

ORDINANCE NO. 2024 - 31

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE TREATY GROUND PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 1987-37, 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 16, 2024, in addition to the supporting documents and statements from the applicant which are a part of file MAJMOD 2024-02 Brinkhoff Charter School, for an amendment to the Treaty Ground Planned Unit Development (PUD), Ordinance Number 1987-37, 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 Treaty Ground PUD, described in the attached Exhibit "A" (Legal), shall proceed in accordance with Ordinance Number 1987-37, 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 Treaty Ground 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 pursuant to the legal notice duly published as required by Florida law and the St. Johns County Land Development Code.
2. As modified, the Treaty Ground PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Treaty Ground 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 Treaty Ground 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 Treaty Ground PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

6. As modified, the Treaty Ground 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 1987-37, 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 Treaty Ground 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 4TH DAY OF JUNE, 2024.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: _____
Sarah Arnold, Chair

Rendition Date JUN 12 2024

**ATTEST: BRANDON J. PATTY,
Clerk of the Circuit Court & Comptroller**

BY: Crystal Smith
Deputy Clerk

JUN 12 2024

Effective Date: _____

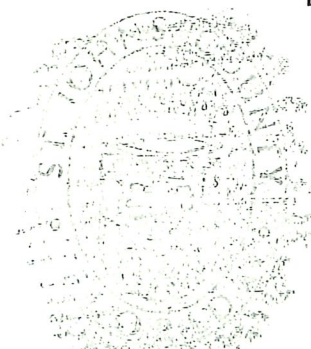


EXHIBIT A

TREATY GROUND PUD (AS DESCRIBED IN ORD. 1987-37)

LEGAL DESCRIPTIONS

PARCEL 1

ALL OF THE WEST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 3, CONTAINS +/- 20 ACRES.

PARCEL 2

ALL OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 3 LYING SOUTHERLY OF STATE ROAD NO. 207, EXCEPTING THE 8.4 ACRES DESCRIBED IN O.R. 110, PAGE 13 AND O.R. 112, PAGE 144, AND CONTAINS +/- 29 ACRES AFTER THE EXCEPTION.

PARCEL 3

ALL OF THE WEST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 3, CONTAINS +/-80ACRES.

PARCEL4

A PARCEL OF LAND LYING IN THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING USE THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 88° 48' 46" WEST, 1313.69 FEET ALONG THE SOUTH LINE OF SAID SECTION 3 TO THE SOUTHWEST CORNER OF THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 3; THENCE NORTH 00° 34' 43" WEST ALONG THE WEST LINE OF SAID EAST $\frac{1}{2}$, 2641.71 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BRINKHOFF ROAD (AS NOW ESTABLISHED FOR A 66 FOOT RIGHT OF WAY); THENCE NORTH 88°31' 10" EAST, 1289.66 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 3; THENCE SOUTH 01° 06' 20" EAST, 2648.25 FEET .TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 79.03 +/- ACRES. EXCEPTING THE FOLLOWING DESCRIBED PARCEL OF LAND:

ORIGINAL BILLINGS FARM (TAX ID #136160-0000)

A PORTION OF THE EAST $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT USE THE INTERSECTION OF THE COMMON LINE BETWEEN SECTIONS 2 AND 3 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF BRINKHOFF ROAD AS NOW ESTABLISHED FOR A 66 FOOT RIGHT OF WAY; THENCE SOUTH 88° 31'10" WEST, 372.27 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88° 31'10" WEST, 494.95 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 07° 11'20" WEST, 463.10 FEET ALONG THE FENCE LINE OF SAID PROPERTY; THENCE NORTH 82° 48'08" EAST, 492 FEET; THENCE NORTH 07° 11'20" WEST, PARALLEL WITH THE OCCUPATION LINE ON THE WESTERLY SIDE OF PROPERTY, 413.90 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS +/-4.95 ACRES. BEING THE LANDS AS DESCRIBED IN O.R. 82, PAGE 266, PUBLIC RECORDS OF SAID COUNTY.

THIS DESCRIPTION WAS BASED ON THE OCCUPATION LINE OF SAID "BILLINGS FARM" BASED BY FENCE LINE ON THE WEST AND THE SOUTH, BOUNDED BY BRINKHOFF ROAD ON THE NORTH (A PORTION OF THE ORIGINAL FARM LINE WITHIN THE RIGHT OF WAY OF SAID BRINKHOFF ROAD AS NOW ESTABLISHED). ALSO PART OF THE BASES WAS AN EARLY TAX MAP FURNISHED BY K.S. TONEY.

PARCELS IN SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA.

LEGAL DESCRIPTIONS

PARCEL 1: A PARCEL OF LAND LYING IN THE SOUTHWEST¼ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, USE THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 88 ° 26' 58" EAST, 2012.86 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 TO THE WESTERLY RIGHT OF WAY LINE OF WILDWOOD DRIVE; THEN NORTH 53 ° 15'43" WEST, 731.25 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS CHORD AND CHORD BEARING OF 988.37 FEET, 869.41 FEET AND NORTH 27 ° 10'10" WEST; THENCE AROUND THE ARC OF SAID CURVE 900.21 FEET TO THE P.T. OF THE SAID CURVE; THENCE NORTH 01 ° 04'37" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 1410.15 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BRINKHOFF ROAD; THENCE SOUTH 88 ° 31'10" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 1053.70 TO THE WESTERLY LINE OF SAID SECTION 2; THENCE SOUTH 01 ° 06'02" EAST ALONG SAID WESTERLY SECTION LINE, 2648.25 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 73.08 ACRES. EXCEPTING THE FOLLOWING DESCRIBED PARCEL OF LAND:

LEGAL DESCRIPTION DAY SCHOOL

A 5 ACRE PARCEL OF LAND IN THE SOUTHWEST¼ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA SAID 5 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 88° 20'30" EAST ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 1965.33 FEET TO THE CENTERLINE OF WILDWOOD ROAD; THENCE NORTH 53 ° 13' WEST, ALONG SAID CENTERLINE, A DISTANCE OF 773.43 FEET TO THE POINT OF A CURVE OF A CURVE TO THE RIGHT WITH A RADIUS OF 955.37 FEET AND A CENTRAL ANGLE OF 52 ° 10'34"; THENCE SOUTH 36 ° 47' WEST, A DISTANCE OF 33 FEET TO THE POINT OF A CURVE OF THE WEST RIGHT OF WAY LINE OF WILDWOOD DRIVE AND THE POINT OF BEGINNING; THENCE SOUTH 88° 20'30" WEST, PARALLEL TO THE SOUTH LINE OF SECTION 2, A DISTANCE OF 860.49 FEET; THENCE NORTH 01° 39'30" WEST, A DISTANCE OF 304.48 FEET; THENCE NORTH 88° 20'30" EAST, A DISTANCE OF 605.31 FEET TO THE WEST RIGHT OF LINE OF WILDWOOD DRIVE; THENCE SOUTHEASTERLY ALONG THE ARC OF THE WEST RIGHT OF WAY LIEN OF WILDWOOD DRIVE, THROUGH A CENTRAL ANGLE OF 23 ° 11' 16", A DISTANCE OF 400.0 FEET TO THE POINT OF BEGINNING. CONTAINING 5.00 ACRES, MORE OR LESS. BEING THE SAME LAND AS DESCRIBED IN O.R. 670, PAGE 592, PUBLIC RECORDS OF SAID COUNTY.

PARCEL 2: A PORTION OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 2 LYING NORTHERLY OF BRINKHOFF ROAD (AS NOW ESTABLISHED FOR A 60 FOOT RIGHT OF WAY) AND WESTERLY OF WILDWOOD ROAD (FORMERLY NAPIER AND NOW ESTABLISHED FOR A 66 FOOT RIGHT OF WAY) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BRINKHOFF ROAD AND THE WESTERLY RIGHT OF WAY LINE OF SAID WILDWOOD ROAD; THENCE NORTH 01 ° 01' WEST ALONG SAID

WESTERLY RIGHT OF WAY LINE 22.6 FEET TO THE P.C OF A CURVE TO THE LEFT HAVING A RADIUS CHORD AND CHORD OF 921.93 FEET, 294.01 FEET AND NORTH 10° 11'30" WEST; THENCE NORTHWESTERLY AROUND THE ARC OF SAID CURVE 295.26 FEET TO THE P.TOF SAID CURVE; THENCE NORTH 16° 57' WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 201.63 FEET TO THE SOUTH LINE OF LANDS AS DESCRIBED IN DB161, PAGE 493, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88 ° 00' 07" WEST ALONG THE SOUTH LINE OF SAID LANDS AN ITS PROJECT WESTERLY, 682.33 FEET TO THE EAST LINE OF LANDS DESCRIBED IN OR 636, PAGE 562, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 00 ° 02' 17" EAST ALONG SAID EAST LINE, 272.89 FEET; THENCE SOUTH 88 ° 31'10" WEST 250 FEET ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF SAID SECTION 2; THENCE SOUTH 00 ° 02'17" WEST ALONG SAID SECTION LIEN 872 FEET TO THE NORTH RIGHT OF WAY LIEN OF SAID BRINKHOFF ROAD; THENCE NORTH 88 ° 31'10" EAST ALONG SAID NORTH LINE, 1051.80 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS +/-13.75 ACRES.

PARCEL 3: A PORTION OF THE WEST½ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH CORNER ON THE WEST END OF CHERRY TREE ROAD AS SHOWN ON PLAT OF ST. AUGUSTINE HEIGHTS, UNIT 3 AS RECORDED ON MAPBOOK 10 PAGE 41 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 0° 37' EAST 649.73 FEET ALONG THE WESTERLY END OF SAID CHERRY TREE ROAD, AND THE WESTERLY LINE OF SAID ST. AUGUSTINE HEIGHTS, UNIT 3, TO THE POINT OF BEGINNING; THENCE SOUTH 89 ° 32' 42" WEST, 511.99 FEET TO THE EASTERLY RIGHT OF WAY OF WILDWOOD DRIVE; THENCE NORTH 0 27' 18" WEST, 132.85 FEET ALONG SAID EASTERLY RIGHT OF WAY TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD AND CENTRAL ANGLE OF 987.93 FEET, 315.05 FEET AND 18 ° 21'; THENCE AROUND THE ARC OF SAID CURVE 316.40 FEET TO THE P.T.; THENCE NORTH 18 ° 48' 18" WEST, 172.12 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 89° 32'42" EAST, 616.83 FEET TO THE WESTERLY BOUNDARY OF SAID ST. AUGUSTINE HEIGHTS-UNIT 3, THENCE SOUTH 0 ° 13' EAST, 618.64 FEET ALONG SAID WESTERLY BOUNDARY TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS+/- 7.66 ACRES.

PARCEL 4: A PORTION OF THE COUNTY OWNED WILDWOOD DRIVE (AS NOW ESTABLISHED FOR A 66, FOOT RIGHT OF WAY) IN SECTION 2, TOWNSHIP 8 SOUTH, ANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED ALONG THE CENTERLINE OF SAID RIGHT OF WAY AS FOLLOWS:

FOR A POINT OF BEGINNING USE THE CENTERLINE INTERSECTION OF BRINKHOFF ROAD AND WILDWOOD DRIVE; THENCE SOUTH 01 ° 04' 37" WEST, 890 FEET ALONG SAID CENTERLINE TO A POINT OF TERMINUS; THENCE BEING AGAIN AT THE POINT OF BEGINNING, THENCE NORTH 01 ° 01' WEST, ALONG SAID CENTERLINE, 52.6 FEET TO THE P.C. OF A CURVE TO THE LEFT, HAVING A RADIUS, CHORD AND CHORD BEARING ON 954.93 FEET, 304.53 FEET AND NORTH 10 ° 11'30" WEST; THENCE NORTHWESTERLY AROUND THE ARC OF SAID CURVE 305.83 TO THE POINT OF TERMINUS ON THE NORTH. SAID BOUNDARY LIES PARALLEL WITH AND 33 FEET AT RIGHT ANGLES TO EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE. SAID ROADWAY PARCEL CONTAINS +/-1.85 ACRES.

PARCEL 5: ALSO INCLUDES THE TOTAL RIGHT OF WAY OF COUNTY OWNED BRINKHOFF ROAD FROM WILDWOOD DRIVE WEST TO THE END +/- 2370 FEET AS ESTABLISHED FOR A 60 FOOT RIGHT OF WAY WIDTH. THIS LIES IN SECTIONS 2 AND 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA. SAID PORTION CONTAINS+/- 3.20 ACRES.

PARCEL 6: A PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT USE THE SOUTH RIGHT OF WAY LINE OF BRINKHOFF ROAD AS NOW ESTABLISHED FOR A 66 FOOT RIGHT OF WAY AND THE COMMON LINE BETWEEN SAID SECTIONS 2 AND 3; THENCE SOUTH 01° 06'02" EAST, 199.92 FEET ALONG SAID COMMON LINE TO THE POINT OF BEGINNING; THENCE SOUTH 88° 31'10" WEST, 179.63 FEET; THENCE SOUTH 00° 02' 17" WEST, 622.29 FEET; THENCE NORTH 88° 31'10" EAST 350.0 FEET; THENCE NORTH 00° 02'17" EAST 622.29 FEET; THEN SOUTH 88° 31'10" WEST 170.37 FEET TO THE POINTE OF BEGINNING. SAID PARCEL CONTAINS +/-5.0 ACRES. ALSO THE CENTERLINE DESCRIPTION FOR A ROADWAY EASEMENT TO THIS PROPERTY IS AS FOLLOWS: FOR A POINT OF COMMENCEMENT USE THE SOUTH RIGHT OF WAY AND THE COMMON LINE BETWEEN SAID SECTIONS 2 AND 3; THENCE SOUTH 88° 31'10" WEST ALONG SAID SOUTH RIGHT OF WAY LINE 164.66 FEET TO THE POINTE OF BEGINNING OF A CENTERLINE DESCRIPTION OF A 22 FOOT EASEMENT LYING 11 FEET DISTANT AND AT RIGHT ANGLES TO THE FOLLOWING DESCRIBED CENTERLINE; THENCE SOUTH 00° 02'17" WEST, 200 FEET TO THE NORTH BOUNDARY OF THE AFOREMENTIONED PARCEL AND THE POINT OF TERMINUS OF THIS EASEMENT.

LESS AND EXCEPT PROPERTY AS DESCRIBED IN ORDINANCE 2015-01

A PORTION OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR THE POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 2, THENCE NORTH 89° 11'37" EAST ALONG THE SOUTH LINE OF SAID SECTION 2, 938.62 FEET TO THE POINT OF BEGINNING, THENCE NORTH 25° 21'55" WEST, 496.36 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 880, PAGE 733, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 89° 02'41" EAST, ALONG SAID SOUTH LINE, 706.55 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF WILDWOOD DRIVE; THENCE SOUTH 52° 30'49" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 731.49 FEET TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 89° 11'37" WEST, ALONG SAID SOUTH LINE OF SAID SECTION 2, 1074.37 FEET TO THE POINT OF BEGINNING. (THE HPROPERTY")

TOGETHER WITH LANDS BEING ADDED IN MAJMOD 2017-11

NEW PARCEL ONE: (EAST OF WILDWOOD DRIVE)

A PARCEL OF LAND, BEING A PORTION OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH CORNER ON THE WEST END OF CHERRY TREE ROAD, AS SHOWN ON THE PLAT OF ST. AUGUSTINE HEIGHTS, UNIT 3, AS RECORDED IN MAP BOOK 10, PAGE 40 AND 41 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2451, PAGE 1160 OF SAID PUBLIC RECORDS; THENCE ON THE SOUTH LINE OF SAID LANDS, N 89°46'20" W, A DISTANCE OF 514.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS SAID POINT ALSO BEING

ON THE EASTERLY RIGHT OF WAY LINE OF WILDWOOD DRIVE (A 66 FOOT RIGHT OF WAY); THENCE DEPARTING SAID SOUTH LINE AND ON SAID EASTERLY RIGHT OF WAY LINE FOR THE NEXT 3 COURSES, N 00°14'59" W, A DISTANCE OF 750.68 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 991.50 FEET AND A CENTRAL ANGLE OF 18°22'29" THENCE ON THE ARC OF SAID CURVE, A DISTANCE OF 317.97 FEET SAID ARC BEING SUBTENDED BY A CHORD WHICH BEARS N 08°56'15" A DISTANCE OF 316.61 FEET TO THE CURVES END; THENCE N 18°07'30" W, A DISTANCE OF 177.04' TO A POINT ON THE SOUTH LINE OF THE EAST 805.8 FEET F THE SOUTH 429.0 FEET OF THE NORTH 759.0 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE AND ON SAID SOUTH LINE, S 89°55'02" E, A DISTANCE OF 380.98 FEET TO THE SOUTHEAST CORNER OF SAID EAST 805.8 FEET OF THE SOUTH 429.0 FEET OF THE NORTH 759.0 FEET TO THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH LINE AND ON THE EAST LINE OF SAID EAST 805.8 FEET OF THE SOUTH 429.0 FEET OF THE NORTH 759.0 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, N 01°17'51" E, A DISTANCE OF 428.43 FEET TO THE NORTHEAST CORNER OF SAID EAST 805.8 FEET OF THE SOUTH 429.0 FEET OF THE NORTH 759.0 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 SAID POINT ALSO BEING ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3921, PAGE 514 OF THE AFORESAID PUBLIC RECORDS; THENCE DEPARTING SAID EAST LINE AND ON SAID SOUTH LINE, S 89°55'02" E, A DISTANCE OF 226.37 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID PLAT OF ST. AUGUSTINE HEIGHTS, UNIT 3; THENCE DEPARTING SAID SOUTH LINE AND ON SAID WEST LINE, S 00°04'15" W, A DISTANCE OF 428.34 FEET TO A POINT ON THE EASTERLY PROLONGATION OF THE AFORESAID SOUTH LINE OF THE EAST 805.8 FEET OF THE SOUTH 429.0 FEET 'c)F THE NORTH 759.0 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE DEPARTING SAID WEST LINE AND ON SAID EASTERLY PROLONGATION OF THE SOUTH LINE OF THE EAST 805.8 FEET OF THE SOUTH 429.0 FEET OF THE NORTH 759.0 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, N 89°55'02" W, A DISTANCE OF 235.54 FEET TO THE POINT OF BEGINNING.

NEW PARCEL TWO: (WEST OF WILDWOOD DRIVE)

A PARCEL OF LAND, BEING A PORTION OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BRINKHOFF ROAD (66 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE WEST RIGHT OF WAY LINE OF WILDWOOD DRIVE (66 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE ON THE SAID NORTH RIGHT, OF WAY LINE, S 89.°50'19" W, A DISTANCE OF 953.22 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 836, PAGE 1610 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE AND ON THE EAST LINE OF SAID LANDS, N 01°22'44" E, A DISTANCE OF 871.97 FEET TO

THE NORTHEAST CORNER OF SAID LANDS; THENCE DEPARTING SAID EAST LINE AND ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3433, PAGE 1965 OF SAID PUBLIC RECORDS, N 89°30'56" E, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON SAID SOUTH LINE, N 89°30'56" E, A DISTANCE OF 327.43 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 775, PAGE 1994 OF SAID PUBLIC RECORDS; THENCE DEPARTING SAID SOUTH LINE AND ON SAID WEST LINE, S 01°17'51" W, A DISTANCE OF 369.96 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE DEPARTING SAID WEST LINE AND ON THE SOUTH LINE OF SAID LANDS, S 89°52'39" W, A DISTANCE OF 328.41 FEET; THENCE N 01°27'35" E, A DISTANCE OF 367.91 FEET TO THE AFOREMENTIONED SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3433, PAGE 1965 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING.

CONTAINING 2.78 ACRES, MORE OR LESS.

LESS AND EXCEPT THE LAND BEING REMOVED IN MAJMOD 2024-02:

A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, SAINT JOHNS COUNTY, FLORIDA, LYING SOUTHERLY OF BRINKHOFF ROAD AS NOW ESTABLISHED FOR A 66 FOOT RIGHT-OF-WAY, AND WESTERLY OF THE FORMER BILLINGS FARM AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF BRINKHOFF ROAD AT THE END OF SAID ROAD; THENCE SOUTH 00°54'43" EAST ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 3, 66.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°54'43" EAST ALONG LAST SAID LINE, 484.50 FEET; THENCE NORTH 88°30'44" EAST, PARALLEL WITH SAID BRINKHOFF ROAD, 476.17 FEET; THENCE NORTH 07°11'20" WEST, 486.89 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BRINKHOFF ROAD; THENCE SOUTH 88°30'44" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 422.93 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

MASTER DEVELOPMENT PLAN TEXT

a. *"A description related to the design, character and architectural style or theme of the Project, which demonstrates the innovative, unified, cohesive and compatible plan of development for all Uses included in the Project. Mixed Use PUDs that contain different Uses or several Development Parcels must also demonstrate consistency in design and character and plan of development."*

The original Treaty Ground PUD (the "PUD") was approved in 1987 (Ordinance 87-37) and consisted of approximately 278 acres, located between Moultrie Creek and State Road 207, approximately one (1) mile from the I-95/207 Interchange. The plan of development originally included approximately 480 residential units, a mix of single-family and multi-family, a 40-acre park, and approximately 110,000 square feet of commercial use.

In 1996, the single-family portion of the Treaty Ground PUD was modified (Ordinance 96-16) to increase the total residential units to 681 (471 single-family and 210 multi-family).

In 1998, the single-family portion of the PUD was modified (Ordinance 98-14) to decrease the total single-family units from 471 to 320. This 1998 modification also added to the single-family portion of the PUD the following: (i) 4.2 acres for 40,000 square feet of commercial use; and (ii) 9.2 acres designated as School/Church/Adult Living Facility and an area for expansion of the existing Bolles School, or a church site, or a maximum of 13 additional single-family lots meeting the requirements of the PUD ORD 96-16, Paragraph 4, or an adult living facility (ALF) with a maximum of 80 rooms.

In 2005, a Major Modification request was limited to the single-family portion of the PUD and changed the single-family residential density from 320 residential units to 434 single-family residential units. The development proposed within the MDP Text at that time was intended to refer only to the 434 single-family units, an area designated as school/church/adult living facility with a maximum of 80 rooms/or a maximum of 13 additional single-family lots that was removed with the previous modification and is no longer included in the rest of this MDP Text, Exhibit B. It also included 40,000 square feet of commercial, which will remain, but is now 48,000 square feet. The MDP Text for this modification will cover the new aspects (related to the 63.47 acres) of the Treaty Grounds PUD.

In 2015, a Major Modification application maintained the 434 single-family units; and removed the area designated as school/church/adult living facility with a maximum of 80 rooms/ or a maximum of 13 additional single-family lots. That modification request was limited only to removal of that 9.2-acre parcel and maintained the single-family portions of the Treaty Ground PUD. The remaining portions of the

Treaty Ground PUD were left to be developed in accordance with the plan of the development begun by PUD Ordinances 87-37, 96-16, 98-14, and 2005-122 as amended herein.

In 2018, another Major Modification application, enacted as Ordinance No. 2018-38, added 5.1 acres, consisting of two parcels, 2.8 acres of which were slated for multi-family development, with an allowance for an additional 16 residential units, located on the east west side of Wildwood Drive, north of the intersection with Brinkhoff Road and north of and adjacent to another multifamily site within the PUD and 2.3 acres on the north side of the parcel on the east side of Wildwood Drive, that were designated Commercial, but were actually all jurisdictional wetlands. In addition, the 2018 modification sought to change the designation of the north Multifamily (MF) site to allow for 11.57 acres Multifamily/Single Family Cottages (MF/SFC) and 3.01 acres Multifamily/Commercial (MF/C), change the south Commercial site to Multifamily/Single Family Cottages (MF/SFC), change the site on the east side of Wildwood Drive from Multifamily (MF) to Commercial (C) and change the central Multifamily (MF) parcel to Multifamily/Single Family Cottage (MF/SFC). The modification changed the number of MF units from 210 to 234 to accommodate the additional 2.8 acres and some wetland impacts, that will provide for 20 residential units and utilize the 6 units per acre allowed by the Residential C FLUM. It maintained the 148,000 square foot allocation for Commercial and revised the open space calculations due to the removal of 2.38 acres of jurisdictional wetlands for the Commercial parcel at the intersection of SR 207 and Brinkhoff Road, the addition of 2.3 acres to the north side of the parcel on the east side of Wildwood Drive and accounted for the remaining wetlands within all of the parcels within the 63.47 acres. As part of the 2018 Major Modification, a 2-acre site just north of Treaty Park and south of the one Multifamily/Single Family Cottage sites was slated for use as either a Fire & Public Safety site or may be changed by agreement between the owner and the appropriate designee of the Board of County Commissioners, without a PUD modification. Whether the site is located within or outside of the PUD, the former 2-acre site may be assigned the adjacent use category of MF/SFC or Park.

This Major Modification application (MAJMOD 2024-02) seeks to remove approximately 5 acres (St. Johns County Parcel 136150-0010) from the boundaries of the Project. This parcel is being rezoned to Open Rural for use as the Brinkhoff Charter School.

b. "The total number of acres included within the Project as requested in the application."

The total number of acres included within the Treaty Ground PUD is approximately 285 acres; Overall, approximately 261.7 acres are designated Residential C and approximately 33.3 acres are Mixed Use District.

c. "The total number of Wetland acres included within the Project as requested in the application."

The total number of wetland acres included within the PUD is approximately 46.7, with approximately 45.5 acres of preserved wetlands and 1.18 acres of impacted wetlands.

d. "The total amount of Development area, including the total number of developable acres (including filled Wetlands) for each proposed land Use and the total number of Wetland acres to be preserved for each land Use. Each developable Parcel shall be limited to one Use

Classification, as provided in Article II of this Code."

The total development area in the PUD is approximately 286.18 acres, including approximately 285 acres of upland and approximately 1.18 acres of impacted wetland.

e. "The total number of residential Dwelling Units and density of the Project, the projected population, and projected population of the elementary and high school age children that may reside within the Project."

The project includes the 434 Single-Family residential units planned for development on approximately 156.8 acres, yielding a gross density of 2.77 (434/156.8) units per acre, and 434 units on 124 upland acres, yielding a density of 3.5 units per acre, within Single Family areas. The 2018 modification increased the number of multifamily units from 210 units to 234 units, for a total of 206 units on the North Central and South Central parcels, and 28 units on the Remaining parcel. The 2018 modification increased the acreage from 35.0 acres to 47.15 acres (with 4.69 acres of wetlands and 42.46 acres of uplands and (none of which is within Mixed Use).

This 2024 PUD modification eliminates 28 multifamily units allocated to the approximately 5 acres being removed from the PUD boundaries, leaving a total of 206 multifamily units.

The single-family projected population is 1,059 (434 x 2.44) persons, with 152 (434 units x 0.35) school-age children.

The projected population for the multifamily is 503 (206 units x 2.44) persons, so the number of school age children is 176 students (503 residents units x 0.35).

f. "The total square footage and intensity of non-residential Development."

The entire Treaty Ground PUD consists of 132,240 square feet of commercial, including 48,000 square feet of commercial on the 4-acre parcel of land that will remain in the PUD at SR 207, and 67,120 square feet on the 9.8 acres on the east side of Wildwood Drive and 17,120 square feet on the 3.01 acres on the west side, as indicated on the MDP Map, Exhibit C.

g. "The residential and non-residential Structure setbacks, as measured from the property line, the minimum size of residential Lots, the number of parking spaces for residential and non-residential Uses, the use of Signs and signage to serve the Project and the maximum height of all Structures."

RESIDENTIAL

Development will adhere to the following site development criteria:

1. Single-Family Residential Development Criteria:

- a) The proposed Brinkhoff Road Extension divides the lands subject to the previous Major Modification, to be referred to as the Single-Family. The parcel north of Brinkhoff Road

contains forty-nine (49) seventy-three foot (73') wide single-family lots. The forty-nine (49) seventy-three foot (73') wide single-family lots shall have a minimum lot area of 7,000 square feet, a minimum lot width of seventy feet (70'), and a maximum lot coverage of 50%. The parcel to the south of Brinkhoff Road contains three hundred and eighty-five (385) fifty-three foot (53') wide single-family lots. The three hundred and eighty-five (385) fifty-three foot (53') wide single-family lots shall have a minimum lot area of 5,000 square feet, a minimum lot width of fifty feet (50'), and a maximum lot coverage of 50%. The Impervious Surface Ratio shall not exceed seventy-five percent (75%) for the single-family buildings.

b) Lot frontage within the Single-Family lands shall comply with Section 6.01.03 of the LDC, except that Lots along the curves of the roadways or cul-de-sacs, will meet eighty (80) percent of the required width at the twenty (20) foot setback, with a minimum lot width at the right-of-way of twenty-five (25) feet. Any corner lot shall be only permitted one vehicular access to one road. The frontage on the road used for access shall be considered the front yard and shall have a fifteen-foot (15') minimum front setback and the other road frontage shall be considered front yard, but shall only have a required minimum setback of ten (10) feet. The other two yards shall be considered side yards for the purpose of the required minimum setback. Each lot shall have a minimum side yard of five (5) feet and a minimum rear yard of ten feet (10'). Setbacks within the lands subject to the previous Major Modification shall be measured according to the Land Development Code.

c) Exterior air conditioning units and related heating/cooling units may be located adjacent to or at the rear of the structures served, no less than five feet (5') from the lot line within the Single-Family lands. Any pool, screened enclosure, or deck constructed within any lot shall be set back a minimum of five feet (5') from the side and rear lot boundary. No air conditioning or electrical equipment, no swimming pools, swimming pool decks or swimming pool enclosures, and no masonry walls shall be located within drainage or underground utility easements.

d) The general location and configuration of residential lots within the Single-Family lands, as well as the size and shape of individual lots, are indicated on the MDP Map, Exhibit C and may differ somewhat due to actual development constraints.

e) Each detached single-family unit shall provide at least a two (2) car garage with associated driveway (apron) parking.

f) Structures shall not exceed thirty-five (35) feet in height.

2. Multifamily/Single-Family Residential Development Criteria:

The Multifamily development standards were originally included within the PUD and are reinstated here to allow for multifamily development in accordance with Residential General Two (RG-2) standards and provide for Townhomes. In addition, it will allow for single family Cottage homes (the single-family option within the Multifamily/Single Family category added to the MDP Map, Exhibit C), as delineated below.

a) **Multifamily** Residential General Two (RG-2) requiring a minimum "Lot Area"

(development parcel) of 6,000 square feet, a maximum 70% ISR, no FAR, and minimum exterior yards for the parcel of 20-foot front, 10-foot side, and 10-foot rear. It also provides for a maximum height of 35 feet.

b) **Multifamily** Townhomes based on individual lots (for each unit) requiring a minimum lot area of 2,000 square feet, a 70% ISR, a maximum 70% FAR, and minimum exterior yards of 20-foot front, 0 foot side, 10 foot rear, and a 10 foot separation between buildings and a maximum height of 35 feet. Lot dimensions will be a minimum of 20 feet wide by 100 feet long. Maximum height of 35 feet.

c) **Single-Family Cottage** homes will not meet the RG-2 standards, and will be based on individual lots (for each unit) requiring a minimum lot area of 4,300 square feet, a 70% maximum ISR, a 70% maximum FAR, and minimum exterior yards of 20 foot front (16 foot for second front), 5 foot side (with no permitted projections) and a minimum of 10 feet between buildings, with a 10 foot rear, and a maximum height of 35 feet. Lot dimensions will be a minimum of 43 feet in width and 100 feet in depth. Maximum height of 35 feet.

d) Exterior air conditioning units and related heating/cooling units may be located adjacent to or at the rear of the structures served; no less than 5 feet from the lot line. Any pool, screened enclosure, or deck constructed within any lot shall be set back a minimum of 5 feet from the side and rear lot boundary. No: air conditioning or electrical equipment, no swimming pools, swimming pool decks or swimming pool enclosures, and no masonry walls shall be located within drainage or underground utility easements.

e) Each residential unit shall provide for at least 2 parking spaces, that may be within a garage with associated driveway (apron) parking, and guest parking at 1 space per every 4 units for the townhomes.

3. Commercial Development Criteria:

The Commercial development standards were originally included within the PUD and are reinstated here, to allow for commercial development in accordance with Commercial General (CG) zoning. Permitted uses shall allow for all of the allowable Use categories permitted by the Commercial General Zoning Category, as may be amended from time to time, as well as those Uses allowable by Special Use (in accordance with the Special Use requirements) as derived from the definitions within the St. Johns County Land Development Code. Such Use Categories are:

- a) Permitted Uses in accordance with LDC Section 2.02.01.D - Neighborhood Business and Commercial
- b) Permitted Uses in accordance with LDC Section 2.02.01.E-General Business and Commercial
- c) Permitted Use in accordance with LDC Section 2.02.01.M - Office and Professional
- d) Permitted Uses in accordance with LDC Section 2.02.01.C - Cultural/Institutional

- e) Permitted Uses in accordance with LDC Section 2.02.01.A-Residential as may be allowed as an Accessory Use

Development standards will require no minimum lot width, lot area, or lot coverage by buildings, but will require a maximum 50% FAR, a maximum 70% ISR, and allow for a maximum building height of 35 feet, and provide for a 20-foot setback for buildings, parking lots and storage areas from the road right-of-way and residential uses.

Different standards will apply to the self storage on the commercial parcel on the west side of Wildwood Drive to accommodate the storage space and parking will be based on the LDC at one space per 7,000 square feet. This site will also provide for a 50-foot buffer along the north property boundary and a 30 foot buffer along the south property boundary, and allow for boat and RV storage, provided it is screened (by buildings or a fence or wall from any adjacent residential). A Waiver is requested to allow for the specific design standards, conditions and buffering standards for this site and allow for the proximity to existing residential development. The applicant plans to provide Boat and RV storage as well. Both uses will meet the criteria established in Sections 2.03.16 (Self Storage Facilities) and 2.03.42 (Boat and RV Storage) of the LDC, with certain exceptions provided for within Section t. Waivers.

SIGNAGE

4. Single-Family Signage:

- a) The Development may be identified by one (1) double-faced sign, which shall be located at the PUD entrance on Brinkhoff Road and may be outside of the R/W. Such sign may be lighted (with lighting directed away from traffic), may be incorporated into landscaping or entry features or otherwise, and shall meet the requirements of the St. Johns County LDC. The Development may also be identified by one (1) double-faced sign located at the intersection of SR 207 and Brinkhoff Road and may be outside of the R/W, as indicated on the MPD Map, Exhibit C.
- b) Directional and informational signs for the recreational and other amenities, as well as street and speed limit signs will be provided throughout the development, provided that none of these signs exceed three (3) square feet in size.
- c) Amenity signage for the Common Areas will not exceed 20 square feet.
- d) One (1) on-site project construction sign will be allowed near the entrance to the property along Brinkhoff Road, which must be removed within thirty (30) days after the "as-built" plans have been approved by the County. The sign may be two (2) sided with each face limited to thirty-two (32) square feet. In addition, temporary development signs will be allowed at the entrances to the individual subdivisions, if any, within the development, meeting the same criteria as the on-site project construction signs.

5. Multifamily/Single Family Cottage Signage:

All signage will be in accordance with **Section 7.00.00 of the Land Development Code (LDC)**:

- a) Each "multifamily development" may contain up to two identification monument type signs at their entrance to the development, which may be either 1 sided or two 2 sided, and will be limited to a maximum Advertising Display Area (ADA) of 32 square feet and a maximum height of 15 feet. The signs may be internally or externally lighted or illuminated and shall be landscaped. The applicant may construct a fence, masonry wall, berm or install vegetation (or provide a combination thereof) to compliment the entrance features, which will not be computed as part of the square footage for the Advertising Display Area for the sign.
- b) Directional and informational signs for the recreational and other amenities, as well as street and speed limit signs will be provided throughout the development, provided that none of these signs exceed three-(3) square feet in size.
- c) Amenity signage for the Common Areas will not exceed 20 square feet.
- d) One (1) on-site project construction sign will be allowed near the entrance to the property along Brinkhoff Road, which must be removed within thirty (30) days after the "as-built" plans have been approved by the County. This sign, as well as all temporary signs within the development, will be limited to 6 sq. ft. in size, in accordance with Section 7.02.02 of the LDC.

6. Commercial Signage:

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

- a) The project will allow for signs in accordance with Section 7.02.04 of the LDC, which will include ground signs along the SR 207, Brinkhoff Road and Wildwood Drive frontage in the general locations that will be shown on the IMDP Maps for each of the commercial parcels. These signs will be in accordance with Section 7.02.04.C, which allows for 2 signs at 150 square feet each for each of the 3 sites. Signs may be located within the buffers and dimensions shall be consistent with those allowable within the Land Development Code. Signs may be up to 25 feet in height along Minor Collectors and 20 feet in height along local roads in accordance with Section 7.02.04.E. 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, for each of the 3 commercial sites, 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 Section 7.02.03 of the Land Development Code, will be allowed near the entrance to the property. The signs may be 2 sided with each face limited to 32 square feet.

e) Various directional, locational, and traffic control signs shall be allowed on site to direct traffic and for identification of activities areas in accordance with Section 7.02.04 of the LDC. Such signs will be a maximum of 3 square feet in size.

STREET LIGHTS AND OUTDOOR LIGHTING

Street lights and/or outdoor lighting within the Project will be consistent with Section 5.03.06.H.6 and Section 6.09.00 of the LDC. Outdoor lighting shall be provided in all Developments that do not require street lights. Outdoor lighting shall be located so as to illuminate the Project as necessary to provide safe passage within the Development. The source of the light, such as the bulb or filament, of outdoor lighting fixtures shall not be directly visible from property outside the zoning Lot on which it is located. Additionally, the maximum illumination allowed at the zoning Lot line shall be 0.20 footcandles.

FENCING

The applicant may install fencing, up to 6 feet in height, meeting the requirements of LDC Section 2.02.04.C around the perimeter of the project, if desired. This fence may be of such materials as treated chain link, vinyl, masonry, wooden and/or PVC or a combination of fencing and landscaping may be located along the entire perimeter.

h. "The type and location of infrastructure needed to serve the Project, including at a minimum, drainage facilities, vehicle and pedestrian access to the Project, internal vehicle and pedestrian access within the Project, interconnectivity access points to adjacent properties, park, open space and recreation facilities; types of active recreation that will be provided, the provision of water and sewer, fire protection, and solid waste collection. Additional infrastructure requirements may be addressed based upon the character or location of the Project."

The infrastructure needed to serve the PUD will consist of roads, drainage facilities, water and sewer, fire protection and solid waste collection as follows:

1. Primary (Vehicular) Access: One entrance/exit to the 4.0 acres of commercial, one entrance/exit to the lands subject to this Major Modification to the north of Brinkhoff Road, and one entrance/exit to the lands subject to the Major Modification to the south of Brinkhoff Road shall be constructed from Brinkhoff Road in the general location as shown in MDP Map, Exhibit C. Brinkhoff Road will be improved to Minor Collector standards from Wildwood Drive to SR 207 and will include a one hundred foot (100') right-of-way and five feet (5') of sidewalks on both sides of Brinkhoff Road (in accordance with Section 6.04.07.H.1 of the LDC). All roadways shall be constructed in accordance with all St. Johns County Development Services regulations and permits and will comply with the LDC. All parking, including that for model homes or sales centers, will be outside of the right-of-way. It is the intent of the Developer that all roads will be public and dedicated to the County; however, the applicant reserves the right to install either a security gate and/or guardhouse within a common area at the entrance to the development in the location indicated on the Master Development Plan, Exhibit C (for the existing- single family). In the event that the developer elects to install a gate or guardhouse at the time of construction plan approval, no dedication to the County will occur and all of the roads shall be private. A proposed future connection will be provided

to the south of the lands subject to this Major Modification, as indicated on the MDP Map, Exhibit C. Extensive wetlands exist to the west of Treaty Ground PUD preventing interconnectivity to the west. Commencement of Brinkhoff Road Sequence Two from Sequence One to Wildwood Drive must take place prior to approval of the proposed multifamily units; prior to platting if townhomes or cottage homes, or prior to construction plan if apartments or condos.

The modification also provides for access points from each of the designated parcels to Brinkhoff Road and one access point to the property on the east side of Wildwood Drive, which are generally depicted on the MDP Map, Exhibit C, and will be demonstrated on individual Incremental Master Development Plan Maps (IMDP Maps) for each parcel as it develops. All interior roads will be constructed to local road standards.

2. Secondary (Internal) Access: It is the intent of the Developer that all roads will be public and dedicated to the County; however, the Applicant reserves the right to install either a security gate and/or guardhouse within individual development areas, within a common area at the entrance to that particular development in the location indicated on the Master Development Plan, Exhibit C or on the IMDP Map(s). In the event the Developer elects to install a gate or guardhouse at the time of construction plan approval, no dedication to the county will occur and all of the roads shall be private. This modification provides for access points from each of the designated parcels to Brinkhoff Road and one access to the property on the east side of Wildwood Drive, which will be demonstrated on individual Incremental Master Development Plan Maps (IMDP Maps) for each parcel as it develops. All interior roads will be constructed to local road standards. The project will provide for 17 feet of reserved Right-of-Way on either side of Wildwood Drive.

3. Pedestrian access: Sidewalks within the lands subject to the previous Major Modification shall meet the criteria of the LDC and be provided along one (1) side of each of the roadways classified as local roads within the development. The topography and vegetation on the lots may make an orientation other than strictly parallel to the interior road more desirable and building sidewalks in conjunction with the road will create the requirement to remove and replace the sidewalk once the desired orientation of the sidewalk is determined. Common area sidewalks will be constructed during the roadway construction phase; however, individual lot sidewalks will be constructed upon completion of construction of each of the single-family units. Language will be added to the Declaration of Covenants, Conditions and Restrictions stating a sidewalk in front of a unit shall be complete prior to the issuance of a certificate of occupancy for such unit and will be bonded in accordance with LDC Section 6.02.06.B.2 to assure completion in a timely manner. Bicycle parking shall be provided at the recreational amenity areas and within the Common areas where needed. Sidewalks, 5 feet in width, will also be provided along the project Wildwood Drive frontage.

4. Recreation: Portions of the development area have been set aside for active recreational use by the residents of the development and their guests, and as depicted on the MDP Map. Along with direct access to the Treaty Park (which accounts for 47.0 Acres of the PUD), specific plans for active recreation within the Single-Family include a 1.8 acre community center and park parcel which will provide, at a minimum, multi-recreational fields. In addition, each residential development (Multifamily/Single Family Cottage) will have a minimum of 10% open space and individual recreational amenities for the overall parcel(s) being developed. Pursuant to LDC Section 5.03.03.D.2, the design population within the Single-Family project will consist of 1,059 residents yields a required active recreation area of 5.345 acres (5 acres per 1,000

persons= $1,059/200 = 5.295$ acres). The 234 multifamily units, account for a design population of 562 persons, which will have recreational amenities within the development areas (play structures, open play fields, walking paths, etc.), which will be delineated on the IMDP Maps(s). Including the adjacent Treaty Park facilities, over 50 acres of active recreation will be available for the residents of the Treaty Ground PUD.

5. Open Space: The applicant has set-aside approximately 107 acres for open space within the park and single family areas, and will set aside a minimum of 14.3 acres within the multifamily and commercial, as well as over 40 acres of wetlands in the overall PUD, pursuant to the requirements of the LDC, Section 5.03.03.A.1, which requires a minimum of 25% ($.25 \times 289 = 72.25$) of the site be set aside as Open Space. Overall the plan provides for double that, with significant open space and recreation areas throughout the development.

6. Drainage: Storm water for the development areas will be treated on site within the retention and detention areas. All drainage structures and facilities will be designed and constructed in compliance with the LDC in effect at the time of permitting, and the applicable rules of the St. Johns River Water Management District. All necessary permits will be acquired and construction plans approved prior to the commencement of any construction. The property owners association will maintain the Storm Water Management System.

7. Utilities: All electrical, telephone and cable lines for the development areas will be installed underground on the site. St. Johns County will provide water and sewer and electricity will be provided by Florida Power & Light Company.

8. Solid Waste: Solid waste for the development areas will be handled by the licensed franchisee in the area, with individual curbside pick-up for the Single Family Central garbage facilities for the commercial and multifamily sites will be provided within screened enclosures meeting the requirements of the LDC.

9. Fire Protection: Fire protection will be provided in accordance with Section 6.03.00 of the LDC.

i. "The amount of water and sewer use, based upon the projected population, and the Public Utility Providers, if applicable."

St. Johns County will provide public water and sewer service. Ample capacity exists in the franchised utility system. A Utility Availability Letter for the new development areas will be provided and will meet the following standards:

1. 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 construction plan 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 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 rights-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 water and/or sewer pressurized mains unless otherwise approved by the St. Johns County Utility Department. Landscaping trees and landscaping buffers shall be placed at a minimum of 7.5 feet away from the centerline of utility pipelines.

j. "The type of underlying soils and its suitability for Development of the proposed Project."

The Soils Map for the lands subject to the previous Major Modification was attached to a previous application as Exhibit "F" (See Ord 2.005-122). Soil Maps for the Commercial, Multifamily, and/or Single Family Cottages, that are being modified within this application, are provided as an Attachment, labeled Environmental Data. The "Remaining" parcel will provide a Soils Map as a part of the IMDP Map application.

k. "The type and extent of upland forest and wetlands on the site using the Level III classification of the Florida Land Use Cover and Classification System (FLUCCS). A map depicting the location of upland forest and Wetland vegetation shall be provided with the application submittal."

The FLUCCS Map for the Single Family was attached to a previous application as Exhibit "G" (See Ord. 2005-122). The environmental data for the properties included in this modification (the Commercial, Multifamily /Single Family) is provided as an attachment, labeled Environmental Data. The remaining parcel will provide a complete Environmental Report with the required information, as a part of the IMDP Map application.

l. "The type and extent of any Significant Natural Communities Habitat as defined by this Code."

There were no Significant Natural Communities Habitat present on the Single-Family lands, which was outlined previously in Exhibit "H" (See Ord. 2005-122) and Exhibit J. a: Complete Environmental Report(s) are attached as Attachment: Environmental Data, for the sites subject to this request which includes the required information. The "Remaining" site will provide this information as a part of the IMDP Map application.

m. "Identification of known or observed Historic Resources as defined by this Code, including any sites listed within the State Division of Historical Resources Master Site File or the St. Johns County Historic Resources Inventory. In such cases, the requirements of Part 3.01.00 of this Code shall apply."

There are no known or observed Historic Resources located on the Single-Family lands and all new development will provide an Archeological Report with the information and in the format required by the County, as a part of the IMDP Map application.

n. "The type and extent of buffering, landscaping, tree removal and tree protection, and buffering between adjacent uses as needed to aesthetically screen uses and provide privacy."

1. Upland Buffers: The Applicant shall provide an averaged twenty-five-foot (25') natural undisturbed upland buffer (with a minimum width of 10-feet) and a twenty-five-foot (25') building

setback adjacent to any contiguous wetlands. However, the twenty-five (25) foot setback requirement from the Upland Buffer as required in Section 4.01.06.B.2 of the LDC shall not be required for residential lots adjacent to Contiguous Wetlands when the required Upland Buffer is not included within the platted lots. In this instance, residential lots are subject only to the applicable zoning district minimum setbacks. Upland Buffers and Building Setbacks associated with contiguous wetlands shall be depicted on all construction plans and shall be recorded on the plat. The upland buffer is to be measured from the State jurisdictional wetland line and proceeding landward and no activity or placement of a structure or accessory use is to take place in this buffer, as it is to remain a natural undisturbed vegetative buffer.

2. Perimeter Buffers / Buffers Between Uses: The Applicant shall provide a ten-foot (10') perimeter buffer along all boundaries of the PUD, which may be natural or enhanced and a twenty-foot (20') buffer along the commercial property lines along roadways, as well as between commercial and residential properties. This includes the north property line of the 9.8-acre commercial parcel and between the eastern edge of the commercial parcel and the residential area. The ten-foot (10') perimeter buffer will be within the twenty-foot (20') buffer where applicable. A ten-foot (10') buffer with Standard "A" screening will also be provided between the four residential areas and Treaty Park, in accordance with Table 6.20 of the Land Development Code.

3. Residential Buffer: The project will provide a 50-foot buffer for any residential development along Wildwood Drive as demonstrated on the MDP Map, Exhibit C.

All landscaping, tree removal and tree protection shall be in compliance with the LDC in effect at the time of approval of this PUD Ordinance. Commercial development shall provide a minimum 20-foot buffer along all boundaries with a B screening standard. The 9.8-acre parcel on the east side of Wildwood Drive shall provide a 30-foot buffer along the south boundary and a 50-foot buffer along the north boundary, consisting of a combination of existing vegetation and new vegetation, and fencing and/or the finished outside of the walls for the units, to meet 100 percent opacity. See details within the Waiver section of this MDP Text.

o. "PUDs located in Special Districts as defined by Article III of this Code shall include a statement identifying the particular Special District and referencing the requirements to comply with the provisions of such Special District."

Not applicable.

p. "The use, location and duration of temporary uses, including construction trailers, sales units, model homes, and temporary signage related to construction of the Project."

Temporary construction trailer(s) shall be allowed to be placed on site during construction of the project for each of the development areas. Also, model homes may be used for sale of residential units. Model homes may be constructed within each of the development areas, provided the number does not exceed ten (10) percent of the number of homes in the development area by phase. The model homes may be constructed during construction of the infrastructure and may be used for sales, administration and construction offices, after receipt of a Certificate of Occupancy. Parking for the model homes and sales offices will be located within the driveway or adjacent lot. The applicant will provide terminating easements to St. Johns County

for ingress and egress to all of the model homes under construction, prior to initiation of construction. The applicant understands that no Certificate of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional Agencies and the subdivision plat has been recorded with St. Johns County.

q. "The use and location of accessory uses for residential and non-residential structures, including Guest Houses, AIC units and related heating/cooling units, setbacks, swimming pools, fencing, and similar Uses."

1. Residential Accessory Uses:

Accessory activities are allowed to take place in the setback areas for the residential properties. The accessory uses do not include buildings with a permanent foundation. Standard residential accessory uses will be allowed within the building areas of the site, including, but not limited to: decks, patios, air conditioning units, walkways, and sidewalks. Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Specifically, as follows:

- a) Accessory uses or structures contained within or attached to the building containing the principal use shall be considered a part of the principal building and not an accessory building and shall meet the same requirements for setbacks as the main use structure, except as provided in paragraph 2 below.
- b) Accessory uses such as pools, covered pools, patios, decks, and gazebos, either attached or detached from the principal use structure, may be constructed up to a minimum of five (5) feet from the rear or side property boundary.
- c) Guesthouses or employee quarters, either attached or detached, shall meet the required setbacks of the principal use structure.
- d) Detached accessory structures, other than those described in paragraphs two (2) and three (3) above, may be constructed three (3) feet from the side or rear property boundary, if such accessory structure is separated from the principal use structure by ten (10) feet or more. If the accessory structure is less than ten (10) feet from the principal use structure, then the accessory structure shall be a minimum of five (5) feet from the rear or side property boundary.
- e) No accessory structure, excluding yard ornaments, shall be located within the required front yard.
- f) Yard ornaments may be permitted in any required yard subject to height limitations and requirements limiting obstruction of visibility as defined by the Land Development Code.
- g) No permanent structure shall be allowed within any (public or private) drainage or utility easement. Examples of permanent structures shall include, but are not limited to: buildings, footings, decks, screened enclosures, patios, swimming pools, and decks. No air conditioning or

electrical equipment, masonry walls, or masonry fences, pools, pool decks, or pool enclosures are to be located within any drainage or underground utility easement.

2. Commercial Accessory Uses:

Standard office, commercial and planned districts accessory uses will be allowed per the Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure and shall include those allowable per the provisions of LDC Part 2.02.04.C., including alcohol sales in accordance with all County and State licensing requirements.

r. "A phasing schedule, including at a minimum, the amount of residential 'and non-residential development to be completed within a specified phase, a specific commencement date, a definition of commencement of the Project, and a specific completion date. The PUD shall expire at the end of the specific completion date included in the MDP Text and no further development shall occur until the phasing schedule is extended or modified pursuant to the requirements of this part. The PUD shall provide as part of the phasing schedule, an estimate of uses to be developed within five (5) year phases. The estimated phases may overlap during construction; however, the phase shall be fifty percent (50%) complete, before the next phase may proceed. The phasing schedule shall also provide for a PUD Progress Report as required by Section 5.03.07."

Phasing for the project shall be in conformance with Section 5.03.00 of the LDC, with the following phasing applicable to the related land use:

1. Previously Approved Residential: The lands subject to the previous Major Modification will be developed in two (2) five (5) year phases. A minimum of 217 units will be constructed in Phase I (2006 - 2011). The remaining units will be constructed in Phase II (2011-2016) Phase II shall also consist of the 48,000 square feet on 4.0 acres of commercial use. The estimated phases for the lands subject to the previous Major Modification may overlap during construction, provided that a phase shall be fifty percent (50%) complete before the next phase may proceed, in accordance with Section 5.03.02.G.1.r.1. Construction will be commenced within three (3) years of the County's approval of the PUD, upon approval of the construction plans for the development area and extending through build-out of the PUD. Commencement of construction shall be deemed to have occurred upon approval of the construction plans for the development area. Completion is defined as receipt of approval from the County of the As-Built Surveys. Completion shall be within five (5) years of commencement.

Brinkhoff Road Construction Sequencing: Construction of the western portion ("Sequence One") of Brinkhoff Road from SR 207 (station 10+00) to the Treaty Oaks Subdivision's eastern-most property line's intersection with the north Brinkhoff Road right-of-way (station 33+50), shall commence prior to the commencement of construction of any horizontal improvements within Treaty Oaks Subdivision. This portion of Brinkhoff Road shall consist of approximately 2,350 liner feet of roadway and will include the outfalls, ponds, and primary "trunk line" to accommodate stormwater for both Sequences One and Two of Brinkhoff Road. On the new east approach-to the SR 207 intersection, the Applicant will construct one eastbound departure lane and three westbound approach lanes, consisting of one left-turn lane, one through lane, and one right-turn lane. Along SR 207, the Applicant will construct one northbound right-turn lane at the Brinkhoff Road Intersection. As discussed with the FDOT, the Applicant understands that it will be required to construct a

traffic signal at the SR 207/Brinkhoff Road intersection when warranted. Commencement for Sequence One construction shall be deemed to have occurred upon posting of a performance bond to the County in an amount equal to the Engineer's Opinion of Probable Construction Cost (EOPCC) for the Sequence One Improvements. The performance bond for Sequence One Improvements will contain language that will allow St. Johns County to use the performance bond for Sequence Two Improvements if the developer fails to perform. The amount of the Sequence One Improvements performance bond shall be the greater between 115% of the EOPCC Sequence One Improvements or 115% of 60% of the Sequence One and Two Improvements combined. The first 227 residential lots (P.U.D. Phase I) may be platted during construction of Brinkhoff Road Sequence One, however no Certificates of Occupancy shall be issued prior to the completion of Brinkhoff Road Sequence One. Completion shall be deemed to have occurred upon the County's acceptance of the Sequence One Improvements. The performance bond for Sequence One shall not be released or partially released until the performance bond has been posted for Sequence Two.

Construction of the Eastern portion (Sequence Two) of Brinkhoff Road from the Sequence One eastern limit (33+50) to Wildwood Drive (station 50+94), shall commence prior to platting of the 228th residential lot within the Treaty Oaks Subdivision. This portion of Brinkhoff Road shall consist of approximately 1,744 linear feet. On the new west approach to the Wildwood Drive intersection, the Applicant will construct one westbound departure lane and two eastbound approach lanes, consisting of one left-turn lane and one right-turn lane. Along Wildwood Drive, the Applicant will construct one southbound right-turn lane and one northbound left-turn lane at the Brinkhoff Road Intersection. Commencement for Sequence Two construction shall be deemed to have occur upon posting of a performance bond to the county in an amount equal to 115% of EOPCC for Sequence Two improvements. The Brinkhoff Road Sequence Two improvements shall be completed within two years of commencement. Completion shall be deemed to have occurred upon the County's acceptance of the Sequence Two improvements. Certificates of Occupancy may be issued by the County for the remaining lots (PUD Phase II) prior to the Brinkhoff Road Sequence Two completion, provided that the Sequence Two bond remains in effect and does not expire during construction. Brinkhoff Road Construction Sequencing is also addressed in Section R. 2.

2. Multifamily / Single Family: The remaining Multifamily and Multifamily/Single Family parcels will each be commenced within 10 years of this Modification and completed within 5 years of commencement and will be established on a parcel by parcel basis for the property that is subject to this modification (or the remaining, parcels described in Section g. This includes the North Central Parcels, the South Central Parcels and the Remaining Parcel. Commencement for these parcels will require the commencement of Brinkhoff Road Sequence Two from Sequence One to Wildwood Drive (either by bond or by construction plan approval) (prior to approval of the proposed multi-family units; prior to platting if townhomes or prior to construction plans if apartments or condos.) Commencement shall be deemed to have occurred upon approval of the construction plans for the development area for individual parcels. Completion is defined as receipt of approval from the County of the As-Built Surveys. The Developer of the multifamily/single family parcels may elect to construct a portion of the Sequence Two Brinkhoff Road improvements from the project entrance east to Wildwood Drive. Certificates of occupancy may be issued, by the County, for the multifamily/single family parcels provided that the Brinkhoff Road improvements from the multifamily project entrance east to Wildwood

Drive, including turn lanes as described above, have been completed and approved by the County. If the Developer of the multifamily/single family parcels completes these improvements, road impact fee credits shall be allowed and assigned to these parcels for the portion constructed, pursuant to that certain Agreement between St. Johns County and K.S. Toney, dated August 17, 1987. Impact fee credit cannot be awarded until the complete Brinkhoff Road Sequence Two has been commenced and documentation of actual cost for this portion has been provided.

3. Commercial: The three (3) commercial parcels will each be commenced within 10 years of this modification and completed within 5 years of commencement and will be established on a parcel by parcel basis for the property that is subject to this modification (or the remaining parcels described in Section g.). This includes the 4.0-acre parcel at SR 207 (48,000 sq. ft) and Brinkhoff Road, the 9.8-acre parcel on the eastern side of Wildwood Drive (67,120 sq. ft.) and the 3.01 acre parcel on the West side of Wildwood Drive (17,120 sq. ft.). Commencement of construction shall be deemed to have occurred upon approval of the construction plans for the development area. Completion is defined as receipt of approval from the County of the As-Built Surveys.

The phasing schedule shall also provide for a PUD Progress Report as required by Section 5.03.07.

s. "The projected impact of the Project upon St. Johns County, an explanation of the Project's benefit to the County, as compared to existing zoning or other zoning district, and justification of the Project."

The impact of the project on County service and infrastructure is as set forth in the Concurrency Application and Certificate of Concurrency. The project's benefits include the local availability of goods and services not presently available as well as additional employment. The proposed use further conforms the zoning classification to the Comprehensive Plan.

Justification for approval of this PUD, when developed in accordance with the conditions stipulated within the application and imposed by the adopting ordinance include the following:

1. The tract in question is located in the Mixed Use District and Residential C District. The tract is suitable in character and location for the structure and uses proposed.
2. The project will not adversely affect the orderly development of St. Johns County, as embodied by the LDC and the, 2025 St. Johns County Comprehensive Plan. The property is identified as Mixed Use and Residential C on the Future Land Use Map of the St. Johns County Comprehensive Plan, which allows development activities as proposed within this application. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall trend of the area. The applicant believes that the proposed PUD will be a benefit to the future occupants of the project and to the residents of St. Johns County in that the County will be afforded strict control over development within a rapidly growing area.
3. The project 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 LDC.

4. The conditions stipulated in the PUD and imposed by this ordinance provide for strict regulation and maintenance of this project.

5. When developed in accordance with the conditions stipulated by this ordinance, the PUD will maintain the standards of the area, complement the neighboring developments and will be compatible and the desire future development of the area.

Additionally, the project has languished over the years, since the initial approval in the 1980's and the dedication of Treaty Park to the County. The already approved single family has brought attention to the original plan and the opportunities to complete the development with the mix of both commercial and multifamily residential (which is generally not available in the County). The property has excellent access to major roadways and transportation corridors via State Road 207 and US 1 and Interstate 95. The site is centered within an established residential area that is near more large scale shopping and businesses for employment opportunities and is centered around a significant community park. The stormwater detention/retention, wetland, recreational park areas will serve to buffer the development from adjacent properties and roadways and will provide privacy from surrounding residential development. The location, size and design of the project will provide privacy and buffering from other development in the area and the plan incorporates a significant amount of open space and green space (actually around 50% of the project) that has been interspersed on the site and includes the park. The project will be served by centralized utilities. The multifamily residential units will target families of differing income levels, workforce housing and retirees, providing for an integrated community and the small neighborhood commercial uses and self-storage proposed, will serve the immediate community. The site design will provide a unique development and easily accessible recreation areas will provide for a walkable neighborhood, whereby residents can meet and enjoy active and passive recreation opportunities in a common area. The access to major roadways and transportation corridors to all points north and south will connect the development to area employment opportunities and retail activities, nearby schools, cultural facilities and both active and passive recreational opportunities. The site is located such 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 Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

t. "A description of any waivers, variances, or deviations from this Code included in the application and justification for such waivers, variances, or deviations."

The applicant requests the following waiver to the requirements of the LDC: Separation for Self-Storage Facilities: Self Storage Facilities (defined as Personal Property Mini-Warehouse Facilities) are considered a Special Use within the LDC with standards established within Section 2.03.16. These standards are as follows:

1. Storage Buildings shall be subdivided by permanent partitions into spaces containing not more than four hundred (400) square feet each such space shall have an independent entrance under the exclusive control of the tenant thereof.

2. Not more than four thousand (4,000) square feet in total area shall be occupied or used by any single tenant.
3. Storage of goods shall be limited to personal property with no commercial distribution or sales or other business activities allowed on the premises, and the regular delivery or pick-up of goods in trucks in excess of eight thousand (8,000) pounds net vehicle weight shall not be allowed.
4. The storage of hazardous materials shall be prohibited.
5. All outdoor lighting shall be directional and shall not shine directly onto adjacent properties.
6. A minimum six (6) foot masonry wall or security fence shall be required around the perimeter of the facility. If fenced, such fence shall be opaque along property lines adjacent to Open Rural or residential zoning districts.
7. The facility shall contain a staffed on-site office.
8. Access to the facility shall be restricted to the hours of management personnel being on-site.
9. No portion of a Personal Property Mini-Warehouse Facility shall be allowed as a Special Use within six hundred (600) feet of the Right-of-Way of a designated Scenic Highway or Scenic Roadway. For the purposes of this provision, the definition of Scenic Highway or Scenic Roadway shall be the same as the definition of Scenic Highway or Scenic Roadway as it applies to Antenna Towers.
10. No portion of a Personal Property Mini-Warehouse Facility shall be allowed as a Special Use within five hundred (500) feet of residentially zoned property or residential portions of Planned Developments.

The proposed facility can and will comply with all of these requirements, but is requesting a waiver to the requirements of Section 2.03.16.J. which requires the 500-foot separation to residential property. The property is located along Wildwood Drive and is within a residential community in order to serve that 3, community. It is currently designated for multifamily within the Treaty Grounds PUD and is across from both Multifamily and Commercial designations (that will remain within that PUD). Immediately to the south is an existing multifamily development, and to the north and east is single family residential.

In addition, the applicant is proposing to use a portion of the site for Boat and RV Storage in accordance with Section 2.03.42 as follows:

1. The storage area shall be screened from public view and from all streets or roadways. Screening shall be provided with Evergreen plants six (6) feet in height at the time of planting and an overall screening opacity of seventy-five percent (75%) or greater, or a solid wooden, pvc, or similar material fence, or masonry or concrete block wall at least six (6) feet in height. If masonry or block wall is provided, it shall be painted and architecturally finished on the outside.
2. There shall be a site plan submitted with the Special Use Permit that is in compliance

with all requirements of the Land Development Code and such site plan shall indicate whether employee quarters are included.

3. If signs are to be placed on the property, the Special Use Permit shall include such signage locations and a drawing shall be submitted that shows compliance with the sign regulations of the Land Development Code. Such sign plan shall be made part of the Special Use Permit.

4. All outdoor lighting shall be directional and shall not shine directly onto adjacent properties.

5. The facility shall contain a staffed on-site office.

6. Access to the facility shall be restricted to the hours of management personnel being on-site unless individual electronic access is available.

In the case of both the Self-Storage facility and the Boat and RV Storage, the applicant is also seeking a waiver to the requirements for staffed on-site office and access being restricted to the hours of management personnel being on-site. The facilities will have an on-site office, but also individual electronic access for those times when personnel is not available.

The applicant feels that the location, at the intersection of 2 collector roadways, Wildwood Drive and Brinkhoff Road, and in the general location of other commercially zoned property, makes this site a good location for the neighborhood type commercial activities, including the small self-storage facility. And further feels that the proposed design and the associated buffers will alleviate concerns with regard to compatibility with the adjacent residential development. The design, which will be established on the IMDP Map, will provide for single story buildings fronting along 3 sides of the facility (adjacent to and across from the residential properties) that will be architecturally finished and limits interior buildings to a maximum of 3 stories that will also be architecturally finished and will stand "behind" the one-story buildings along the front. This will create a natural building "border" along with both natural and planted buffers. With regard to the western boundary, although Wildwood Drive is only 66 feet in width, the applicant is providing for the reservation of 17 feet to provide for a future right-of-way (ROW) of 100 feet and as noted, the properties across Wildwood Drive are set for commercial (which would also allow self-storage) and multifamily (that will have to meet its own residential buffering to Wildwood Drive). Besides the reserved ROW, the applicant is providing a 20-foot buffer and has oriented single story storage buildings, architecturally finished, to act as a buffer to contain any noise or activities related with the self-storage use. With regard to the properties to the east, they are separated by an extensive wetland buffer and Moultrie Creek and the applicant is also providing the single story buildings along the upland portion of the eastern side of the site, to accomplish additional screening and buffering. With regard to the north boundary, the IMDP Map will also contain the same single-story feature along the northern boundary, along with a 50-foot vegetated buffer, which is heavily treed to provide much of the same buffering techniques the other 2 boundaries. And finally, with regard to the southern boundary, the IMDP Map will provide for the neighborhood commercial use between the self-storage and the multifamily residential, along with a 30-foot vegetated buffer. Additionally, the community recreation area and pool located along their northern boundary, so both the self-storage and the commercial will not be immediately adjacent to any homes.

Therefore, this site design and architectural commitments, combined with the separation afforded by Wildwood Drive, which is a Collector roadway, along with the buffers, will provide mitigation for any perceived concerns that would arise from the "distance" factor. This waiver is being requested to allow for the reduced distance, due to the relationship of the property to the major roadway, the building design elements offered and the extensive buffering either existing or to be added.

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

u. "A statement, and agreement to comply, binding all successors and assigns in title to the commitments and conditions of the Master Development Plan."

The Applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the St. Johns Board of County Commissioners. The applicant also agrees to comply with all conditions and safeguards established by the St. Johns County Board of County Commissioners regarding said PUD as previously agreed.

v. "When the subject property is designated as more than one Future Land Use designation on the Comprehensive Plan Future Land Use Map, a map shall be provided depicting the boundaries between the designations and provide the total upland and Wetland acres for each land Use designation."

Lands located within the PUD have future land use designations of Mixed Use District and Residential C.

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Lili Silva
St. Johns Law Group
104 Sea Grove Main St

Saint Augustine FL 32080

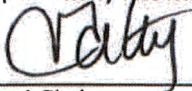
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Classified Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

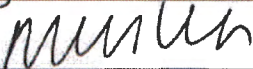
04/11/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 04/11/2024



Legal Clerk



Notary, State of WI, County of Brown

8.25.26

My commission expires

Publication Cost: \$326.40

Order No: 10039341

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1

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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED MAJOR MODIFICATION NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held on 5/2/2024 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 6/4/2024 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 Treaty Grounds Planned Unit Development (Ordinance 1987-37, as amended) to remove approximately five (5) acres of land. This request is a companion application to REZ 2024-01 Brinkhoff Charter School, which seeks to rezone the property to Open Rural (OR) to allow for a K-8 Charter School and Early Learning Center.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE TREATY GROUND PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 1987-37, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The subject property is located at 1600 Brinkhoff Road 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
ST. JOHNS COUNTY, FLORIDA
MEAGAN PERKINS, CHAIR

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SARAH ARNOLD, CHAIR

FILE NUMBER: MAJMOD-2024000002
PROJECT NAME: Brinkhoff Charter School
Order #: 10039341
Publish: April 11, 2024

ED-39155730



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 12, 2024

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

Dear Honorable Brandon Patty,

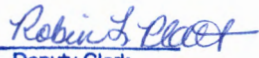
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2024-31, which was filed in this office on June 12, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

FILED JUN 12 2024
St. Johns County
Clerk of Court

By: 
Deputy Clerk