

RESOLUTION 93 - 89 OF THE BOARD OF COUNTY COMMISSIONERS,
ST. JOHNS COUNTY, STATE OF FLORIDA,
APPROVING A MODIFICATION TO RESOLUTION NO. 90-65, PERTAINING TO
THE ST. AUGUSTINE OUTLET CENTER PUD

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

SECTION 1: Pursuant to the request of New Plan Realty Trust (the "Applicant") for a major modification to Resolution No. 90-65 which resolution approved a final development plan for the St. Augustine Outlet Center, the Applicant's request for a modified final development plan dated January 7, 1993, including the modified final development plan map attached hereto as Exhibit "A", and written text attached hereto as Exhibit "B" and other supporting documents (the "Modified Final Development Plan"), which exhibits and supporting documents are incorporated by reference herein and made a part hereof, has been considered by the St. Johns County Planning and Zoning Agency and Board of County Commissioners. The Modified Final Development Plan relocates square footage and incorporates an eight (8) acre parcel and additional square footage into the St. Augustine Outlet Center PUD.

SECTION 2: At the public hearing on May 20, 1993, the Planning and Zoning Agency recommended approval of the Modified Final Development Plan by unanimous vote.

SECTION 3: The need and justification for approval of the Modified Final Development Plan has been considered in accordance with Sections 8-3 and 8-4 of the St. Johns County Zoning Ordinance and

Comprehensive Plan whereby:

(A) The Modified Final Development Plan is consistent with the St. Augustine Outlet Center PUD, as modified; and

(B) The proposed intensity of development is consistent with the uses allowable by the Mixed Use/Commercial designation within the Comprehensive Plan.

SECTION 4: The Modified Final Development Plan is hereby approved in reliance upon, and in accordance with, the application identified in Section 1, all representations and statements made therein and all supporting exhibits filed therewith and attached thereto.

SECTION 5: Notwithstanding the approval of the Modified Final Development Plan, no building permits shall be issued until the applicant has obtained a permit from the Florida Department of Transportation and submitted revised construction plans to the County which show the four (4) lane improvements to State Road 16.

SECTION 6: In all other respects, the remaining provisions contained in Resolution 90-65 shall remain in full force and effect.

PASSED AND ADOPTED this 8th day of June, 1993.

