

ORDINANCE NO. 2023 -

23

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE DEERPARK COMMERCE CENTER PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 2005-91, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the development of lands within this Major Modification shall proceed in accordance with the application dated January 19, 2023, in addition to the supporting documents and statements from the applicant **which are a part of file MAJMOD 2023-01 Deerpark Commerce Center PUD (fka St. Augustine 500,000 SF Warehouse PUD)**, for an amendment to the Deerpark Commerce Center Planned Unit Development, Ordinance Number 2005-91, as amended, and as approved by the Board of County Commissioners, and incorporated into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below special provisions of this Ordinance, the below described provisions shall prevail.

**SECTION 1.** That development of lands within the Deerpark Commerce Center PUD, described in the attached Exhibit "A" (Legal), shall proceed in accordance with Ordinance Number 2005-91, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibit "B" (MDP Text) and Exhibit "C" (MDP Map).

**SECTION 2.** That the need and justification for modification of the Deerpark Commerce Center PUD has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Deerpark Commerce Center PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Deerpark Commerce Center 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 Deerpark Commerce Center PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Text and Map for the Deerpark Commerce Center PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Deerpark Commerce Center PUD is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.

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

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

**SECTION 5.** It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

**SECTION 6.** That the terms of this modification to the Deerpark Commerce Center PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

**SECTION 7.** 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 20th DAY OF June 2023.**

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

BY: \_\_\_\_\_

  
Christian Whitehurst, Chair

Rendition Date JUN 20 2023

**ATTEST: Brandon J. Patty,  
Clerk of the Circuit Court & Comptroller**

BY: \_\_\_\_\_

  
Deputy Clerk

Effective Date: \_\_\_\_\_

JUN 22 2023



## EXHIBIT A

### Legal Description

#### St. Augustine 500,000 SF Warehouse PUD – Major Modification

A portion of Sections 4 and 9, Township 8 South, Range 29 East, St. Johns County, Florida, together with the North 50 feet of Lot 11 and the South 100 feet of Lot 13, St. Augustine Industrial Park Phase 3, as depicted on the plat thereof, recorded in Map Book 42, pages 65 through 73, of the Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Southwest corner of Lot 10, said St. Augustine Industrial Park Phase 3; thence South  $89^{\circ}16'21''$  East, along the Southerly line of said Lot 10, a distance of 342.56 feet; thence North  $88^{\circ}12'37''$  East, continuing along said Southerly line, 648.99 feet to the Southeast corner thereof, said corner lying on the Westerly limited access right of way line of Interstate No. 95, a variable width limited access right of way per Florida Department of Transportation Right of Way Map Section No. 78080-2405; thence South  $23^{\circ}08'29''$  East, along said Westerly limited access right of way line, 1513.92 feet; thence South  $12^{\circ}04'57''$  East, continuing along said Westerly limited access right of way line, 546.09 feet to the Northeast corner of those lands described and recorded in Official Records Book 5157, page 334, of said Public Records; thence South  $84^{\circ}14'35''$  West, along the Northerly line thereof, 1046.15 feet to the Northwest corner thereof, said corner lying on the Easterly line of those lands described and recorded in Official Records Book 4360, page 735, of said Public Records; thence North  $12^{\circ}34'11''$  West, along said Easterly line, 340.00 feet to the Northeast corner thereof; thence South  $89^{\circ}42'33''$  West, along the Northerly line thereof, 265.26 feet to the Northwest corner thereof, said corner lying on the Easterly line of said St. Augustine Industrial Park Phase 3; thence North  $00^{\circ}32'45''$  West, along last said Easterly line, 297.86 feet; thence North  $01^{\circ}02'12''$  East, continuing along said Easterly line, 165.41 feet to the Southeast corner of said Lot 13; thence North  $89^{\circ}16'21''$  West, departing said Easterly line and along the Southerly line of said Lot 13, a distance of, 335.98 feet to the Southwest corner thereof, said corner lying on the Easterly right of way line of Deerpark Boulevard, a 100 foot right of way as presently established; thence North  $00^{\circ}43'39''$  East, along said Easterly right of way line, 100.00 feet to the Northwest corner of said South 100 feet of Lot 13; thence South  $89^{\circ}16'21''$  East, departing said Easterly right of way line and along the Northerly line of said South 100 feet of Lot 13, a distance of 336.52 feet to the Northeast corner thereof, said corner lying on said Easterly line of St. Augustine Industrial Park Phase 3; thence North  $01^{\circ}02'12''$  East, along last said Easterly line, 1067.23 feet to the Southeast corner of said North 50 feet of Lot 11; thence North  $89^{\circ}16'21''$  West, departing said Easterly line and along the Southerly line of said North 50 feet of Lot 11, a distance of 342.29 feet to the Southwest corner thereof, said corner lying on said Easterly right of way line of Deerpark Boulevard; thence North  $00^{\circ}43'39''$  East, along said Easterly right of way line, 50.00 feet to the Point of Beginning.

LESS and EXCEPT the North 50 feet of Lot 11 and the South 100 feet of Lot 13, St. Augustine Industrial Park Phase 3, as depicted on the plat thereof, recorded in Map Book 42, pages 65 through 73, of the Public Records of said county.

Less all Exceptions, containing 46.48 acres, more or less.

EXHIBIT "B"

Deerpark Commerce Center Planned Unit Development  
(f/k/a St. Augustine 500,000 SF Warehouse PUD)

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St. Johns County, Florida

January 24, 2023  
Revised April 4, 2023  
Revised April 24, 2023  
Revised May 19, 2023

## **Team Roster**

### **Owner:**

Deerpark Industrial Venture, LLC  
David Burch, Esq, Charles Margiotta  
820 A1A North, Suite E21  
Ponte Vedra Beach, Florida 32082

### **Applicant:**

Stotan Industrial, LLC  
Jim McGill  
9550 W. Higgins, Suite 910  
Rosemont, Illinois 60018

### **Civil Engineering/Traffic:**

Jenny Urcan, PE  
BGE, Inc.  
10151 Deerwood Park Boulevard, Building 200, Suite 200  
Jacksonville, Florida 32256

### **Legal:**

Rogers Towers, P.A.  
Ellen Avery-Smith, Esq.  
100 Whetstone Place, Suite 200  
St. Augustine, Florida 32086  
(904) 824-0879

### **Exhibit List:**

Exhibit "A" – Legal Description of the Property  
Exhibit "B" – Master Development Plan Text  
Exhibit "C" – Master Development Plan

## EXHIBIT "B"

### MASTER DEVELOPMENT PLAN TEXT

This Master Development Plan text is part of an application for a Major Modification (the "**Application**") to Deerpark Commerce Center Planned Unit Development, formerly known as the St. Augustine 500,000 SF Warehouse Planned Unit Development, as approved under St. Johns County Ordinance No. 2005-91, as modified by St. Johns County Ordinance Nos. 2015-76 2022-28 (the "**Original PUD**"), in compliance with Section 5.03.02G.1 of the St. Johns County Land Development Code (the "**LDC**" or "**Code**"). This application is filed on behalf of the contract purchaser, Stotan Industrial, LLC, for the proposed relocation of the KeHE Distribution facility and other uses permitted herein (the "**Applicant**"). As used herein, the term "Developer" shall mean one or more entities that undertake portions or all of the development within the PUD.

#### **a. General Description**

The purpose of the application is to revise the Original PUD text and Master Development Plan Map (the "**MDP Map**") to allow for a maximum of 545,000 of light industrial, warehousing, office and other related uses, as set forth more fully in Section f hereof, in the locations depicted on the MDP Map, attached as Exhibit "C" to the PUD Ordinance, and to update the PUD phasing dates based on extensions pursuant to Section 252.363, Florida Statutes.

The proposed Deerpark Commerce Center Planned Unit Development ("**PUD**" or "**Project**") is located on approximately 46.48 acres off Deerpark Boulevard, west of Interstate 95 ("**I-95**") and north of State Road 207 in unincorporated St. Johns County, Florida, being described in Exhibit "A" to the PUD Ordinance (the "**Property**"). The Property has St. Johns County Parcel Identification Numbers 136320-0000, 136385-0000 and 136386-0000. The Original PUD provides for construction of up to 501,800 square feet of Light Industrial uses. The site is presently vacant, has been used for silviculture practices in the past and has been harvested for timber.

The Property has a Future Land Use Map ("**FLUM**") classification of Mixed Use District. The Mixed Use District designation allows a maximum impervious surface ratio of 75 percent and maximum floor area ratio of 70 percent. The Applicant anticipates that the following uses may exist from time to time in the proposed PUD: warehousing, storage and/or distribution center (including freezer, refrigeration and ambient warehousing space); production, packaging and assembly plant; light manufacturing; and related office uses.

The surrounding zoning classifications of the project are the Travel Center at SR 207 Planned Unit Development f/k/a Phase 3 of the Graham and Company PUD (Ordinance No. 2019-6) and Phase 2 of the Graham and Company PUD (Ordinance Nos. 2007-5 and 2015-73) to the south, the St. Augustine Industrial Park PUD (Ordinance No. 2007-4) to the west and north, and Interstate 95 to the east. All of the surrounding FLUM designations are Mixed Use District (to the east, west and south) and Industrial (to the north). Thus, the PUD will provide infill industrial development within this portion of St. Johns County.

The design for the PUD may implement Low Impact Development principles in common landscaped areas, with such principles including planting native vegetation and using bio-swales to collect localized stormwater runoff. It is anticipated that the design, character and architectural style of the development, as outlined above, will result in a unified, cohesive and compatible plan of development that will serve as an asset to the County.

Project benefits include provision of a maximum of 545,000 square feet of light industrial and professional office space to provide much-needed light industrial areas to attract and/or retain warehousing and distribution centers such as KeHE Distribution in St. Johns County, which will create jobs for residents and increase the County's non-residential tax base and contribute property, sales and other taxes to St. Johns County.

**b. Total Acreage**

The total number of acres included in the PUD is approximately 46.48 acres.

**c. Wetland Acreage**

The total number of wetland acres included in the PUD boundary is approximately 22.73. Wetlands will be delineated pursuant to requirements of the St. Johns River Water Management District ("**District**") and Florida Department of Environmental Protection ("**FDEP**"), and any proposed wetland impacts will be permitted by the District and FDEP. The current owner of the Property has obtained permits from state and federal agencies to impact approximately 11.67 acres of wetlands on the site, pursuant to Ordinance No. 2022-28. An additional approximately 1.38 acres of wetlands will be impacted, subject to District and FDEP approvals, to construct the additional drive aisle to the south end of the building. Because of this, the acreages for wetland preservation and wetland impacts in this PUD text and on the MDP Map are approximate.

**d. Development Area**

The total site area is approximately 46.48 acres, as described in Exhibit "A". Anticipated wetland impacts for the Project are illustrated on the MDP Map. The Developer intends to impact approximately 13.05 acres of the existing wetlands. Therefore, the total amount of development area is approximately 36.8 acres, including approximately 13.05 acres of proposed wetland impacts. The wetland preserved by the proposed PUD is approximately 9.68 acres. The approximate boundaries of wetlands to be impacted and preserved is subject to final approval by the applicable regulatory agencies, including the District and FDEP. The wetlands to be preserved represent the highest functional quality wetlands on site.

**e. Residential Density**

Not applicable.

**f. Intensity of Non-Residential Development**

The Project may contain up to a maximum of 545,000 square feet of warehousing, storage and/or distribution center (including freezer, refrigeration and ambient warehousing space); production, packaging and assembly plant; light manufacturing; and related office uses.

**g. Setbacks, Parking, Signs and Height**

Setbacks: The minimum building setback along the rear yard/eastern property line shall be 20 feet. The minimum building setback for side yards (southern and northern property lines) shall be 20 feet. The minimum building setback from the front yard/western property line shall be 20 feet.

Building Height: The structures within the PUD may be a maximum of 53 feet in height. For the purposes of this PUD, the term “**Building Height**” shall be defined as the vertical distance measured from the finished floor elevation of the building slab to the peak of the roof. Provisions of LDC Section 6.07.02 shall apply. Any structure over 35 feet in height will be protected with an automatic fire sprinkler system and installed in accordance with the latest edition adopted by the Florida Fire Prevention Code, NFPA 13 and LDC Table 6.01. See **Section T** for waiver.

Parking: Appropriate parking spaces will be provided per industrial and office use requirements as set forth in LDC Table 6.17.

Signage: The Applicant is proposing two (2) identification signs at each entrance to the facility along Deerpark Boulevard. Each sign will be a free-standing monument sign consisting of a maximum of 32 square feet, with a low intensity flood light at night. The proposed lighting will comply with LDC Article 7. The proposed signs will be located outside the Deerpark Boulevard right-of-way. Other signs within the facility would be used to direct traffic and identify loading bays. The standard traffic regulatory signs will be required within the development. All signs will conform to LDC Article VII.

Lighting: Project lighting will comply with the provisions of LDC Section 5.03.06.H.6.

**h. Infrastructure**

The infrastructure necessary to service the proposed project consists of power service, telephone service, potable water service, sanitary sewer service, and connection to the public thoroughfares. All of the required utility services, including a central sewer collection system and a central water distribution system, are available in close proximity to the Property. The utility service lines will be run along the access road, thereby minimizing impacts to the existing wetlands.

Drainage: Stormwater management facilities will be constructed on-site and will be designed in compliance with the Code in effect at the time of permitting and with applicable rules of the District. All necessary permits will be acquired and construction plans approved prior to the commencement of any construction. Due to the location of the seasonal high ground water table, the Applicant anticipate utilizing a wet retention/detention stormwater management system. The system outfall will mimic the historic outfall for this watershed. After the required treatment, stormwater run-off will be discharged to the existing wetlands as surface flow. The locations of the stormwater management areas are shown on the MDP Map. For the most part, the stormwater management areas abut the existing wetlands. On-site stormwater ponds will be utilized for dry or wet stormwater storage.



Access: Vehicular access to the facility will be provided from Deerpark Boulevard via two private roadways, as depicted on the MDP Map. The proposed access roadways will cross existing wetlands, in the locations depicted on the MDP Map. The proposed facility is a private business, so pedestrian access is not encouraged. A five (5)-foot-wide sidewalk along the main entrance road (to the vehicular parking area) is being provided, as depicted on the MDP Map. The internal vehicular access areas are shown as vehicular use areas on the MDP Map. The area provides for the required semi tractor-trailer turning movements necessary for a facility of this type. New or expanded thoroughfares or public rights-of-way will not be required for the proposed development. Interconnectivity with adjacent properties will be provided on the western side of the Property, as depicted on the MDP Map, which provides direct access from Deerpark Boulevard. Access to the property south of the proposed PUD on the east side of the wetlands will not be provided due to the fact that the proposed facility is a private business and an access point in this area would promote the mixing of general automobile traffic in an area used for maneuvering semi-tractor trailers into loading bays. Fire and rescue access will be provided at this facility in accordance with the Code, including the construction of a fire access loop road as shown on the MDP Map.

Within 30 days following the County Commission's approval of this application (MAJMOD 2023-01), the Applicant shall submit a traffic study (the "**Traffic Study**") conducted by a professional transportation engineer to determine whether a traffic signal or other intersection control is needed at the intersection of State Road 207 and Deerpark Boulevard. The Traffic Study shall be submitted to and subject to review and approval by the County and the Florida Department of Transportation ("**FDOT**"). The County and FDOT shall timely notify the Applicant if a traffic signal or other intersection control is warranted and also if an intersection control evaluation ("**ICE**") analysis is required for the intersection. If an ICE analysis is required, the Applicant shall submit such analysis to the County and FDOT prior to the County's approval of a building permit for a new structure within the Property. If the ICE analysis determines that a traffic signal or other intersection control is needed at the intersection of Deerpark Boulevard and State Road 207, then prior to the County's approval of a certificate of occupancy for a new structure on the Property, the Applicant shall post with FDOT a performance bond to secure the Applicant's design, permitting and construction of such traffic signal or other intersection control.

Parks and Recreation: Recreational infrastructure will not be impacted by the proposed PUD, since its users are not residential.

Water and Sewer: Water service for the proposed facility will be provided through the existing 12-inch water main that is located along the west right-of-way of Deerpark Boulevard. The Developer will work with the St. Johns County Utility Department ("**SJCUD**") to install a parallel water main that will be looped to the existing 12-inch water main. The new water main will be sized as necessary to meet the fire flow requirements of the proposed development.

Potable water service will be provided by the SJCUD. Sanitary sewer service will be provided to the proposed facility via existing gravity mains and force mains within the Deerpark Boulevard right-of-way. The Developer intends to manifold into the existing force main located in the vicinity of the proposed access road connection. The existing force main runs south to a terminal manhole on the existing central sanitary sewer gravity system which is located in the Deerpark

Boulevard right-of-way north of State Road 207. Sanitary sewer service will be provided by the SJCUD.

Fire Protection: Fire protection will be provided in accordance with latest edition of the Florida Fire Prevention Code and applicable Code provisions.

Solid Waste: Solid waste will be handled by the licensed franchisee in the area. Dumpster screening will be consistent with LDC Section 6.06.04.B.8.

Open Space: The Project will provide a minimum of 25 percent open space, pursuant to LDC Section 5.03.03.A.1. There are approximately 22.73 acres of wetland within the Property, and approximately 9.68 acres of such wetland will be preserved, subject to confirmation by the applicable regulatory agencies. A minimum of four (4) percent of upland natural vegetation, not including Significant Natural Communities Habitat, will be provided in compliance with the waiver from LDC Section 5.03.03.A.3. as provided in Section t below.

**i. Water and Sewer Use**

Water and sewer services will be obtained from the SJCUD via central utility systems. All on-site utilities will be public. Water and sewer lines that are to be dedicated to the SJCUD for ownership that are not located in public right-of-way shall require an easement/restoration agreement. All utility construction shall be designed in accordance with SJCUD standards.

All utility construction projects are subject to 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 to minimize impact to the existing infrastructure or to the existing level of service. Water, sewer and/or reuse lines that are to be dedicated to the SJCUD 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 water, reuse and/or sewer pressurized mains unless otherwise approved by SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

**j. Soils**

The SCS Soil Survey for St. Johns County, Florida, indicates that three types of underlying soils are present within the PUD boundary. Of the three soil types, one is confined to the wetlands, which are not slated for development. This soil type is Soil Map Unit 30-Wesconnett fine sand, frequently flooded. The soils underlying the portions of this Property slated for development are Soil Map Unit 3-Mayakka fine sand and 13-St. Johns fine sand. The SCS indicates that both these soil types display severe wetness attributes. Building and site development construction may require dewatering or site fill for foundation and roadway construction.

A copy of the soils map prepared by the Project's environmental consultant, Carter Environmental Services ("CES"), reflecting the soils within the Project has been submitted to the County in connection with this Application.

**k. Land Use Cover and Classification**

In accordance with the Level III classification of the Florida Land Use Cover Form Classification System “(FLUCFCS)”, the proposed development area consists of four (4) types of land use and cover classifications as identified in the Environmental Site Assessment as follows: Hardwood-Conifer Mix (FLUCFCS 434), Pine Plantation (FLUCFCS 441), Hydric Pine Savanna (FLUCFCS 626), and Wetland Forested Mixed (FLUCFCS 630). The Project Environmental Site Assessment has been provided to County staff with this application.

**l. Significant Natural Communities Habitat**

There does not appear to be, to any known extent, Significant Natural Communities Habitat within the PUD boundary. The Property has been used for silviculture practices in the past and has been harvested for timber. Currently the Property is planted in pine. Usually, this type of silviculture activity precludes the development of Significant Natural Communities Habitat. No listed species were observed with in the property. The Project Environmental Report has been provided to County staff in connection with this application.

**m. Historic Resources**

There are no known or observed Historic Resources, as defined in the Code, located within the Property. A Cultural Resources Assessment Survey of the Property has been conducted by Heritage Cultural Services, LLC and has been submitted to County staff in connection with this application.

**n. Buffering and Landscaping**

The buffering proposed as a part of this PUD is shown on the MDP Map. The Applicant shall provide a ten (10)-foot perimeter buffer with screening, as required by LDC Section 5.03.03.A.4. An averaged 25-foot natural vegetative upland buffer and an additional 25-foot building setback to the buffer are provided adjacent to contiguous wetlands, consistent with LDC Section 4.01.06.B. All landscaping, tree removal and tree protection shall be in compliance with the Code in effect at the time of construction plan submittal.

**o. Special Districts**

Not applicable.

**p. Temporary Uses**

During the construction period, construction trailers, temporary signage and temporary access will be required on-site. Construction trailers for the storing of materials and tools may also need to be deployed to the construction site. The location of these uses will be depicted on construction plans. During the construction process some construction materials may need to be stockpiled on-site from time to time. Temporary construction signs will be used to identify the construction project and to post a no trespassing warning together with the current laws against vandalizing or stealing from construction sites, in conformance with LDC Section 7.02.03.

Temporary uses shall be allowed within the PUD, as set forth in LDC Section 2.02.05.A. Temporary uses may include, but are not limited to the following:

- Construction Manufactured/Modular Buildings;
- Outdoor storage of Construction or Development materials/equipment; and
- Other similar uses

**q. Accessory Uses**

There are no accessory uses proposed as a part of this PUD. The proposed warehouse facility has a low security environment. Fencing is not proposed along the perimeter of the Property; provided, however, the Developer may install six (6)-foot perimeter fencing at its option, which fencing shall not be located in any upland buffer. A fence line exists along the eastern boundary of the Property, which abuts Interstate 95. Screening of mechanical equipment located on the ground and/or rooftop will be in compliance with LDC Section 6.06.04.B.9.

**r. Phasing Schedule**

The Deerpark Commerce Center PUD shall be developed in one (1), ten (10) year phase. Construction shall commence by November 29, 2028.<sup>1</sup> For purposes of this PUD, “commencement” shall mean securing approved construction drawings. “Completion” shall be defined as the installation of horizontal infrastructure and St. Johns County approval of as-builts.

**s. Impact of Project**

The Property has a Comprehensive Plan FLUM designation of Mixed Use District, which allows for the types of uses included with this application. The Comprehensive Plan encourages a mixed use development within Mixed Use District areas, pursuant to Objective A.1.9, which states “The County shall provide a mixture of land uses within designated Mixed Use Districts to encourage large concentrations of commercial, office, light industrial, residential, recreation and cultural facilities at a scale which is capable of serving large segments of the County and region.” Policy A.1.9.3 encourages a mixture of uses within Mixed Use District development parcels 40 acres and larger, with each use comprising at least 10 percent of the developable land within the project. That policy continues by stating that “While the County requires a mixture of uses on 40 acres or greater, the County recognizes that not all development sites and project may be appropriate for mixed use development, in such cases, the County may consider a single use project on 40 acres or greater.”

The overall area is ideally suited to this type of development and this tract is suitable in character and location for the structure and uses proposed. It has access to major roadways.

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<sup>1</sup> Pursuant to Ordinance No. 2022-28, construction had to commence within five (5) years of PUD Ordinance approval, which was April 8, 2022. The phasing has been extended as a result of the legislative extensions provided under Section 252.363, Florida Statutes, and Executive Order 22-219, as extended, for Hurricane Ian and Executive Order 22-253, as extended, for Hurricane Nicole.

The net result from the development of the proposed PUD will be a positive impact on St. Johns County. The proposed PUD will add revenue to the County's tax base. Additionally, the constructed facility will bring new jobs to the area. The proximity of the proposed facility to both the manufacturing plant and the Interstate system will help to off-load existing trips on thoroughfares throughout the region. This is evident when considering the fact that the proposed facility represents the consolidation of three existing warehouse/distribution centers.

As described, the proposed uses of the PUD are compatible with the surrounding zoning and Comprehensive Plan future land use designation, as well as the overall trend of the area. Development of the Property is consistent with the St. Johns County Comprehensive Plan.

The proposed PUD will enable a Light Industrial and Professional and Office Uses, which will act as a good transition/buffer between the Interstate and the more intense industrial uses that are allowed in the Mixed Use FLUM category. Further justification, for the approval of the proposed PUD can be found in the fact that the proposed facility is not being constructed based on speculation.

The proposed PUD will be a benefit to the future occupants of the PUD and to the residents of St. Johns County in that the County will be afforded strict control over development of this project. The PUD will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood and will accomplish the objectives, standards and criteria set forth in the Code.

Therefore, the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area.

**t. Waiver**

The following waivers shall apply to the Property:

1. **LDC Section 5.03.03.A.3. Upland Natural Vegetation.** The Property was rezoned to from Open Rural to Planned Unit Development (PUD) in 2005 (St. Johns County Ordinance 2005-91). Commercial construction plans were approved in 2005 to develop 500,000 square feet of industrial use with four (4) acres of open area (St. Johns County Development Permit COMM 2005-127). Compliance with LDC Section 5.03.03.A.3, in effect for both the PUD and construction plan approval was determined through the four (4) acres of open area, which included the upland buffers associated with the on-site wetland preservation. Due to the permit history and the existing conditions of the site, which has been timbered in upland areas, the Applicant is requesting a waiver from LDC Section 5.03.03.A.3, which requires the project will provide a minimum of five percent (5%) conservation of upland natural vegetation, not including Significant Natural Communities Habitat within the Project. The Project will instead provide a minimum of four (4) percent of upland natural vegetation in addition to the approximately 9.68 acres of preserved wetlands.

2. **LDC Part 12.01.00 Definition of Height of a Building.** For the purposes of this PUD, building height shall be measured starting from the finished floor elevation of the building slab, instead of from the established grade surrounding the perimeter of the building. The highest point of the building will be measured to the top of the roof, as required by the Code. This waiver is necessary because industrial buildings have truck loading bays, which are sometimes constructed below the finished floor elevation of the building.

**u. Binding Successors and Assigns**

The Applicant, its successors and or assigns, hereby agree and stipulate 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 (including its successors and/or assigns) 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.”

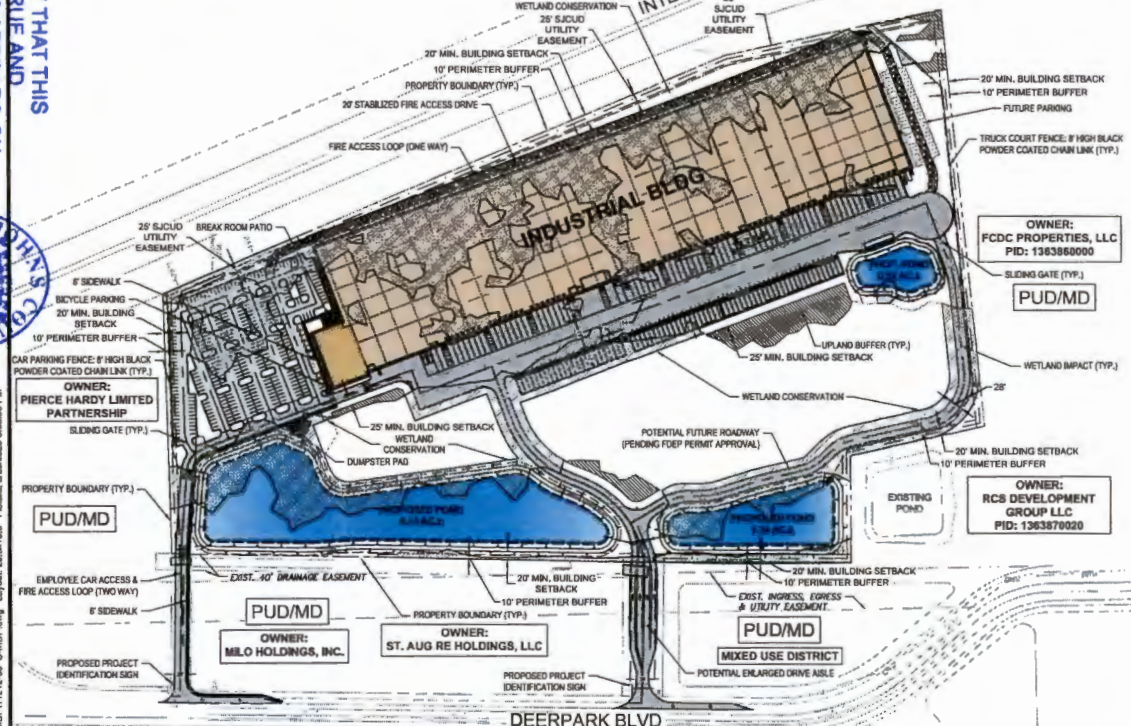
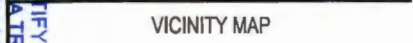
All roads, drainage facilities and common areas, located within the PUD for the common use and benefit of all property owners, shall initially be constructed, owned and maintained by the Applicant, its successors and/or assigns. The site shall be maintained in a clean and orderly manner in accordance with all provisions of this PUD and conditions included within the adopting Ordinance. Legal documents and agreements for common ownership by property owners and/or a property association, shall meet the requirements of the Code in effect at the time of establishment.

**v. Land Use Designations**

The Property is located within the Mixed Use District designation on the 2025 Future Land Use Map of the St. Johns County Comprehensive Plan.

By: *Crystal Swift*, Deputy Clerk

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 20 DAY OF March 2023  
 ST. JOHNS COUNTY CLERK OF COURT  
 Ex-Officio Clerk of the Board of County Commissioners



**LEGEND**

- PUD/MD = ZONING / FUTURE LAND USE
- [Symbol] = WETLAND IMPACT
- [Symbol] = WETLAND CONSERVATION
- [Symbol] = UPLAND BUFFER

**NOTE**

WETLAND IMPACT, WETLAND PRESERVATION & UPLAND BUFFER AREAS DEPICTED ARE APPROXIMATE AND SUBJECT TO SURVEY AND FDEP PERMITTING.

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/MD and other applicable land development regulations.

APPROVED: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 ORDINANCE NUMBER: \_\_\_\_\_  
 FILE NUMBER: \_\_\_\_\_

**LEGAL DESCRIPTION**  
 St. Augustine 500,000 SF Wetlands PUD - Major Modification

A portion of Sections 4 and 9, Township 15 South, Range 29 East, St. Johns County, Florida, together with the North 50 feet of Lot 11 and the South 100 feet of Lot 13, St. Augustine Industrial Park Phase 3, as depicted on the plat thereof, recorded in Map Books 42, pages 65 through 73, of the Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Southwest corner of Lot 10, said St. Augustine Industrial Park Phase 3; thence South 89°18'21" East, along the Southerly line of said Lot 10, a distance of 342.56 feet; thence North 88°12'37" East, continuing along said Southerly line, 648.99 feet to the Southeast corner thereof, said corner lying on the Westerly line of said Section No. 9, a variable width limited access right of way per Florida Department of Transportation Right of Way Map Section No. 7808-2485; thence South 22°02'27" East, along said Westerly limited access right of way line, 1513.92 feet; thence South 12°04'27" East, continuing along said Westerly limited access right of way line, 548.09 feet to the Northwest corner of these lands described and recorded in Official Records Book 5157, page 124, of said Public Records; thence South 84°42'33" West, along the Northerly line thereof, 1846.15 feet to the Northwest corner thereof, said corner lying on the Easterly line of these lands described and recorded in Official Records Book 4360, page 73, of said Public Records; thence North 12°34'11" West, along said Westerly line, 340.00 feet to the Northwest corner thereof, thence South 89°42'23" West, along the Northerly line thereof, 265.26 feet to the Northwest corner thereof, said corner lying on the Easterly line of said St. Augustine Industrial Park Phase 3; thence North 00°32'45" West, along said Westerly line, 297.86 feet; thence North 01°02'12" East, continuing along said Easterly line, 142.41 feet to the Southeast corner of said Lot 13; thence North 89°18'21" West, departing said Easterly line and along the Southerly line of said Lot 13, a distance of 335.98 feet to the Southeast corner thereof, said corner lying on the Easterly right of way line of Deerpark Boulevard, a 100 foot right of way as presently established; thence North 00°43'39" East, along said Easterly right of way line, 100.00 feet to the Northwest corner of said South 100 feet of Lot 13; thence South 89°18'21" East, departing said Easterly right of way line and along the Northerly line of said South 100 feet of Lot 13, a distance of 136.53 feet to the Northwest corner thereof, said corner lying on said Easterly line of St. Augustine Industrial Park Phase 3; thence North 01°02'12" East, along said Easterly line, 1067.23 feet to the Southeast corner of said North 50 feet of Lot 11; thence North 89°18'21" West, departing said Easterly line and along the Southerly line of said North 50 feet of Lot 11, a distance of 342.29 feet to the Southwest corner thereof, said corner lying on said Easterly right of way line of Deerpark Boulevard; thence North 00°43'39" East, along said Easterly right of way line, 50.00 feet to the Point of Beginning.

LESS AND EXCEPT the North 50 feet of Lot 11 and the South 100 feet of Lot 13, St. Augustine Industrial Park Phase 3, as depicted on the plat thereof, recorded in Map Books 42, pages 65 through 73, of the Public Records of said county.

Less All Easements, containing 48.48 acres, more or less.

**GENERAL SITE DATA**

ADDRESS:	3600 DEERPARK BLVD
CITY / COUNTY	ST. JOHNS COUNTY
PARCEL ID'S	1363860000, 1363860000, 1363200000
TOTAL SITE AREA	48.48 Ac
MAX. TOTAL BUILDING AREA	845,000 SF
TOTAL OPEN SPACE	28% MIN.
UPLAND PRESERVATION	0.93 Ac
UPLAND BUFFER	0.82 Ac
UPLAND NAT. VEGETATION (4.0%)	1.88 Ac
SIGNIFICANT NATURAL HABITAT	0.0 Ac
TOTAL WETLANDS	22.73 Ac
MAX. IMPACTED WETLANDS	13.06 Ac
WETLAND CONSERVATION	6.88 Ac
TOTAL CONSERVATION	11.07 Ac
FEMA FLOOD ZONE	ZONE X
ZONING	PUD
FUTURE LAND USE	MIXED USE DISTRICT
IMPERVIOUS SURFACE RATIO (ISR)	75% MAX.
FLOOR AREA RATIO (FAR)	70% MAX.
NUMBER OF BUILDINGS	1
MAX STRUCTURE HEIGHT	6'
PHASES	1

**SETBACKS / LANDSCAPE BUFFERS**

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT	20'	20'
SIDE	20'	20'
REAR	25'	20'

**LANDSCAPE BUFFERS**

LANDSCAPE BUFFERS	REQUIRED	PROVIDED
NORTH	10'	10'
SOUTH	10'	10'
EAST	10'	10'
WEST	10'	10'

**PARKING**

	REQUIRED	PROVIDED
TRAILER SPACES	N/A	(12' x 55') 88
TRAILER SPACES	N/A	(14' x 55') 88
STANDARD SPACES	234	308 (*)
HANDICAP SPACES	7	10 (*)
TOTAL SPACES	241	408 (*)
BICYCLE PARKING	NONE	4

(\*) - FUTURE PARKING INCLUDED

**UTILITIES**

POTABLE WATER	SJCUO
RECLAIM WATER	SJCUO
SANITARY SEWER	SJCUO
ELECTRICAL	FPL
NATURAL GAS	TECO



**BGE, Inc.**  
 10151 Deerwood Park Boulevard  
 Building 200, Suite 200  
 Jacksonville, FL 32256  
 Tel: 904-990-0383  
 www.bgeinc.com  
 FL Registry No. 32116

Scale: 1" = 200'

DATE	APP.	DESCRIPTION

**DEERPARK COMMERCE CENTER FOR DEERPARK INDUSTRIAL VENTURE, LLC EXHIBIT C MASTER DEVELOPMENT PLAN**

Professional Engineer Seal for Jennifer B. Urcan, State of Florida, License No. 74564.

FL PER: JENNIFER B. URCAN  
 SEAL DATE: MAY 24, 2023

DESIGNED BY: MB DRAWN BY: MB  
 REVIEWED BY: JSU PROJECT NUMBER: 11212.00

MDP-1

# LOCALiQ FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION


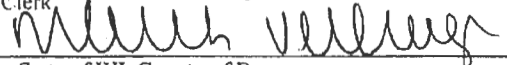
Ellen Avery-Smith  
ELLEN AVERY-SMITH  
100 Whetstone PL # 200  
Saint Augustine FL 32086-5775

STATE OF FLORIDA, COUNTY OF ST JOHNS

The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

05/04/2023

and that the fees charged are legal.  
Sworn to and subscribed before on 05/04/2023

  
 \_\_\_\_\_  
 Legal Clerk  
  
 \_\_\_\_\_  
 Notary, State of WI, County of Brown  
 8.25.26

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*Please do not use this form for payment remittance.*

MARIAH VERHAGEN  
Notary Public  
State of Wisconsin



**NOTICE OF A PROPOSED MAJOR MODIFICATION**

NOTICE IS HEREBY GIVEN that a public hearing will be held on 5/18/2023 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 6/20/2023 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 for a Major Modification to the Deerpark Commerce Center PUD (Ord. 2005-91, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map.

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE DEERPARK COMMERCE CENTER PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 2005-91, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

The subject property is located at 3800 Deerpark Blvd and includes the two unaddressed lots to the north. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Division 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.

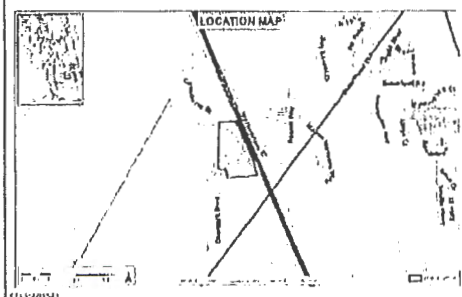
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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 Division, 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 St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 32086. 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	CHRISTIAN WHITEHURST, CHAIR
FILE NUMBER: MAJMOD-2023000001	
PROJECT NAME: Deerpark Commerce Center PUD	





**FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

June 22, 2023

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

Attention: Crystal Smith

Dear Honorable Brandon Patty,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2023-23, which was filed in this office on June 22, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh

