio receivers off the premises, nor involving any manufacturing activities.
- E. Bank and financial institutions.
- F. Retail outlets for sale of home furnishings and appliances (including repair incidental to sales), office equipment, furniture, hardware and similar uses.
- G. Service establishments such as blueprinting, job printing, radio and television repair shop and similar uses.

- H. Commercial indoor recreational facilities such as motion picture theater, billiard parlor, swimming pool, bowling alley and similar uses.
- I. Vocational, trade or business schools.
- J. Union Halls.
- K. Indoor skating rink in completely enclosed building.
- L. Sale and service of alcoholic beverages with content not more than 14 percent for consumption off-premises. Sales and service of all alcoholic beverages on or off-premises in accordance with Section 7-16-13(e) of the County Zoning Code.
- M. Mini-Mart or convenience store with fuel pumps.
- N. Drive-in restaurants.
- O. Service Station with retail sales and without auto service or repair.
- P. Off site parking.

In the retail/service section of this PUD the setbacks are as follows:

- Front Yard: 25 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from the property line; minimum of 20 feet between buildings

Setbacks are measured from the vertical surfaces of the buildings.

MULTI-FAMILY

Multi-family development shall include up to 120 units on 10 acres. The setbacks shall be as follows:

- Front Yard: 25 feet from road right-of-way
- Rear Yard: 10 feet from property line
- Side Yard: 10 feet from property line; minimum of 10 feet between buildings

SITE DEVELOPMENT CONSTRAINTS

1. The total ground area to be occupied by all buildings and structures shall not exceed 35 percent.
2. The impervious area shall not exceed 75 percent.
3. Buildings shall not exceed 45 feet in height. All buildings over 35 feet will be sprinkled for fire safety purposes unless such requirement is waived or modified by the St. Johns County Fire Service and approved by the Board at the time subdivision or final development plan approval.

4. A natural vegetative buffer of 25 feet shall be maintained along the western property line, as shown on the Master Plan Map.
5. Vegetative buffers of at least 25 feet shall be required and maintained between natural drainage courses and developed areas to protect the water quality of the drainage course.
6. The wetland areas shown on the Master Plan Map are not included as part of the development area.
7. Scenic Edge: A 30 foot Scenic Edge will be provided and maintained along State Road 16 on the northern edge of the site. The site plan provides for a 30 foot Scenic Edge along the property's frontage on State Road 16, which will be enhanced in accordance with the requirements of the Northwest Sector Overlay Policy A.2.1.4(a) of the Comprehensive Plan and the LDC and an enhanced landscape plan will be submitted as required.

Note: This is a Major Modification to the PUD, to allow for the extension of time for the PUD in order to allow for development of this site. There are no changes to the uses or design, including square footages or Master Development Plan Maps (MDP Maps) within the original PUD. The PUD was, however, designed prior to the NW Sector plan, so it did not plan for a Scenic Edge or a Development Edge. There is no Development Edge requirement, because all of the property lines that would be subject to a Development Edge, are internal to the site. There is, however, a Scenic Edge requirement due to the site frontage on SR 16, which is outlined above.

WAIVERS FROM THE LAND DEVELOPMENT CODE

The Applicant is requesting the following waiver from the Land Development Code: Reformatting: Reformatting: The request includes a waiver to Section 5.03.05.C with regards to reformatting to current standards, to allow that the existing text of the PUD be incorporated into the new Major Modification to the PUD Ordinance. The original PUD was adopted in 1996 and very little has developed. Tom's Road was constructed (which is a connection between State Road 16 and County Road 208), and the Racetrack Convenience store (with connections to Tom's Road and State Road 16, but which is not within the PUD) were constructed as well as a parking area on the south side of Tom's Road (the reason for the last Major Modification). The previous Major Modification to the PUD extended the phasing schedule by three (3) years per phase, added a vehicular and/or pedestrian interconnection to Parcel C and added off site parking as a permitted use: all for the single small site on the south side of Tom's Road. This Major Modification is to update the phasing and provide for a one year phase for another single use (a Waffle House restaurant), within an area designated for such use within the original PUD. It is the applicant's contention that no specific language changes would be necessary to the overall PUD and reformatting would not provide any information that would be relevant to the development of this portion of the site. Additionally, all future development would be required to file a Major Modification. So, the request, merely to extend the time to construct the planned improvements, is consistent with the permitted uses and conditions stipulated within the original PUD, and all construction will be in conformance with the requirements of the current Land Development Code.