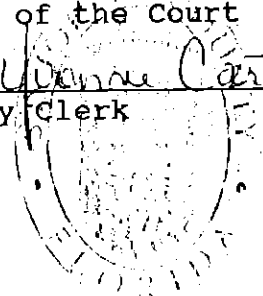
BOARD OF COUNTY COMMISSIONERS,
ST. JOHNS COUNTY, FLORIDA

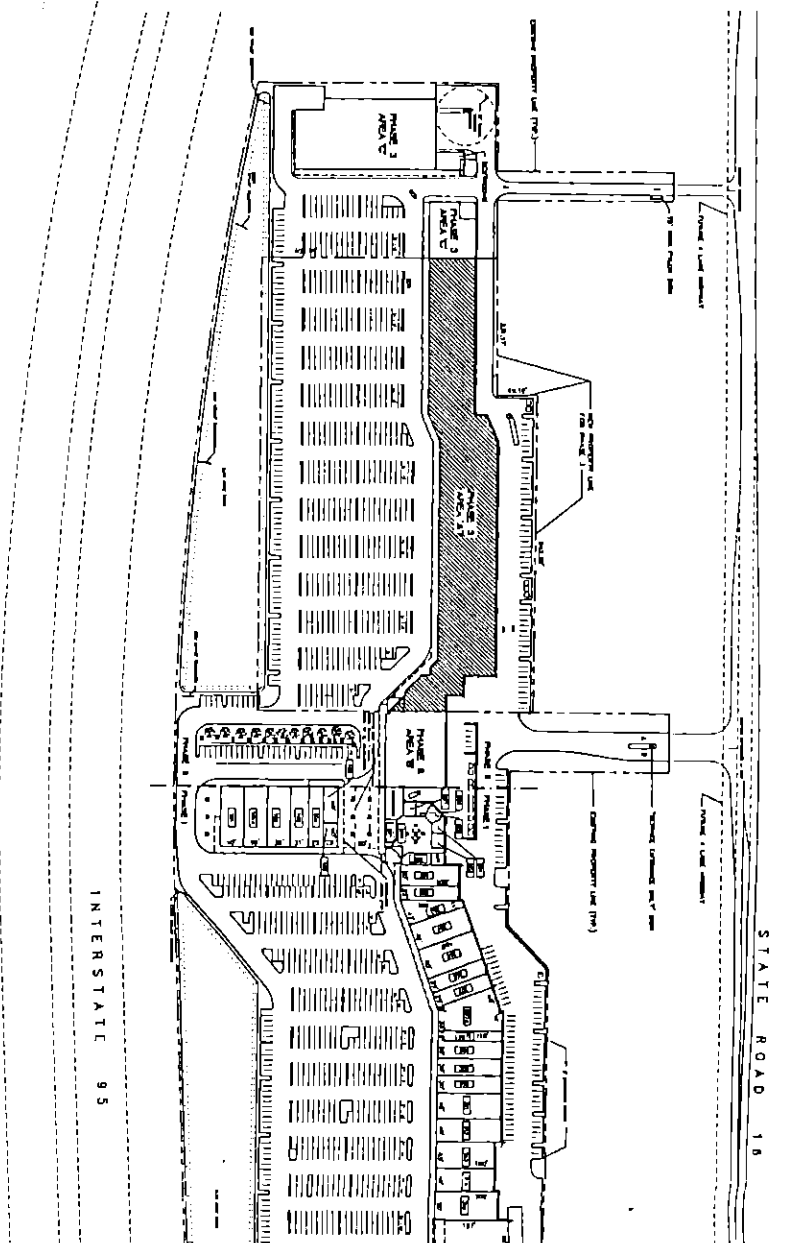
By Allan Roberts
Its Vice Chair - Allan Roberts

Adopted regular meeting: June 8, 1993
Effective: _____

CARL "BUD" MARKEL
Clerk of the Court

By Yvonne Carter
Deputy Clerk





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EXHIBIT B TO

MODIFIED FINAL DEVELOPMENT PLAN
FOR ST. AUGUSTINE OUTLET CENTER
ZONED PUD PURSUANT TO ORD.89-51

Applicant:

NEW PLAN REALTY TRUST

Attorneys for Applicant:

UPCHURCH, BAILEY and UPCHURCH, P.A.

By: John D. Bailey, Jr.
John D. Bailey, Jr.

INTRODUCTION

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Attached hereto you will please find all materials, drawings, information and other documentation, as required by Sections 8-3 and 8-4, St. Johns County Zoning Ordinance, concerning modified final development plan for the St. Augustine Outlet Center PUD (the "Modified PUD"), as modified by major modification submitted herewith (the "Major Modification"). This modified final development plan includes the 8 acre parcel incorporated into the Modified PUD by the Major Modification. The Modified PUD also includes all other signage, improvements and site modifications described in the Major Modification.

8-4-1 Density of Development

This section is not applicable to this final development plan as there are no residential uses within the PUD.

8-4-2 Open Space

This section is not applicable as there is no open space within the PUD.

8-4-3 Waiver of Yard, Dwelling Unit, Frontage Criteria, and Use Restriction

The modified final development plan includes all signage, improvements and infrastructure which either exists or is to be constructed or installed under the terms of the Modified PUD.

The Modified PUD will contain 334,838 square feet of floor area and public restrooms and a bus driver's lounge containing 1,225 square feet. The 334,838 square feet of floor area consists of 215,316 square feet of existing floor area and 119,522 square feet of new retail floor area to be constructed pursuant to the terms of the Modified PUD.

The Modified PUD will be accessed by three (3) separate entrances from State Road 16. The southern entrance will be a one (1) way public entrance only; the center entrance will be a two (2) way service entrance only; and the northern entrance will be a one (1) way public exit only and a one (1) way service entrance only. All of the entrances and exits will be private and maintained by the applicant and/or its assigns.

Signage will be permitted within the right-of-ways of the entrances and exits as shown on the Modified site/final development plan submitted herewith.

With the exception of the signs discussed in this paragraph, the height, location and size of all free-standing signage and billboards to be located within the Modified PUD will be as shown on the modified site/final development plan. The sign within the center service entrance will not exceed thirty feet (30') in height and two hundred (200) square feet in size. The two (2) pylon signs located within the southern entrance and northern exit shall not exceed four hundred (400) square feet in size. As stated above, all free-standing signage and billboards will be on-site signage. The existing off-site billboards located on the 8 Acre Parcel will be removed within six (6) months following approval of the Modified PUD.

In addition to the above free-standing signage, additional signage has been installed on the fronts of existing buildings as permitted by the 1989 PUD. The applicant desires to install similar signage on the face of all new buildings to be constructed within the Modified PUD. To maintain consistency with the existing buildings, the applicant requests that the maximum square footage of the signage to be placed on the new buildings be as permitted in the 1989 PUD. Although this maximum square footage may exceed that permitted by the current sign ordinance, it will be consistent with existing signage within the shopping center and will allow for easy identification of stores.

For consistency purposes, the maximum height of all new buildings constructed within the Modified PUD and building setbacks shall be as set forth in the 1989 PUD.

The applicant may install up to two (2) construction trailers within the 8 Acre Parcel during the period of construction. The construction trailers shall be removed within sixty (60) days following completion of

construction.

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8-4-4 Project Size

The Modified PUD will consist of 39.94 acres. A legal description of the Modified PUD is attached as Exhibit "A".

8-4-5 Support Legal Documents for Open Space

As there is no open space within the Modified PUD, this section does not apply.

8-4-6 Access

As discussed above, access to the Modified PUD will be provided by three (3) entrances/exits from State Road 16. The entrances and exits will be private and maintained by the applicant and/or its assigns.

8-4-7 Privacy

This section does not apply as no dwelling units are located within the PUD.

8-4-8 Community Facilities

(a) The entrances/exits, drainage facilities and utility lines serving the property will be owned by the applicant and/or its assigns and no facilities are proposed for dedication to St. Johns County.

(b) All requirements for off-street parking and loading set forth in Article IX of the St. Johns County Zoning Code are specifically addressed below:

9-1-1 Drainage

The general drainage plan for the property has been designed so as to prevent damage to abutting parcels and streets and alleys and is

graphically depicted on the final development. The existing and proposed parking and loading areas have been or will be surfaced with erosion resistant material in accordance with County specifications or equal thereto.

9-1-2 Separation from Walkway and Street

Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by curbing.

9-1-3 Entrances and Exits

The location and design of the existing entrances and exits serving the PUD is in accordance with St. Johns County specifications. The proposed modification to the southern entrance shall also conform to county standards or equal thereto.

9-1-4 Interior Drives

As shown on the final development plan, the interior vehicular drives will have a minimum width of twenty-five feet (25'), thus facilitating two-way traffic. Provided, the width of the one (1) way southern entrance will be eighteen feet (18').

9-1-5 Marking of Parking Spaces

All parking spaces in lots of ten (10) or more shall be marked by painted lines or curbs to indicate individual spaces.

9-1-6 Lighting

Adequate lighting shall be provided as the off-street parking and loading areas will be used at night. The lighting will be designed and installed to minimize glare on adjacent property.

9-1-7 Screening

This section does not apply as no off-street parking areas are located within forty feet (40') of a lot zoned residential.

9-2-1 Location

The off-street parking and loading areas are or will be located on the same parcel they are intended to serve.

9-3-1 Off-street Parking: Numbers Required

The modified final development plan includes 1,838 parking spaces which is well in excess of the required number.

9-4-1 Off-street Loading, Requirements

Sufficient off-street loading areas are located in the rear of the shopping center buildings.

(c) The final development plan illustrates the anticipated traffic flow pattern. Sufficient space has been allowed to permit access for fire fighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal. The property will be afforded fire protection by existing and new fire hydrants and by the installation of sprinklers within the buildings. The location of the fire hydrants is shown on the utility and drainage plans submitted to the County Engineering Department.

(d) All utilities serving the property including telephone, power, cable television, sewer lines and water lines will be installed underground. All stormwater facilities have been designed and constructed in accordance with applicable County regulations.

(e) All drives within the development, whether existing or proposed, have been or will be designed and constructed in accordance with St. Johns County standards or equal thereto.

The applicant reserves the right to make modifications to the approved site/final development plan to meet the requirements of the county and/or any other regulatory agency.

Applicant:

NEW PLAN REALTY TRUST

Attorneys for Applicant:

UPCHURCH, BAILEY and UPCHURCH, P.A.

By: John D. Bailey, Jr.
John D. Bailey, Jr.

EXHIBIT "A"

(LEGAL DESCRIPTION OF 8 ACRE PARCEL)

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A portion of Section 6, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at I-95 Station 8284+42.34 on the Southwesterly right-of-way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence North 53 degrees 29 minutes 40 seconds West, along said Southwesterly right-of-way line, 502.28 feet to an angle point in said right-of-way line; thence North 38 degrees 29 minutes 40 seconds West and continuing along last said line, 194.87 feet to a point situate in the Westerly boundary of those certain lands described in Official Records Book 568, Page 119 of said public records; thence South 17 degrees 23 minutes 19 seconds West, along last said line, 147.93 feet; thence South 42 degrees 33 minutes 45 seconds East and continuing along the Westerly boundary of said last mentioned lands, 266.98 feet; thence South 18 degrees 32 minutes 20 seconds West, along said last mentioned line, 666.30 feet to a point situate in the Northeasterly right-of-way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right-of-way as now established); thence South 36 degrees 16 minutes 19 seconds East, along last said line, 1518.91 feet; thence North 53 degrees 44 minutes 20 seconds East, along the Northwesterly line of those certain lands described in Deed Book 208, Page 520 of the public records of said county, 230.83 feet to the POINT OF BEGINNING; thence continue North 53 degrees 44 minutes 20 seconds East, along last said line, 472.17 feet to the most Northerly corner of said Deed Book 208, Page 520; thence South 36 degrees 15 minutes 40 seconds East, along the Northeasterly line of said last mentioned lands and along the Northeasterly line of those certain lands described in Deed Book 204, Page 35 of said public records, 770.51 feet; thence South 53 degrees 22 minutes 18 seconds West, along the Northwesterly line of those certain lands described in Official Records Book 231, Page 678, of said public records, 402.87 feet; thence North 36 degrees 16 minutes 19 seconds West, 231.17 feet; thence South 53 degrees 22 minutes 18 seconds West, 69.17 feet; thence North 36 degrees 16 minutes 19 seconds West, 542.36 feet to the POINT OF BEGINNING.

Containing 8.000 acres, more or less.

A portion of Section 6, Township 7, South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: BEGINNING at I-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South $38^{\circ}29'40''$ East, along said Southwesterly right of way line, a distance of 1235.87 feet to I-95 Station 8272+06.47, said point being the Point of Curvature of a curve to the right concave Southwesterly and having a radius of 5579.58 feet; thence Southeasterly around and along the arc of said curve and continuing along said Southwesterly right of way line, a distance of 1426.59 feet, said arc being subtended by a chord bearing and distance of South $31^{\circ}10'11''$ East, 1422.71 feet to the most Easterly corner of those certain lands described in Official Records Book 688, Page 1995 of the Public Records of said County; thence South $53^{\circ}22'18''$ West, along the Southeasterly line of said last mentioned lands and along the Southeasterly line of those certain lands described in Official Records Book 231, Page 678 of said Public Records, a distance of 412.13 feet; thence North $36^{\circ}16'19''$ West, and continuing along the boundary of said last mentioned lands, a distance of 150.00 feet; thence South $53^{\circ}22'18''$ West, and continuing along said boundary of said last mentioned lands, a distance of 300.00 feet to a point situate in the Northeasterly right of way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right of way as now established); thence North $36^{\circ}16'19''$ West, along said Northeasterly right of way line and continuing along the boundary of said last mentioned lands, a distance of 50.00 feet; thence North $53^{\circ}22'18''$ East, and continuing along said boundary of said last mentioned lands, a distance of 300.00 feet; thence North $36^{\circ}16'19''$ West, and continuing along said boundary of said last mentioned lands, a distance of 100.00 feet; thence North $53^{\circ}22'18''$ East, and continuing the boundary of said last mentioned lands, a distance of 402.87 feet to the most Northerly corner thereof and a point situate in the Northeasterly boundary of those certain lands described in Deed Book 204, Page 35 of said Public Records; thence North $36^{\circ}15'40''$ West, along the Northeasterly boundary of said last mentioned lands and along the Northeasterly boundary of those certain lands described in Deed Book 206, Page 520 of said Public Records and along the Southwesterly boundary of said lands described in Official Records Book 688, Page 1995, a distance of 770.51 feet to the most Northerly corner of said lands described in Deed Book 206, Page 520; thence South $53^{\circ}44'20''$ West, along the Northwesterly boundary of said last mentioned lands, a distance of 703.00 feet to a point situate in said Northeasterly right of way line of State Road No. 16 and/or Mill Creek Road; thence North $36^{\circ}16'19''$ West, along said Northeasterly right of way line, a distance of 100.00 feet; thence North $53^{\circ}44'20''$ East, a distance of 270.00 feet; thence North $36^{\circ}16'19''$ West, a distance of 280.00 feet;

North 36°16'19" West, a distance of 660.00 feet; thence North 11°56'03" West, a distance of 54.65 feet; thence North 36°16'19" West, a distance of 439.91 feet; thence South 18°32'20" West, a distance of 294.58 feet to a point situate in said Northeasterly right of way line of State Road No. 16 and/or Mill Creek Road; thence North 36°16'19" West, along said Northeasterly right of way line, a distance of 122.36 feet to a point situate in the Westerly boundary of those certain lands described in Official Records Volume 568, Page 119 of said Public Records; thence North 18°32'20" East, along said Westerly boundary, a distance of 666.30 feet; thence North 42°33'45" West, and continuing along the boundary of said last mentioned lands, a distance of 266.98 feet; thence North 17°23'19" East, and continuing along the boundary of said last mentioned lands, a distance of 147.93 feet to a point situate in said Southwesterly right of way line of Interstate Highway No. 95; thence South 38°29'40" East, along said Southwesterly right of way line, a distance of 194.87 feet to I-95 Station 8289+27.51, as shown on said right of way map Section 78080-2405; thence South 53°29'40" East, and continuing along said Southwesterly right of way line, a distance of 502.28 feet to the POINT OF BEGINNING.

Containing 31.9492 acres, more or less.

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Total acreage of modified PUD is 39.94, consisting of the 8.0 acre parcel and 31.94 acre existing PUD parcel.

STATE OF FLORIDA

COUNTY OF ST. JOHNS

ST. JOHNS COUNTY, FLA.
PUBLIC RECORDS

93 JUN 22 AM 11:07

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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. 93-89

**adopted by the Board of County Commissioners
of St. Johns County, Florida at a regular
meeting of said Board held June 8, 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 14th day of June, 1993.



(seal)

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