

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.

Public Records of St. Johns County, FL
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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 application, dated November 24, 2020, in addition to supporting documents and statements from the applicant which are a part of **Zoning File PUD 2020-12 Mill Creek Crossing**, 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 Residential-C.
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 & 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 2020-12 Mill Creek Crossing**, 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, restriction 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 19th DAY OF October, 2021.

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

BY: 

Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: 

Deputy Clerk

RENDITION DATE: 

OCT 21 2021

EFFECTIVE DATE:

OCT 21 2021

EXHIBIT A
LEGAL DESCRIPTION
Mill Creek Crossing PUD

A parcel of land being the Northeast Quarter of the Northeast Quarter of Sub-Section 11 of the Antonio Huertas Grant in Township 6 South, Range 28 East, St. Johns County, Florida, lying North of the Northerly Right of Way Line of State Road No.16, as it currently exists, and being more particularly bounded and described as follows:

COMMENCE at the intersection of the Northerly Right of Way Line of State Road No.16, as it currently exists, and the Westerly Right of Way Line of International Golf Parkway, as it currently exists; thence North $80^{\circ}53'32''$ West, along said Northerly Right of Way Line, a distance of 99.83 feet to the POINT OF BEGINNING for the herein described Parcel; thence continue westerly along said Northerly Right of Way Line, a distance of 539.32 feet to a point of curvature to the right having a radius of 1,779.86 feet, a central angle of $25^{\circ}56'42''$, and a chord bearing and chord distance of North $67^{\circ}55'11''$ West, 799.10 feet; thence westerly along the arc and along said Northerly Right of Way Line, a distance of 805.97 feet; thence North $19^{\circ}52'04''$ East, along the East Line of those lands described in Official Records Book 570, page 466 of the Public Records of said County, a distance of 356.35 feet to the Northwest Corner of Northeast Quarter of the Northeast Quarter of said Sub-Section 11; thence South $72^{\circ}33'03''$ East, along the North Line of said Northeast Quarter of the Northeast Quarter of said Sub-Section 11 and along the South Line of those lands described in Official Records Book 880, page 451 and Official Records Book 864, page 1536 both of the Public Records of said County, a distance of 1,333.97 feet to the Northeast Corner of said Northeast Quarter of the Northeast Quarter of Sub-Section 11; thence South $20^{\circ}36'37''$ West, along the East Line of said Northeast Quarter of the Northeast Quarter of said Sub-Section 11 and along the West Line of those lands described in Official Records Book 864, page 1536 of the Public Records of said County, a distance of 342.84 feet to the POINT OF BEGINNING.

The afore described Parcel contains 537,628.81 square feet or 12.34 acres, more or less

EXHIBIT B
MASTER DEVELOPMENT PLAN TEXT
Mill Creek Crossing 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 applicants: Ramzy Bakkar and the Diocese of St. Augustine Catholic Center.

A. Location: The property to be rezoned consists of 12.34 acres, described by the Legal Description - Exhibit A. It is situated in Northwest St. Johns County west of the intersection of International Golf Parkway (IGP), Pacetti Road, and along State Road 16 (SR 16), adjacent to the intersection. The site is shown on the Location Map, Exhibit D. The property is within the Residential C (Res-C) Land Use category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan. It is currently zoned Open Rural (OR). The subject site is located within the Northwest Sector Overlay District.

B. Surrounding Uses: The area currently has a mixture of large developing residential planned communities to the east and widely scattered residential of various densities located to the east and west along SR 16, to the south along Pacetti Road, and to the north along IGP. 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. Immediately adjacent lands to the west are designated Residential-C on the Future Land Use Map. Adjacent lands to the east and north are designated Public (P). Across State Road 16 lands are designated Residential-A and Community Commercial (CC). Outlying lands include a mix of Residential designations, the Saint Johns DRI, and Mixed Use District (MD), as well as Agricultural Intensive (A-I). Adjacent properties are zoned Open Rural (OR) to the north, east, and west. Mill Creek Academy adjoins the site along the northern boundary. Most of the surrounding area is zoned Planned Unit Development (PUD) to allow for both commercial and residential uses. There is also a pocket of Commercial General (CG) at the southwest corner of Pacetti Road and SR 16. A variety of commercial businesses and a shopping center round out the intersection.

C. Ownership: The subject property is owned by the Diocese of St. Augustine Catholic Center, as shown by the Proof of Ownership (deed) attached as Exhibit F. Said property owner has 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 12.34 acres with 1,400 feet of frontage along SR 16 and is immediately west of the IGP, Pacetti Road and SR16 intersection. The site does contain an existing cemetery which will remain and which will be enhanced through the improvements planned for the site, including better access. Otherwise, the site is undeveloped, but also includes a creek and wetlands within the western portion, which will

be maintained in its current state. The site is shown on the Location Map, Exhibit D. The property is currently zoned OR and the applicant is requesting a zoning change to PUD to allow for a cohesive development of the site for General Commercial Uses, including Neighborhood Business and Commercial, General Business and Commercial, Cultural/Institutional and Office and Professional. The development will be known as **Mill Creek Crossing Planned Unit Development (Mill Creek Crossing PUD)**.

The Master Development Plan Map (MDP Map), Exhibit C indicates the general layout of the site for construction of 3 proposed commercial buildings on Development Area B only: one with 10,000 square feet, one with 23,900 square feet and one with approximately 4,443 square feet each, for a combined total of approximately up to 40,000 square feet of commercial space, and provide for preservation of the existing cemetery and related enhancements within Development Area A. Alternatively, the applicant desires the flexibility to increase the number of buildings and the general layout, and provide for individual businesses within single business parcels, within Development Area B, as long as the overall square footage allowance is not exceeded, and the infrastructure is provided collectively. The site will be developed by 2 different entities: the Diocese will maintain the western portion of the site (Development Area A): including the cemetery and will provide for the preservation of the adjacent wetlands. The applicant will provide for the development of the eastern portion of the site (Development Area B): the 40,000 square foot commercial/office/retail buildings and their parking and loading areas, as well as the stormwater facility and one of the 2 access driveways. The two sides will share a portion of the central property, which will provide for the main access and a shared Community Space (within Development Area A), both of which will be constructed along with the development of Development Area B, by that applicant. As detailed on the MDP Map, Exhibit C, the site plans for the 2 access drives will be coordinated with the pending improvements planned for the IGP, SR 16, Pacetti Road intersection.

The site is located within the Northwest Sector Overlay, and has frontage on a major collector road, so a Scenic Edge is required, as well as Development Edges along the other boundaries. The Scenic Edge will be a minimum of 30' in depth and provide the enhanced standards required to reduce its width from the 75' width to the 30' width. Properties to the north and east are zoned for school and properties to the west are zoned OR, so the required 35' Development Edge will be provided along those 3 sides. It should be noted that approximately 2.7 acres or almost 22% of the 12.34 acre site will be used for Scenic and Development edges and community space, to provide buffering and transitional zones to address compatibility with current and future uses. Overall, the site will provide for over 6.0 acres of open space accounting for almost 50% of the site. In addition, stormwater retention will be provided along the north boundaries to provide additional separation.

The location of the property, as well as the design of the site, will provide community space including the cemetery and incorporates other areas of common open space, grassed areas and outdoor community meeting space. The applicant will provide a landscape conservation plan to the St. Johns County Environmental Division during the Construction Plan review. The project provides for a 20' landscape vegetative perimeter buffer along all boundaries meeting a type "B" screening standard and they are included within the Development Edges, to provide 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.

The project will initially be permitted for the horizontal improvements for the eastern site (Development Area B), along with the central entrance drive and the community space. These phased may be sub-phased for certain portions of the horizontal improvements and the buildings may be constructed at different times. The applicant for the western site (Development Area A) is

not planning for any significant improvements in the foreseeable future and plans are to leave the cemetery as delineated on the MDP Map, Exhibit C, provide for preservation of the creek and adjacent wetlands and respect the 25' upland buffer. However, should anything substantial be proposed, they would be required to file an Incremental Master Development Plan Map and appropriate modification if needed. Since no development is proposed for Development Area A, the existing distance and vegetation that will remain on that portion of the site, will provide for ample buffering and screening for the activities on Development Area B.

The area has experienced considerable residential development and the demand for more commercial space. The shopping center to the southeast on the corner of SR 16 is built out and the plans for the commercial center to the east across IGP are underway. This site provides for the "rounding out" of the corners to provide an overall centralized commercial center.

B. Development Size: There are a total of 12.34 acres of property.

C. Wetlands: The site contains 2.14 acres of wetlands.

D. Development Area: A total of 10.16 acres are uplands and will be part of the two Development Areas. Development Area A contains 6.3 acres (with 2.7 acres of which are uplands/wetlands preservation and includes the cemetery and related open space). Development Area B contains 6.0 acres.

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 40,000 square feet of Neighborhood Business and Commercial, General Business and Commercial, Cultural/Institutional, and Office and Professional uses as allowed within the Commercial General zoning classification for Development Area B. Development within Development Area A, will be limited to those defined as Cultural and Institutional Uses in the LDC, which include the existing cemetery, with any such uses requiring an Incremental Master Development Plan Map and necessary County approvals.

G. Site Development Criteria:

1. Building Area: Total building areas will be approximately 40,000 square feet within 3 or more buildings, for Development Area B, in accordance with the allowance established by the Residential C FLUM designation. The applicant desires the flexibility to increase the number of buildings and the general layout, and provide for individual businesses within single business parcels, as long as the overall square footage allowance is not exceeded. The total Impervious Surface Ratio (ISR) area shall not exceed 70% and Floor Area Ratio (FAR) of 50% as demonstrated on the MDP Map, Exhibit C.

2A. Permitted Uses (Development Area A): The development will be constructed in an orderly manner, allow the following uses, which will be consistent with those allowable Uses within the Res-C Future Land Use Designation as applicable. The permitted uses shall allow for those permitted Uses in accordance with LDC Section 2.02.01.C – Cultural/Institutional: limited to Parish related uses, such as libraries, galleries, and museums; Community Centers; churches and synagogues, as well as cemeteries and parks and recreation facilities without lighted fields.

2B. Permitted Uses (Development Area B): The development will be constructed in an orderly manner, allow the following uses, which will be consistent with those allowable Uses within the Res-C Future Land Use Designation as applicable. The 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. Uses allowable by Special Use in the CG zoning category shall be allowable by right in this PUD, but shall meet the specific criteria for that use in LDC Part 2.03.00. 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; 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 County 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, as well as cemeteries; 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 20' building setback will be provided from all property boundaries and a minimum 15' setback shall be provided between buildings and will be measured to the wall. Additionally, the requirements of LDC, Section 5.03.B.2 will be met.

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

5. Parking: Parking is generally indicated on the MDP Map, Exhibit C. No defined parking will be provided within Development Area A, as the grass parking will remain as it has existed for years and functions well. For Development Area B and any future proposed uses within Development Area A, 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 Part 6.05.00 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 Part 6.05.00 of the LDC. Any modifications to parking will be subject to Section 5.03.05 of the LDC. 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, and meet all requirements of Article IV of the LDC where applicable, as follows:

a. The project will allow for signs in accordance with Part 7.02.00. of the LDC, which will include ground signs along the road frontage in the general locations shown on the MDP Map, Exhibit C. These signs will be in accordance with Section 7.02.04.C. of the LDC, which allows for two (2) signs at 150 square feet each and one (1) sign at 100 square feet each. At least one of these signs may be the major identification sign and one of these signs may provide for a directory listing of the businesses and services within the project. Signs may be located within the Development 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 7.02.04.E of the LDC 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 7.02.02 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 the LDC, 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 7.02.06.B of the LDC. Such signs will be a maximum of 3 square feet in size and a maximum of 3 feet in height.

H. Infrastructure:

1. Storm water: Storm water will be collected on site and retained/detained within the retention area constructed within the PUD. 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 piping sized to accommodate the retention/detention requirements for the entire site. The Wet Retention/ Detention ponds or stormwater systems developed within a scenic edge or development edge have been designed as an amenity to the development and will be permanently protected from

development. And, any area of wet retention/detention pond or stormwater system lying within the scenic or development edge will be vegetated along the perimeter of the banks, where possible. Vegetation shall include native grasses and understory plantings in accordance with Sec. 6.06.02 of the LDC. Where possible, native vegetation (trees, shrubs and grasses) will be planted along portions of the pond banks associated with the upland buffer and wetlands.

2. Vehicular Access / Interconnectivity: The project will have 2 access points from SR 16, with a central entrance/exit driveway serving the combined uses and a right-in/right-out access serving the major commercial portion. The driveways and connections will be designed and permitted in accordance with current Florida Department of Transportation (FDOT) and St. Johns County standards and requirements and the applicant will provide any required permits and improvements. Interconnectivity, is not feasible, as the adjacent property along the northeast and east side of the property belongs to the school and access to the property to the west, would be prohibitive due to the preserved wetlands on the west side of the site.

3. Sidewalks/Pedestrian Access: A 5' wide external sidewalk connection will be installed to connect to existing sidewalks along SR16, subject to FDOT approval. Minimum 5' wide internal sidewalks will be provided within the development along the building fronts, connecting to the accessible routes, parking areas and the external sidewalks and will connect to the community space. 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' in height, meeting the requirements of LDC Section 2.02.04.C around the perimeter of any portion of the project, including between the two development areas, 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 Development Edges. Any fencing within Development Area A related to the cemetery (except for the northern boundary), will be a maximum 4' in height, and any fencing along the wetland areas, will be placed at the landward edge of the required undisturbed upland buffer.

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. Lighting adjacent to the cemetery will utilize full cutoff (this means downward facing and shielded not that the lights will turn off) light fixtures in order to maintain the serenity and somber nature of the cemetery. The lighting plan will be in compliance with the requirements of the Land Development Code, including Section 5.03.06.h.6 and 6.09.00.

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, and will be screened in accordance with 6.06.04.B.8.

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 at least 3.08 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 50% or 6.0 acres). This open space calculation includes the community space, the Scenic and Development Edges, the perimeter buffers, and general green space, as required by the LDC. The open space and buffering are used to maintain the desired scenic qualities 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 15,000 gpd of both potable water and sanitary sewer, based on the 40,000 square feet of commercial development. 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 the St. Johns County Utility Department (SCUD).

J. Topography and Soils: The property is located on the north side of SR16. The development areas are is located within Flood Zone X Shaded of the Federal Emergency Management Agency (FEMA) Flood Zone Map and the creek system to the west is both AE and AE-Floodway.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies 1 major soil type and 3 minor soil types on the site. The majority of the site has Eaugallie 58 on the eastern portion of the site, the 44 Sparr fine sand in the center and Riviera 36 on the western portion.

1. **58 EauGallie fine sand**, a poorly drained, nearly level soil on low knolls and ridges, adjacent to depressions and drainage ways. The seasonal high water table is within 10 inches of the surface for a period of 1 to 4 months and at a depth of 40 inches for more than 6 months. Available water capacity is very low. Permeability is rapid or very rapid in the surface and subsurface layers, slow to moderate in the upper and lower parts of the subsoil. The natural vegetation includes a few slash pines, cabbage palms, southern bayberry, pineland, threawn, and greenbriar. Potential for community development is medium.

2. **44 Sparr fine sand, 0 to 5 percent slopes**: This is a somewhat poorly drained, nearly level to gently sloping soil adjacent to drainage ways and on low knolls in the flatwoods. This soil type covers the area just above the tree line and will incorporate much of the Development Area. The seasonal high water table is at a depth of 20 to 40 inches for one (1) to four (4) months during most years. Permeability is rapid in the surface and subsurface layers and very slow in the subsoil. The natural vegetation includes turkey oak, water oak, laurel oak, southern magnolia, sawpalmetto, pineland threawn, and bluestems. Potential for community development is high. Some water control is required for the construction of dwellings without basements. Potential for use for septic tank drainfields is also high.

3. **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.

K. Site Vegetation and Habitat: Carter Environmental Services conducted an environmental site assessment of the above-referenced site located in St. Johns County, Florida, which attached as 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 includes FLUCFCS Code 148 Cemetery, FLUCFCS Code 411 Pine Flatwoods, FLUCFCS Code 414 Pine/Mesic Oak and FLUCFCS Code 630 Wetland Forested Mixed.

L. Significant Natural Communities Habitat and Listed Species: During the site visit, Carter Environmental Services, Inc., conducted a 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) and did not observe any protected species and considered the likelihood of occurrence as low. Additionally, based on their field review and analysis of the vegetative communities described above, they also determined that no Significant Natural Communities are present on the property.

M. Historic Resources: The applicant understands that portions of the project area fall within "Medium" and "High" probability zones for archaeological sites based upon the county's defined archaeological probability zones and will conduct a Phase I intensive Cultural Resources Assessment Survey (CRAS) designed to identify cultural resources across the project area is required in accordance with LDC Section 3.01.04.D, with results provided to the St. Johns County

Environmental Division, Historic Resource Management office for review and appropriately filed with the State.

The applicant also understands that Our Lady of Good Counsel (8SJ04910), formerly known as Mill Creek Cemetery, is a historic cemetery located within the proposed project area and will be sure the archaeological survey clearly delineates the boundaries of the cemetery, which are shown on the MDP Map, Exhibit C and will remain as outlined. The cemetery will be cared for and maintained by the Parish.

The applicant also understands that the State Historic Preservation Office has recommended the cemetery is eligible for listing in the *National Register of Historic Places* and understands that the cemetery is eligible as a County Landmark (Section 3.01.03.C) and is considered a Significant Cultural Resource (Section 3.01.04.C) under the County's Land Development Code and will contact the County if they are interested in pursuing County Landmark designation. The applicant also fully understands that under state law, it is illegal to willfully and knowingly disturb human remains. It is also illegal to disturb memorials, such as fences, tombstones, markers, and even vegetation associated with a burial and the Diocese plans to maintain the cemetery as well as provide additional enhancements.

N. Buffers, Development Edges and Scenic Edges: In accordance with the current St. Johns County Land Development Code, all buffers and edges will be left natural, where possible and 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' Scenic Edge will be provided and maintained along the property's frontage on SR 16. The request for this reduction is in accordance with the Northwest Sector Overlay Policy A.2.1.4.(a). The 30' 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 Section 6.06.02.G of 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' Development Edge shall be provided along the property boundaries, which may include fencing along the exterior boundary adjacent to the school property.

3. Perimeter Buffer: A 10' landscaped perimeter buffer will be provided, which will be included within the Scenic Edge and Development Edge, around the project perimeter. 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.

4. Interior Buffer Between Uses: A 20' B Screen buffer will be provided along the common boundaries between Development Area A (the cemetery property) and Development Area B (the commercial property), which will be included along the eastern edge of Development Area A.

4. Jurisdictional Wetland Buffer and Building Setback: The development provides for the required 25' (averaged) upland natural buffer along the jurisdictional wetlands located on the western portion of the site, which will be coupled with a 25' upland buffer building setback, as

demonstrated on the MDP Map, Exhibit C. These upland buffers shall be maintained in their natural vegetated condition and remain undisturbed.

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 inch /replacement requirements outlined within the Land Development Code, effective at the time of permitting. All buffers and edges will be left natural, where possible, 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 in any area that is disturbed, if desired. Some of the "edge" areas have been cleared, however landscaping and fencing will be provided that meets the "B" screening requirements for the development edges and the enhanced landscape standards for the 30' scenic edge. Some sections of the Development Edge include portions of the stormwater ponds and the community area. In those cases, the remaining Development Edge will be enhanced or fully planted, to achieve the required 20' B screening requirement.

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 storm water 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, in Section III of the MDP Text, Exhibit B 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 7.02.02 of the Land Development Code, including temporary signage relative to the future project that may not exceed 32 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, related to the appropriate Use Category of the LDC, 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.

R. Phasing: The Mill Creek Crossing PUD shall be permitted and developed in a single overall phase, for the eastern portion of the site (Development Area B) including one of the access drives and for the other access drive and the community space on the western portion of the site (Development Area A). Development may be within sub-phases, developed either concurrently or separately, 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. 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 is located within the Residential C Future Land Use area of the 2025 St. Johns County Comprehensive Plan, within the Northwest Sector Overlay. The PUD zoning is requested in order to provide for a variety of commercial and retail uses as provided for within the Land Development Code. Such uses will include those allowable within the General Business and Commercial Use category, the Neighborhood Business and Commercial Use categories, which combined 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, for Development Area B, as included within the application, as well as limited uses within the Cultural and Institutional category for Development Area A, and including the access drive and community space shown on the MDP Map, Exhibit C. This PUD 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 within an established retail area that is located just west of the intersection of an Arterial and a Major Collector Roadway. As such, it will be compatible with the overall emerging commercial development character needed to serve the area, but buffered to protect the existing cemetery and protect the creek and associated wetlands on the western portion of the site. 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. As the site is lineal and fairly narrow in format, the property itself lends itself to the lineal structures. To combat this, the proposed development has been laid out for 3 or more buildings, with a significant portion of the site between the east and west development, being preserved for the cemetery and its immediately adjacent land. Additionally, the buildings on the eastern portion of the site have been separated into at least 3 buildings (which may be increased to 4) in order to provide a break in the façade and allow for some outside area between the structures. This design, has situated the commercial buildings in order to accommodate the stormwater pond along the rear buffer and the loading spaces shielded from view of the road and from the school to provide for the busier and noisier activities to be oriented towards SR 16 and separated from the school.

The project will provide adequate transition areas between the adjacent uses and the proposed commercial uses, by providing and meeting the Development Edge requirements, and also containing a 20' wide vegetative perimeter buffer (as required by LDC Section 5.03.03.A.4) that meets the type "B" screening standards and will be provided on all property boundaries to meet LDC 6.06.04. Approximately 6.0 acres or approximately 50% of the site, will be used for open space, including the Scenic Edge and the Development Edges, which will 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 community space between the development sites, to provide for local community activities. 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 no waivers to the requirements of the LDC, but 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 Crossing 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 is located within a Residential C Future 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 Crossing PUD is designed as a facility for commercial and business uses to be developed within the overall Murabella Shopping area, just west of the intersection of State Road 16 with IGP and County Road 13A (Pacetti Road), directly on State Road 16. These uses will include construction of approximately 40,000 square feet of General and Neighborhood Business and Commercial Uses with generous open space and developments edges and buffers. 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. The significant amount of planned residential development in the area dictates a strong need for the uses that will be offered, as demonstrated by the latest "build-out" of the shopping center sites. 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 Development Edges) will meet these standards and objectives.

The project will not create "strip development" as it has been laid out to provide for a number of individual buildings, with separation between the buildings and open space along the SR 16 frontage. The site design provides for protection of the cemetery and the adjacent creek and wetlands. The project will provide adequate transition areas between the site and the adjacent school and residential use by providing the required Development Edge and maintaining the jurisdictional wetland area (with associated upland buffer) to provide additional buffering. Approximately 6.0 acres or about 50% of the site will be used for open space including the Scenic Edge and the Development Edges, as well as Community Space, 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 Crossing 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 Crossing PUD** reflects the vision in that it is designed to ensure a safe transition into and out of the area.

The **Mill Creek Crossing 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 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. As noted, the site plan will exceed the requirements for maintaining 25% open space and will set aside approximately 6.0 acres or almost 50% of the site for open space, including the Scenic Edge and Development Edge 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 Crossing 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 Residential A C 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 consisting of retail and office uses, which are compatible with the surrounding properties. It is consistent with Policy A.1.3.11. Compatibility, whereas the property provides buffers to adjacent land uses and along the major roadways and Policies 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) General Commercial and Policy A.1.11.1(d), Neighborhood Commercial that provides for commercial and business uses intended to serve the surrounding community with Neighborhood Commercial uses, which are allowable within the Residential C Future Land Use designation, if 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 is located wholly within the Residential C Future 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.1.3.11 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 has been 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, like the shopping center along SR 16 at IGP. The area currently has a mixture of large developing residential planned communities (St. Johns DRI and Silverleaf DRI) to the east and north and widely scattered residential located along State Road 16 and IGP to the north, west and south.

This property is located adjacent to an established shopping area at a major localized intersection and it is an ideal location to serve the area. The immediately surrounding land uses are Public to the north, Residential C to the west, Community Commercial to the south across SR 16, as well as Residential A, and Mixed Use across IGP. The land uses further out into the surrounding area are; Agriculture to the west and Residential A to the south and southeast, commercial to the east, and DRI designations further 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 OR to the north and west and to the southwest across SR 16, PUD and CG to the south and PUD to the east and southeast. The project will be substantially "buffered" from the school to the northeast and the rural area to the west, by maintenance of a significant parcel that includes the existing cemetery, and by the provision of the commercial use zoning and perimeter buffers which will occur within the Development Edges, and by the natural features surrounding the property (which include a significant wetland system along the within the western parcel. The site has also been designed so that the internal parking and activity areas are oriented to State Road 16, and blocked from the rear portion of the site by the buildings, landscaping and stormwater systems.

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 Residential A C 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.

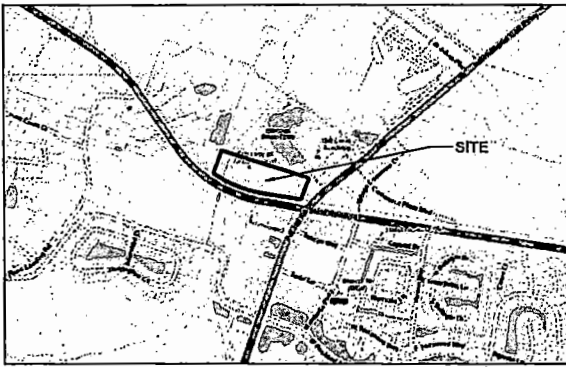
The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development 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 H.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.



SITE DEVELOPMENT TABLE:

PIN: 028690-0000

- OVERALL SITE = 12.3 ACRES
- UPLANDS = 10.16 ACRES
 - WETLANDS = 2.14 ACRES

DEVELOPMENT AREAS:

- DEVELOPMENT AREA A = 6.3 ACRES
- UPLANDS/CEMETERY = 3.6 ACRES
- UPLAND/WETLAND PRESERVATION = 2.7 ACRES
- DEVELOPMENT AREA B = 6.0 ACRES

BUILDINGS = 38,343 SF

- BUILDING B1 = 10,000 SF
- BUILDING B2 = 23,800 SF (11,950 SF/FLOOR)
- BUILDING B3 = 4,443 SF

SITE DEVELOPMENT CRITERIA:

- SETBACKS (FRONT, SIDE & REAR) = 20 FEET
- MAX. ISR = 70%
- MAX. FAR = 50%
- MAX. BLDG HEIGHT = 35 FEET
- SEPARATION BETWEEN BUILDINGS = 15 FEET

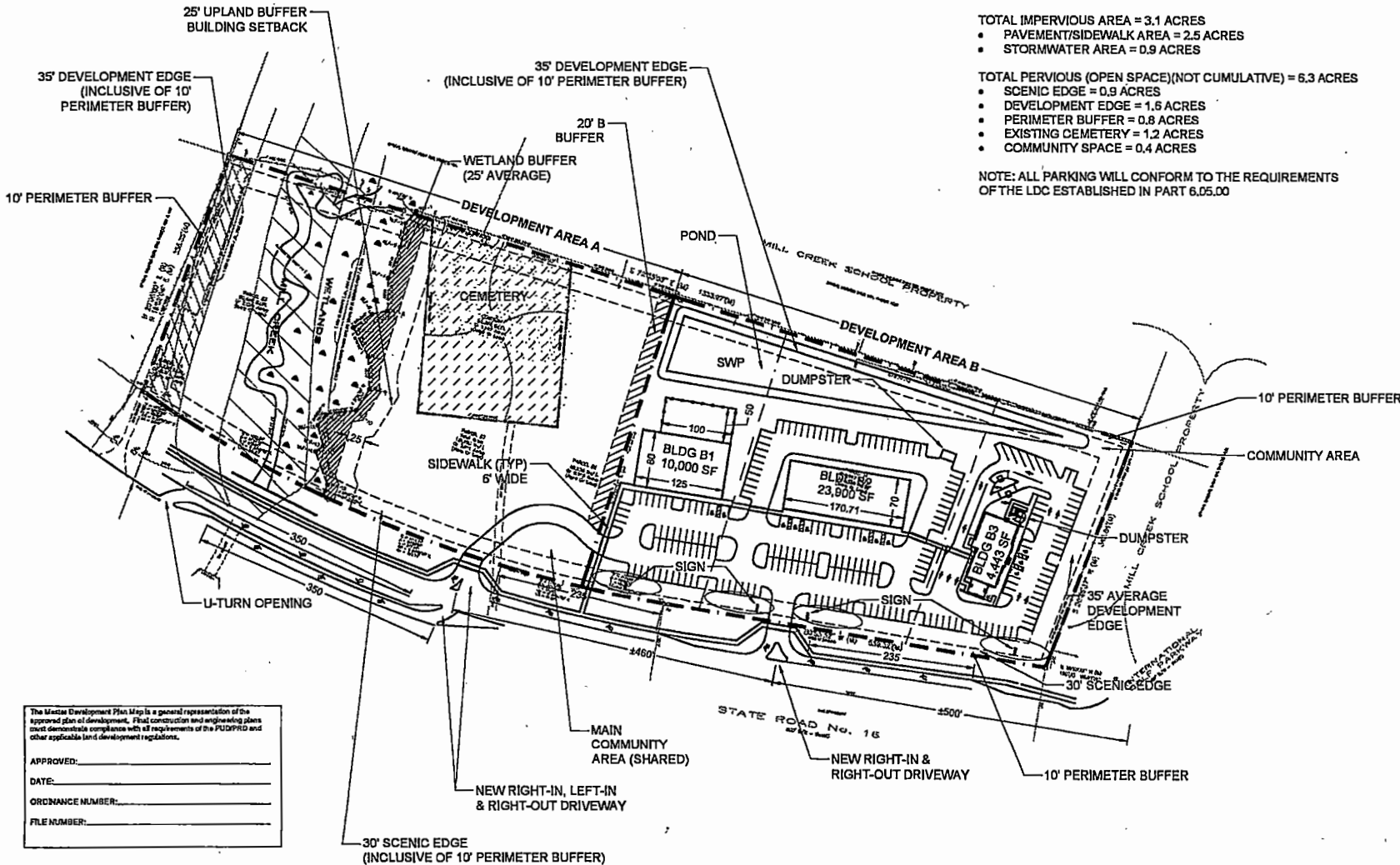
TOTAL IMPERVIOUS AREA = 3.1 ACRES

- PAVEMENT/SIDEWALK AREA = 2.5 ACRES
- STORMWATER AREA = 0.9 ACRES

TOTAL PVIOUS (OPEN SPACE)(NOT CUMULATIVE) = 6.3 ACRES

- SCENIC EDGE = 0.9 ACRES
- DEVELOPMENT EDGE = 1.6 ACRES
- PERIMETER BUFFER = 0.8 ACRES
- EXISTING CEMETERY = 1.2 ACRES
- COMMUNITY SPACE = 0.4 ACRES

NOTE: ALL PARKING WILL CONFORM TO THE REQUIREMENTS OF THE LDC ESTABLISHED IN PART 6.05.00



The Master Development Plan Map is a general representation of the approved plan of development. Final construction and engineering plans must demonstrate compliance with all requirements of the PUD/PRD and other applicable land development regulations.

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



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 12th DAY OF November 2021.

ST. JOHNS COUNTY CLERK OF COURT
 Office Clerk of the Board of County Commissioners
 Dr. Luanne King DC.

ISSUE/DESCRIPTION	DATE
Application	07/12/2021

EXHIBIT C
 Master Development Plan
 MDP

THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003372108-01
PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says 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 **SA Legal Classified** in the matter of **PUD 2020-12** was published in said newspaper on **08/20/2021**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in 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, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

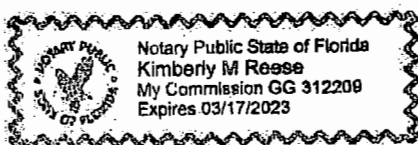
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of **AUG 20 2021**

by *Melissa Rhinehart* who is personally known to me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 9/16/2021 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 10/19/2021 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a request to rezone approximately 12.34 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to accommodate up to 40,000 square feet of commercial/retail space.

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 Northwest corner of SR 16, International Golf Pkwy intersection. 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.

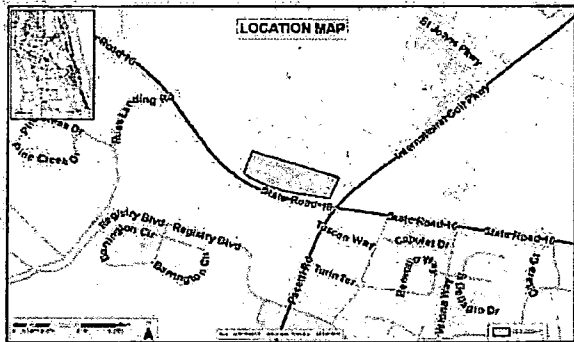
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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 BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR JEREMIAH R. BLOCKER, CHAIR
FILE NUMBER: PUD-2020-12
PROJECT NAME: Mill Creek Crossing



ED-0003372109-01

August 20, 2021



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 22, 2021

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2021-78, which was filed in this office on October 21, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED **OCT 21 2021**
ST. JOHNS COUNTY
CLERK OF COURT.
BY: Yvonne King
DEPUTY CLERK