PHASING

Phasing is shown below. Market conditions will determine the actual pace of development. Specific development phasing will be incorporated in the Final Development plans.

Phase	Years	Development (S.F. Cumulative)			
		Industrial	Office	Retail Service	Multi-Family
1	2016 – 2017*	200,000	30,000	200,000	0
2	2008-2010	500,000	30,000	317,000	120
3	2010-2012	670,000	30,000	317,000	120

* For the Retail Service Use to allow for construction of the Waffle House restaurant site only, as indicated on the IMDP Map, Exhibit C.

PARKING

The parking requirements shall be in conformance with the St. Johns County Zoning Ordinance and shall be determined at the time of Final Development Plan approval. Parking shall meet the Florida Accessibility Code and Fair Housing Act.

TEMPORARY USES

Development of the site and construction of the improvements may require temporary uses such as construction trailers, sales offices, temporary signage, or temporary access. The location and timing of these uses may be depicted on the Master Development Plan. Construction trailers may be placed on the PUD property in support of off-site road, utility and drainage improvements. The construction trailers shall be removed within 30 days after completion of the off-site improvements.

COMMON AREA MAINTENANCE

Legal documents which assure adequate management and maintenance of the open space area shall be provided by the developer at the time of Final Development Plan submittal for all areas proposed for common ownership by the developer or parcel owners within the PUD. Legal instruments provided for dedications, covenants, owners associations, and development controls shall:

- Place title of common property in a form of common ownership by the developer or parcel owners within the PUD; e.g., a duly constituted and legally responsible owners association.
- Appropriately limit the use of common property.

- Place responsibility for management and maintenance of common property.
- Place responsibility for enforcement of covenants.
- Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

DEVELOPER'S AGREEMENT

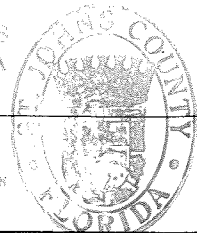
The developers of Anderson Park PUD and their successors or assigns agree to proceed with the proposed development in accordance with the approved PUD ordinance and plans as per St. Johns County's Ordinances and regulations and any such conditions and safeguards as may be set by the Board of County Commissioners with respect to its approval. All detailed plans submitted for development shall be in accordance with the approved Master Site Plan for Anderson Park PUD. Private facilities, areas and systems not operated and maintained by St. Johns County shall be the responsibility of the developers and their successors in interest. The owners of the property agree to bind any successors in title to all commitments made herein.

REZONING JUSTIFICATION

The Anderson Park PUD will be a comprehensively planned, mixed-use development. The industrial park will provide a good location for new businesses to start, and existing businesses to expand. At build-out, over 1,000 permanent jobs will be offered at the park. This project will promote the County's economic development goals.

The project provides adequate protection for any valuable jurisdictional wetlands on the site. All on-site improvements will be constructed at the developer/owner's expense. This project will add to the County's tax base. In summary, the plan as submitted assures a quality development designed to support the County's comprehensive plan objectives.

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 14th DAY OF November 2016. ST. JOHNS COUNTY CLERK OF COURT Ex-Officio Clerk of the Board of County Commissioners



Wanneberg D.C.

A PORTION OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONFORMANCE AT THE NEAREST POINT WITH THE CITY OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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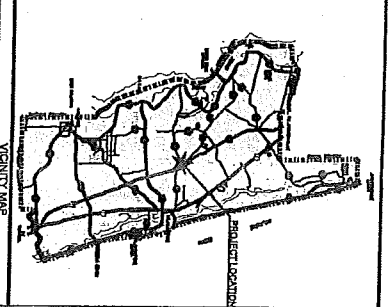
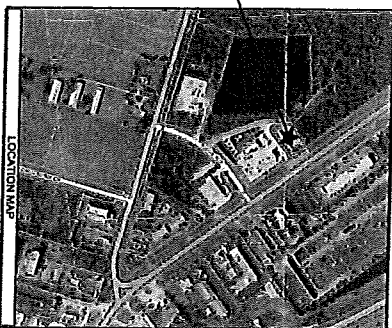
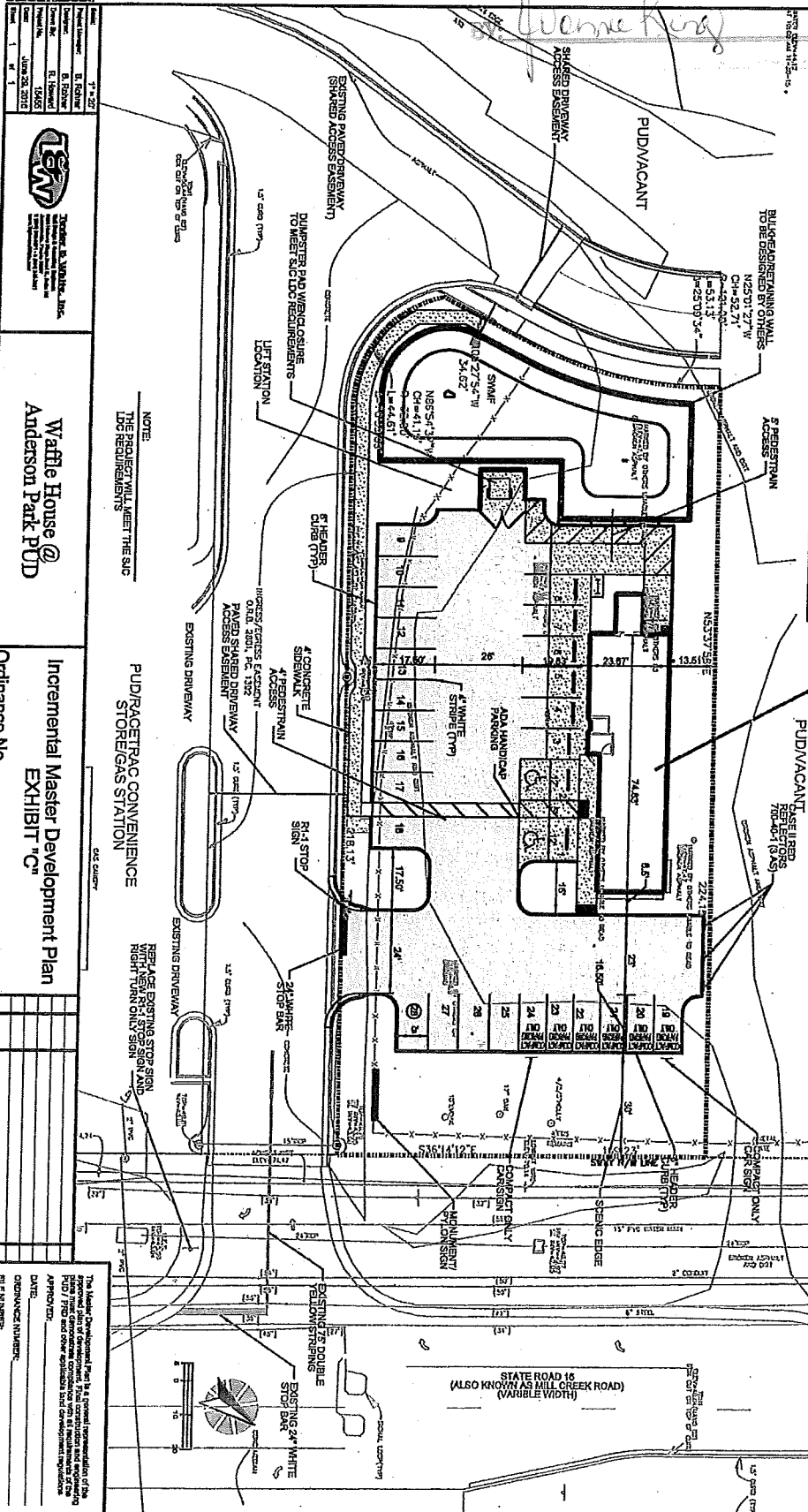
SITE DATA TABLE

SITE AREA: 0.59 AC.
 BUILDING AREA: (1) BUILDINGS: 1033 SF (4 STOREY)
 RE: NO. 007/20-000
 FLOOD ZONE: VMA
 BUILDING SETBACK: 25' FRONT, 10' SIDE, 10' REAR
 MAX. BUILDING COVERAGE: 35% (0.21 ACS)
 MAX. BSR: 75% (0.25 ACS)

NOTE:
 (1) BUILDING WILL MEET LDC SCREENING STANDARDS
 2) PARKING: REQUIRED: 1 SPACES PER 10 SPACES PROVIDED: 2 SPACES
 3) ENHANCED LANDSCAPING WILL BE REQUIRED WITHIN THE SCREENING EDGE IN ACCORDANCE WITH THE LDC

PROPOSED DASH 1 WASTE EXHAUST SYSTEM LEFT HAND BUILDING 25' SET BACK FROM STATION 1033 ST. (OVO COOLER) BUILDING HEIGHT = 14', ROOF EXHAUST BUILDING LETTERING WILL BE DISPLAYED ON THE SET BACK

PROPOSED DASH 1 WASTE EXHAUST SYSTEM LEFT HAND BUILDING 25' SET BACK FROM STATION 1033 ST. (OVO COOLER) BUILDING HEIGHT = 14', ROOF EXHAUST BUILDING LETTERING WILL BE DISPLAYED ON THE SET BACK



TCV
 THE CITY OF ST. JOHNS COUNTY, FLORIDA
 ENGINEERING & ARCHITECTURE
 1000 W. UNIVERSITY BLVD., SUITE 100
 ST. JOHNS COUNTY, FLORIDA 32057
 PHONE: 321.277.1234
 FAX: 321.277.1235
 WWW.TCV-FLORIDA.COM

Waffle House @ Anderson Park PUD

Incremental Master Development Plan EXHIBIT 'C'

Ordinance No. _____

The Master Development Plan is a general representation of the project and does not constitute a final engineering or architectural drawing. It is subject to change without notice. The City of St. Johns County, Florida, is not responsible for the accuracy or completeness of the information provided herein. The City of St. Johns County, Florida, is not responsible for the accuracy or completeness of the information provided herein.

DATE: _____
 APPROVED: _____
 ORDINANCE NUMBER: _____
 FILE NUMBER: _____

THE ST. AUGUSTINE RECORD

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

Ref.#: 16902271D
P.O.#:

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 **2016-08 WAFFLE - 2016-08 WAFFLE**

was published in said newspaper on **08/29/2016**

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 AUG 29 2016

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

[Handwritten Signature]



(Signature of Notary Public)

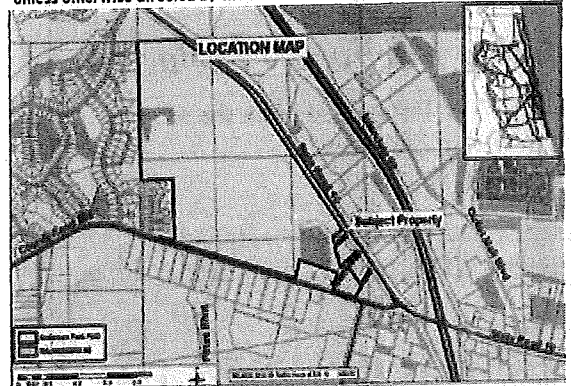
(Seal)

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 9/15/2016 at 1:30 p.m. and the St. Johns County Board of County Commissioners on Tuesday, 11/1/2016 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 for a Major Modification to the Anderson Park PUD to extend the phasing schedule for one year limited to an Incremental Master Development Plan (IMDP) for the construction of a Waffle House restaurant on approximately .59 acres.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ANDERSON PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1996-66, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION AND PROVIDING AN EFFECTIVE DATE

The subject property is 2711 SR 16 located NW of Racetrac Convenience Store or Tams Road on SR 16 west of I-95. 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 hearings. 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 meetings.

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

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
JEFF MARTIN, CHAIR
FILE NUMBER: MAJMOD-2016000009, Waffle House at S.R. 16
16902271D August 26, 2016



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 3, 2016

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

Attention: Ms. Yvonne King

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. 2016-57, which was filed in this office on November 3, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED *November 3, 2016*
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK