

Resolution No. 93-180

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS, STATE OF FLORIDA,
APPROVING A MAJOR MODIFICATION TO ORDINANCE 91-35,
PERTAINING TO THE PONTE VEDRA LAKES
NEIGHBORHOOD OFFICE PARK PSD.**

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

Section 1: Pursuant to the application of the Fletcher Land Corporation (the "Applicant") for a major modification to Ordinance 91-35, (which ordinance approved a rezoning of certain property to PSD for an office park with office and service retail uses), whereby the Applicant requests a free-standing restaurant with the service of alcohol, to add 6,390 square feet of service retail and to decrease the office use by 14,390 square feet, all as more specifically described in the Written Description, dated October 29, 1993, (hereinafter the "Major Modification Application") attached hereto and made a part hereof as Exhibit A, to be located on that certain 13.31 acre parcel located in St. Johns County, more particularly as described in Exhibit B, attached hereto and made a part hereof (the "Southside Property"), the Major Modification Application has been considered by the Ponte Vedra Zoning Board, the St. Johns County Planning and Zoning Agency and the Board of County Commissioners.

Section 2: Development of the Southside Property shall proceed in accordance with Ordinance 91-35, as modified by the Major Modification Application and as supplemented by the provisions of this Resolution. In the case of conflict between Ordinance 91-35 or the Major Modification Application and the provisions of this Resolution, the provisions of this Resolution shall prevail.

Section 3: At a public hearing held on September 16, 1993, the St. Johns County Planning and Zoning Agency found the Major Modification Application consistent with the St. Johns County Comprehensive Plan and recommended approval of the Major Modification Application by unanimous vote.

Section 4: At the public hearing held on September 20, 1993, and continued on October 8, 1993, the Ponte Vedra Zoning Board found the Major Modification Application consistent with the Ponte Vedra Zoning Regulations and recommended approval of the Major Modification Application by unanimous vote.

Section 5: Based on the information contained in the Major Modification Application and evidence presented to the Ponte Vedra Zoning Board, the St. Johns County Planning and Zoning Agency and this Board during public hearings, the Board of County Commissioners finds as follows:

- i. The need and justification for the requested change has been considered in accordance with Section VII, D.2. of the Ponte Vedra Zoning Regulations, in accordance with Section 8-A, as applicable, of the St. Johns County Zoning Resolution, and in accordance with the St. Johns County Comprehensive Plan;
- ii. The requested changes contained in the proposed Major Modification Application are consistent with the development trends of the surrounding neighborhood areas;
- iii. The proposed Major Modification Application is consistent with the goals, objectives and policies of the St. Johns County Comprehensive Plan, the Textual Appendix thereto, and the Comprehensive Plan Future Land Use Map;
- iv. The proposed Major Modification Application meets the intent, objectives and Standards and Criteria of Section VII, D.2. of the Ponte Vedra Zoning Regulations and of Sections 8-A, as applicable, of the St. Johns County Zoning Ordinance;
- v. The proposed Major Modification Application does not affect adversely the orderly development or use of the Ponte Vedra Zoning District as embodied in the Ponte Vedra Zoning Regulations or of St. Johns County as embodied in the St. Johns County Zoning Ordinance and in any comprehensive plan or portion thereof adopted by the St. Johns County Board of County Commissioners.

- vi. The proposed Major Modification Application will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood.

- vii. The proposed Major Modification Application is consistent with all limitations on commercial development contained in the St. Johns County Comprehensive Plan.

Section 6: The Major Modification Application is hereby approved in reliance upon and in accordance with all representations and statements made in the Major Modification Application and all testimony presented during the several public hearings held to consider the Major Modification Application.

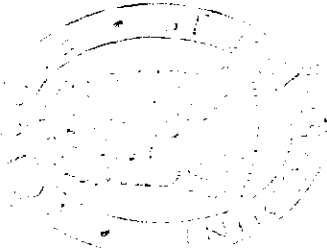
Section 7: Except as modified herein, the remaining provisions contained in Ordinance 91-35 shall remain in full force and effect.

Section 8: The Chairman or Vice Chairman of the Board of County Commissioners is hereby authorized to execute a Consent and Joinder to the Declaration of Restrictive Covenant, as may be necessary to reflect the Major Modification Application approved hereby.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST.
JOHNS COUNTY, FLORIDA, THIS 9th day of November, 1993.

P.U.D. OFF. REC.
BOOK E PAGE 680

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA



By: Linda Balsavage
Linda Balsavage, Chair

ATTEST: Carl "Bud" Markel, Clerk

By: Wesley Carter (SEAL)

Effective Date

EXHIBIT A - WRITTEN DESCRIPTION

October 29, 1993

1. One free-standing restaurant, with service of alcoholic beverages licensed only under a special restaurant exception license issued by the State of Florida, is hereby permitted, as more particularly conditioned as follows:
 - 1a. The total seating capacity of the restaurant is limited to 220 seats and the number of bar stools is limited to no more than ten percent (10%) of the seating capacity of the restaurant.
 - 1b. No live entertainment is permitted with the exception of a single piano or single guitar player, and there shall be no outside entertainment.
 - 1c. No dance floor is permitted.
 - 1d. Service of alcohol at the bar is not permitted after 10:00 p.m. on Sundays through Thursdays and after 11:00 p.m. on Fridays and Saturdays.
 - 1e. The specific location of the restaurant is not permitted within 425 feet from the nearest residential unit located in Crane's Lake I or Crane's Lake II.
 - 1f. The restaurant building shall be limited to one (1) story.
 - 1g. The landscape budget for the restaurant site shall be increased from \$2.50 per square foot of building area to \$3.75 per square foot of building area.
 - 1h. One (1) parking space is required for every one hundred (100) square feet of gross building floor area.
 - 1i. The restaurant shall not be primarily a barbecue restaurant.
2. The square footage allowed on the Property is changed as follows:
 - a. A decrease of 14,390 square feet of office space for a revised total of 86,928 square feet of office; and
 - b. An increase of 6,390 square feet of service retail space for a revised total of 11,722 square feet of service retail.

~~3. The Fletcher Land Corporation shall not seek any future rezoning requests for the Property for a period of five years which will result in an increase in traffic impacts or establish a new, previously non-permitted land use. Other requests are allowed. This restriction shall not apply to any successors or assigns of the Fletcher Land Corporation.~~

LEGAL DESCRIPTION

P.U.D. OFF. REC.

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A PART OF GOVERNMENT LOTS 7 AND 3, SECTION 16, TOWNSHIP 9 SOUTH, RANGE 23 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 7; THENCE S.00°58'41"E., ALONG THE EAST LINE OF SAID GOVERNMENT LOT 7, A DISTANCE OF 220.72 FEET TO THE POINT OF BEGINNING; THENCE N.31°05'09"E. A DISTANCE OF 111.74 FEET; THENCE S.58°54'51"E. A DISTANCE OF 145.15 FEET; THENCE N.89°19'40"E. A DISTANCE OF 192.58 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A (A 125 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE S.01°28'30"E., ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 655.38 FEET; THENCE S.89°08'50"W. A DISTANCE OF 714.82 FEET; THENCE S.00°58'41"E. A DISTANCE OF 215.12 FEET; THENCE S.39°30'16"W. A DISTANCE OF 70.00 FEET TO AN INTERSECTION WITH THE EAST LINE OF CRANE'S LAKE ONE (A CONDOMINIUM); THENCE ALONG SAID EAST LINE OF CRANE'S LAKE ONE THE FOLLOWING EIGHT COURSES: (1) N.66°29'59"W. A DISTANCE OF 22.65 FEET TO A POINT ON A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 280.10 FEET (2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.04°57'46"E. AND A CHORD DISTANCE OF 145.33 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (3) THENCE N.10°04'22"W. A DISTANCE OF 122.83 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 287.00 FEET; (4) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.00°52'54"E. AND A CHORD DISTANCE OF 109.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (5) THENCE N.11°50'09"E. A DISTANCE OF 39.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 313.00 FEET; (6) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.05°25'44"E. AND A CHORD DISTANCE OF 69.86 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (7) THENCE N.00°58'42"W. A DISTANCE OF 149.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 187.00 FEET; (8) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.00°01'57"W. AND A CHORD DISTANCE OF 6.17 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY BOUNDARY OF AN EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 587, PAGES 247 THROUGH 254 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE ALONG SAID SOUTHEASTERLY BOUNDARY THE FOLLOWING FIVE COURSES: (1) S.75°53'30"E. A DISTANCE OF 17.51 FEET TO A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 170.00 FEET; (2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.14°17'38"E. AND A CHORD DISTANCE OF 86.44 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (3) THENCE N.29°01'19"E. A DISTANCE OF 168.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 230.00 FEET; (4) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A CHORD BEARING OF N.14°01'19"E. A CHORD DISTANCE OF 119.06 FEET TO THE POINT OF TANGENCY OF SAID CURVE; SAID POINT OF TANGENCY LYING ON THE EAST LINE OF THE AFORESAID GOVERNMENT LOT 7; (5) THENCE N.00°58'41"W. ALONG THE EAST LINE OF SAID GOVERNMENT LOT 7, A DISTANCE OF 24.00 FEET TO THE POINT OF BEGINNING. CONTAINING 13.31 ACRES MORE OR LESS.

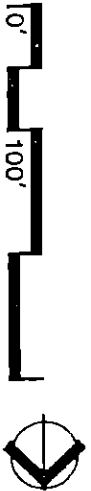
EXHIBIT B

P. U. D. OFF. REC.
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PONTE VEDRA LAKES

NEIGHBORHOOD OFFICE PARK
PSD MASTER PLAN

FLETCHER LAND CORPORATION

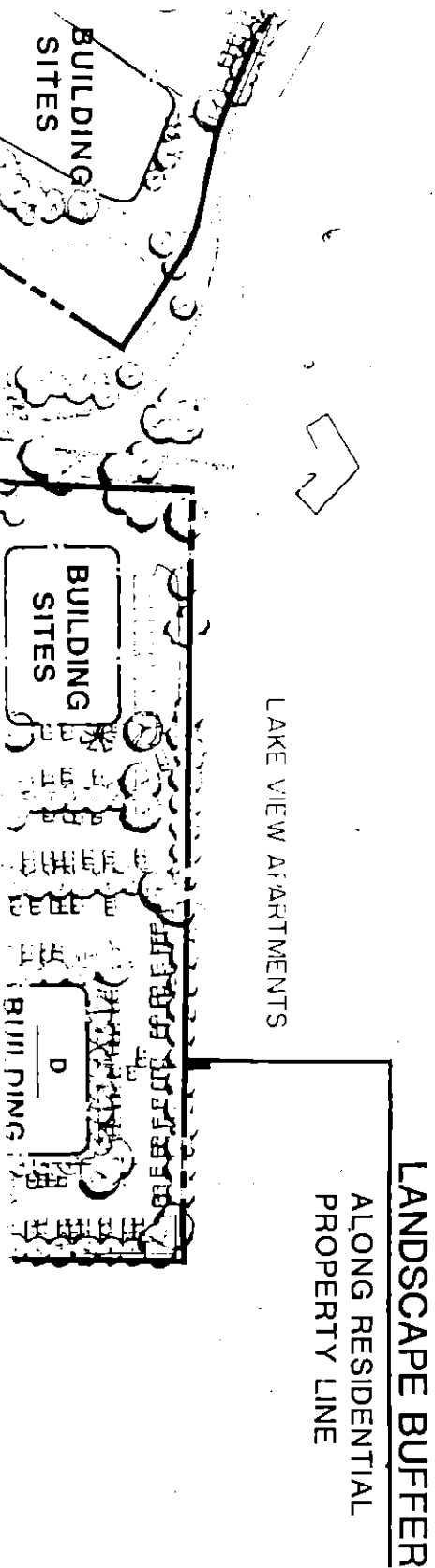


APRIL 15, 1991

Revised: August 18, 1993

AREAS

CRANE'S LAKE CONDOMINIUMS



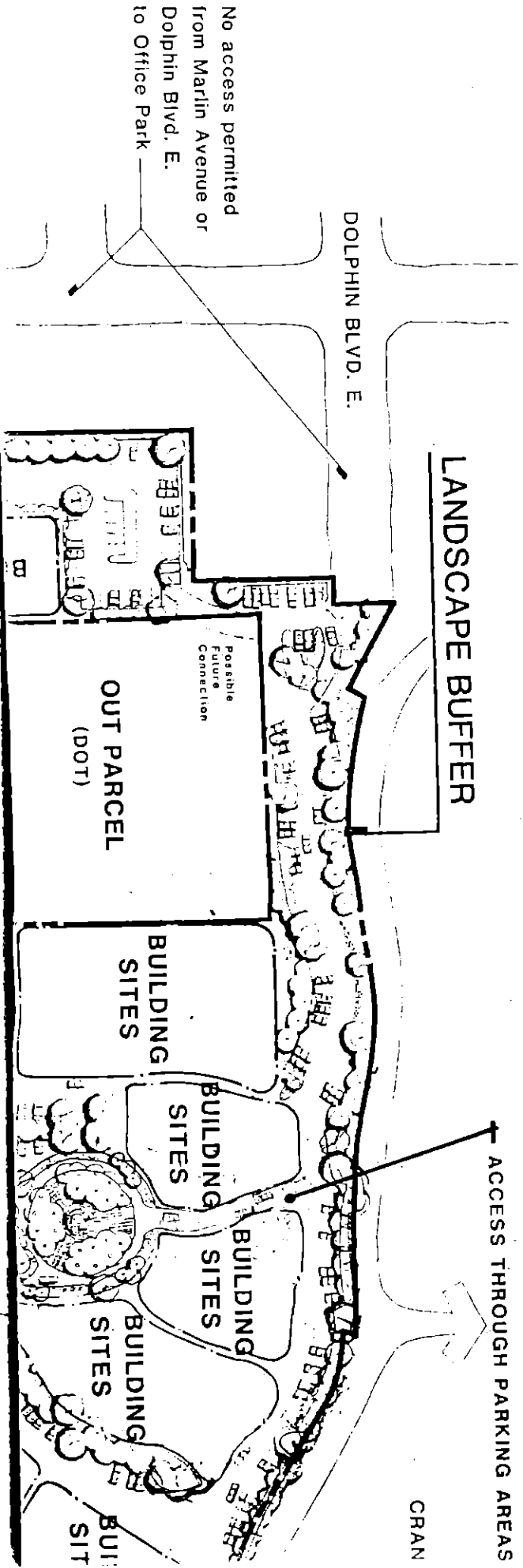
SPECIFIC SITE LEGEND

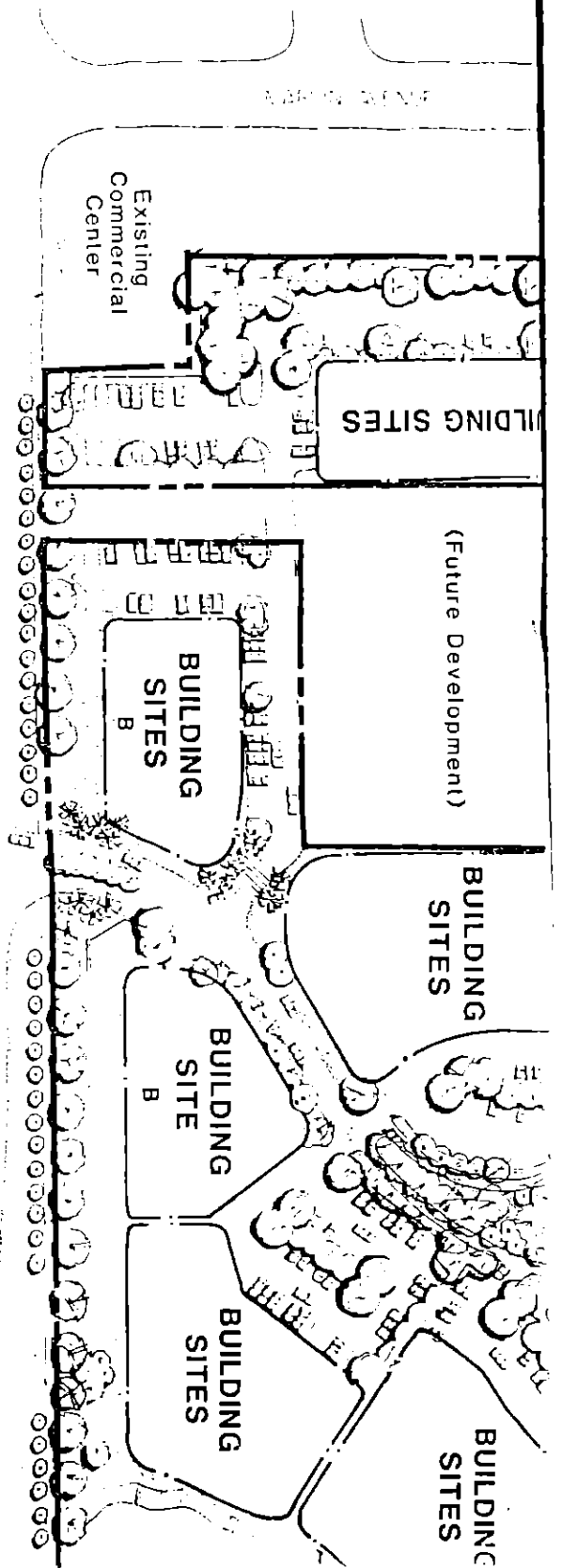
Denotes possible building sites (professional and business offices; clinics, child day care center, banking facilities, travel agent offices and limited service retail).

- D - Child Day Care Facility will be limited to D designated site.
 - B - Banking facilities will be limited to D designated sites.
- PHASE I - North of Ponte Vedra Lake Boulevard
 PHASE II - South of Ponte Vedra Lake Boulevard

NOTE:

THIS ZONING MAP SHOWS THE GENERAL INTENDED LAYOUT FOR THE DEVELOPMENT OF THE PONTE VEDRA LAKES NEIGHBORHOOD OFFICE PARK. THE EXACT LOCATION AND CONFIGURATION OF BUILDINGS, ROADS, LAKES AND PARKING AREAS ARE SUBJECT TO CHANGE BASED ON THE SPECIFIC REQUIREMENTS OF EACH DEVELOPMENT PARCEL. THE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO THE CONDITIONS AND LIMITATIONS AS SPECIFIED IN THE WRITTEN DISCUSSION AS ADOPTED IN THE PSD ZONING ORDINANCE FOR THE PROPERTY.

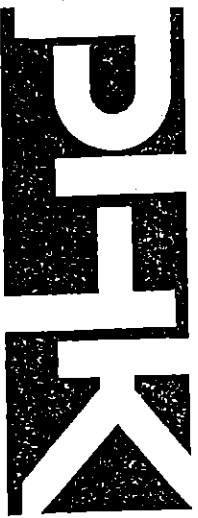




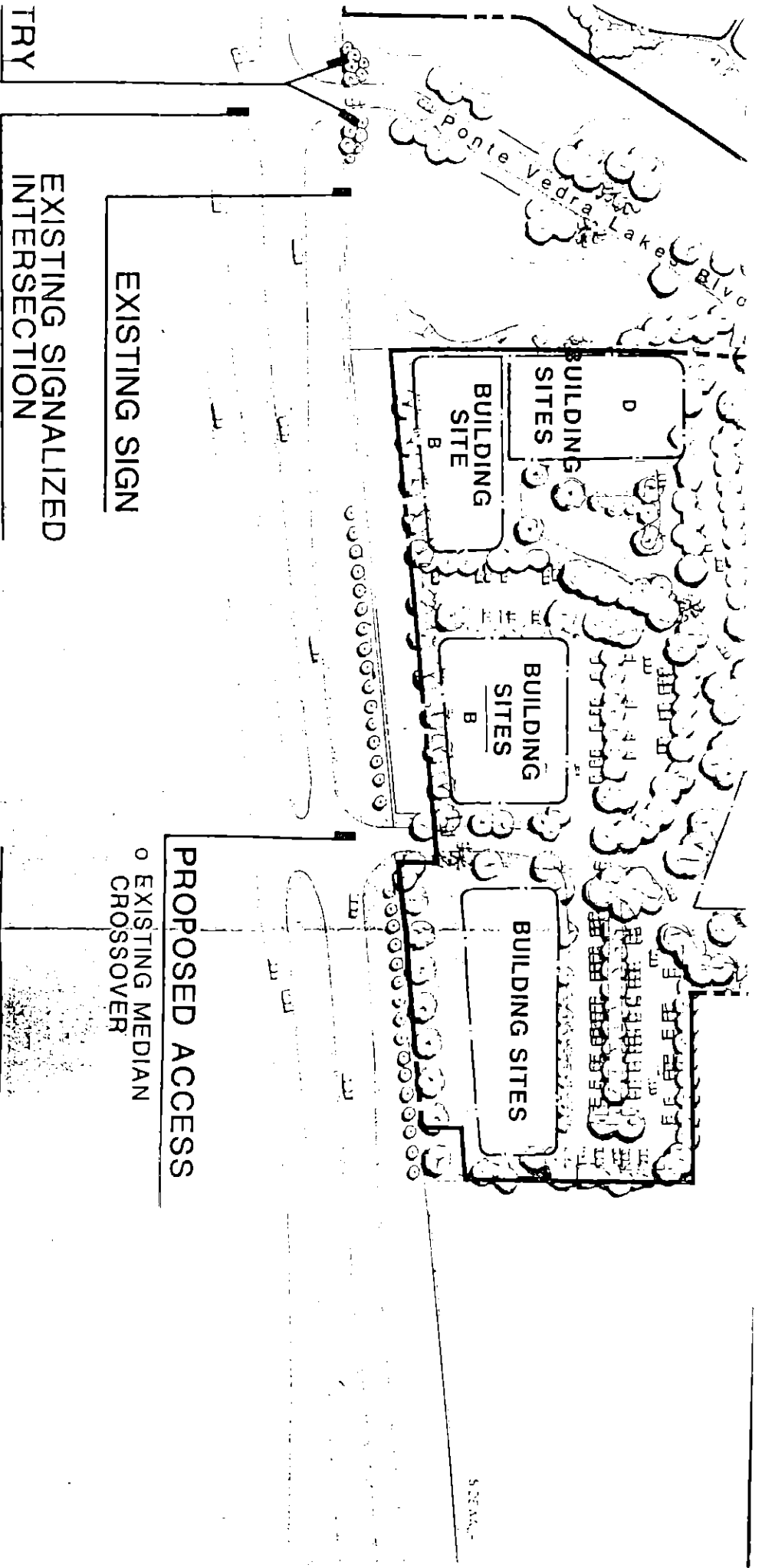
PROPOSED ACCESS

EXISTING MEDIAN
CROSSOVER

EXISTING LAKES
LANDSCAPING & EN
NOT INCLUDED IN PSD



PROSPECT, HALLLOCK & KRISTOFFEL, INC.
Planners and Engineers
11111 Phillips Highway, Suite 100
Jacksonville, Florida 32256
9041 739-3655 || FAX 9041 739-9413



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OFFICE SERVICE/RETAIL	202,635 SQ. FT
TOTAL SITE AREA	27.0 AC
Average Site Area Per Acre	7900 Sq. Ft

LAND USE SUMMARY

PROPOSED ACCESS
 ○ EXISTING MEDIAN CROSSOVER

EXISTING SIGNALIZED INTERSECTION

EXISTING SIGN

Ponte Vedra Lake Blvd

BUILDING SITE B

BUILDING SITES

BUILDING SITES B

BUILDING SITES

5/22/00

STATE OF FLORIDA
COUNTY OF ST. JOHNS

P. U. D. OFF. REC.
BOOK E PAGE 687

I, CARL "BUD" MARKEL, CLERK OF THE CIRCUIT COURT, Ex-officio, Clerk of the Board of County Commissioners of St. Johns County, Florida,

DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following:

RESOLUTION NO. 93-180

**adopted by the Board of County Commissioners
of St. Johns County, Florida at a regular
meeting of said Board held November 9, 1993.**

as the same appears of record in the office of the Clerk of the Circuit Court of St. Johns County, Florida, of the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 16th day of November, 1993.

CARL "BUD" MARKEL,
CLERK OF THE CIRCUIT COURT
Ex-officio Clerk of the Board of County
Commissioners of St. Johns County, Florida

By: Yvonne Carter
Yvonne Carter, Deputy Clerk

