May 08, 2001

RESOLUTION NUMBER 2001-93

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
A NOTICE OF PROPOSED CHANGE FOR
THE BARTRAM PARK
DEVELOPMENT OF REGIONAL IMPACT

LET IT BE KNOWN that, pursuant to Section 380.06 of the Florida Statutes, the St. Johns County Board of County Commissioners has heard at a public hearing convened on May 08, 2001, the Application for Notice of Proposed Change of the Development of Regional Impact for Bartram Park, Ltd. dated January 09, 2001 ("NOPC"); and

WHEREAS, the Board of County Commissioners of St. Johns County approved a Development of Regional Impact Development Order for Bartram Park on September 19, 2000 ("Development Order") on lands described in the Development Order;

WHEREAS, the Board of County Commissioners of St. Johns County considered the recommendations of the St. Johns County staff, the documents and comments upon the record made before the St. Johns County Board of County Commissioners; and

WHEREAS, the Applicant filed an NOPC to the Development Order dated January 09, 2001, pursuant to Section 380.06, Florida Statutes (F.S.); and

WHEREAS, the authorized agent for the Applicant is J. Thomas Dodson, Jr., 13361 Atlantic Boulevard, Jacksonville, Florida 32225, and

WHEREAS, the Applicant has duly provided complete copies of the NOPC to the Florida Department of Community Affairs, Northeast Florida Regional Planning Council, St. Johns County and the City of Jacksonville; and
WHEREAS, the proposed NOPC does not require an amendment to the County's Comprehensive Plan; and

WHEREAS, the St. Johns County Board of County Commissioners has duly noticed and on May 8, 2001 held a public hearing on the application as required by section 380.06, F.S., and afforded the public and all affected parties an opportunity to be heard and to present evidence;

WHEREAS, The Board of County Commissioners hereby finds and determines that the changes and modifications requested by Bartram Park, Ltd. As set forth in that certain Notification of a Proposed Change dated January 9, 2001 on file in the office of the Planning Division of The Growth Planning Services Department do not constitute a substantial deviation as such term is defined in Section 380.06 (19), Florida Statutes. and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, in public hearing duly constituted and assembled on May 8, 2001 that the NOPC for that portion of the Bartram Park DRI located in St. Johns County is hereby approved, subject to the following terms and conditions:

1. **GENERAL CONDITIONS** of the DRI are hereby amended as follows:

Paragraph 3 of General Conditions is deleted in its entirety and the following substituted therefor:

Development in St. Johns County will be phased as follows:
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Phase I</th>
<th>Phase II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (Commercial)</td>
<td>240,000 s.f.</td>
<td>134,084 s.f.</td>
</tr>
<tr>
<td>Office</td>
<td>22,830 s.f.</td>
<td>22,000 s.f.</td>
</tr>
</tbody>
</table>

Notwithstanding the foregoing, no vertical development will occur in St. Johns County prior to January 1, 2005. Physical development of the DRI shall commence within three (3) years of the effective date of this Development Order; however, this time period shall be tolled during the period of any appeal pursuant to Section 380.07, F.S., or during the pendency of administrative or judicial proceedings relating to development permits. Commencement of physical development in Duval County shall be deemed to be commencement of physical development in St. Johns County. The projected buildout date for all development is December 31, 2015. The DRI termination and DRI Development Order expiration dates are established as December 31, 2020.

2. The Master Plan, Map H, as depicted in Exhibit D in the Development Order is revised as depicted at Exhibit A attached dated April 21, 2000.

3. **SPECIAL CONDITIONS** are amended as follows:
   a. Paragraph 24 of the Special Conditions is deleted in its entirety and the following substituted therefor:

   **Transportation**

   24. **Racetrack Road**

      (1) No later than thirty months from the effective date of the Development Order, Developer shall commence construction, or cause construction to commence, or pay to St. Johns County the full cost as agreed to by the County, of the four-laning of Racetrack
Road from U.S. 1 (including all necessary at-grade intersection improvements at the U.S.
1/Racetrack Road intersection), to the East Spine Road entrance into the single family development
between parcels 41 and 42 as depicted on the Master Plan. The Applicant shall reserve sufficient
right of way along the entirety of the project along Racetrack Road to expand the present 66 feet of
right of way to 133 feet (contributing 67 feet or one half of the right of way needed to total 200 feet),
and within 90 days of such a request by St. Johns County, the Developer shall convey to St. Johns
County such right of way to accommodate improvements adjacent to the entire southern boundary
of the project. Such right of way is estimated to be 20 acres. Developer agrees to convey up to an
additional one acre if roadway right of way measurements require such acreage for the road
improvement. Provided, however, if the county has not acquired the additional one half of the right
of way needed to match the Bartram conveyance at the time as the right of way is needed to complete
the widening of the Racetrack Road segments required by this DRI, then Developer shall donate such
additional right of way up to 67 feet as is necessary to construct the widening projects set forth in
this DRI. In the event that Developer donates such additional right of way for Racetrack Road, the
value of the additional donated right of way shall be credited against the $7,961,998 required for
the construction of Phase II of this development, such value to be established by filing a Notice of
Proposed Change to the DRI. In addition, the Developer shall receive a credit against county
transportation impact fees for the value of the additional donated right of way pursuant to the impact
fee ordinance.

(2) No later than the earlier of (i) the date of connection of Bartram Park
Blvd. to Racetrack Rd. or (ii) the connection of the proposed State Road 9B Extension to the St.
Johns County roadway system, Developer shall four-lane Racetrack Road, including the Durbin
Creek bridge and the bridge over I-95 from Russell Sampson Road to the East Spine Road (Second Racetrack Road Improvement), cause the construction or pay to St. Johns County the full cost of such construction, as determined by St. Johns County. Construction of Phase II development rights in St. Johns County shall not commence until the Developer has commenced construction of the Second Racetrack Road Improvement and the total cost of construction of that improvement is guaranteed by a bond. Bartram Park Blvd. shall not be open and operational to Racetrack Road until the Applicant has constructed, caused to be constructed or paid the full cost, as determined by St. Johns County, for the four-laning of this segment of Racetrack Road. Provided however,

(3) Impact fee credit shall be allowed for the cost of the improvements to Racetrack Road and the donation of right of way in accordance with the applicable County impact fee ordinance. The improvements to Racetrack Road and the donation of Racetrack Road right of way shall be deemed to satisfy all DRI transportation mitigation requirements of St. Johns County

b. The “Additional Transportation Contribution” section of Paragraph 25 of the Special Conditions is deleted in its entirety and the following substituted therefor:

**Additional Transportation Contribution**

Prior to the commencement of Phase II, Developer shall contribute $7,961,998 (in year 1999 dollars to be adjusted by U.S. Government issued annual inflation factors until the commitment is discharged and as may be adjusted due to additional right of way contributed as described in Paragraph 24 (1)) to the appropriate entity for improvements to be made to significant roadways impacted by the development. Such improvements will be identified in a Notice of Proposed Change to be filed and approved prior to the commencement of Phase II. Once the transportation mitigation requirements consisting of the four-laning of Racetrack Road from U.S. 1 to the East

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Spine Road and the PD&E Study described in this paragraph 25 have been completed, or the payment made to St. Johns County for the full costs of such improvements, as agreed to by the County, then Parcels 41, 42, 43 & 44 as depicted on Map H may be developed to completion.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 8th DAY OF May, 2001.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Mary A. Hanke
Chair

ATTEST: Cheryl Strickland

By: [Signature]
Deputy Clerk

Adopted Regular meeting May 8, 2001
Effective: May 8, 2001
STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LINDA Y MURRAY**  
who on oath says that she is an Accounting Clerk of the St. Augustine Record,  
a daily newspaper published at St. Augustine in St. Johns County, Florida:  
that the attached copy of advertisement, being a  

**NOTICE OF PROPOSED CHANGE**  
in the matter of **DEVELOPMENT REGIONAL IMPACT**  

**BARTRAM PARK PLANNED UNIT DEVELOPMENT**  
in the  

Court, was published in said newspaper in the issues of  

**APRIL 21, 2001**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 22ND day of **MAY** 2001

by [Signature]  
who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

(Signature of Notary Public)  
Zoe Ann Moss

**NOTICE OF PROPOSED CHANGE (NDPC) TO THE BARTRAM PARK DEVELOPMENT OF REGIONAL IMPACT (DRIP) DEVELOPMENT ORDER AND A MAJOR MODIFICATION TO THE BARTRAM PARK PLANNED UNIT DEVELOPMENT (PUD) ORDER**

This Notice is hereby given that the Board of County Commissioners of St. John County will consider a Notice of Proposed Change to the previously approved Bartram Park DRI Development Order, Resolution Number 95-13, and an Ordinance regulating this development, on the Board's regular meeting on the 28th day of August, 2000, at 9:00 a.m. at the County Administration Building, St. Johns County, Florida.

The Notice of Proposed Change includes the following:  

1. A proposed change to the Bartram Park PUD Development Order, which will allow for the construction of new buildings on the property.

2. A proposed change to the Bartram Park DRI Development Order, which will allow for the construction of new roads and utilities on the property.

The Notice of Proposed Change will be available for public review at the County Administration Building, 1801 County Road 13, St. Augustine, Florida.

The Notice of Proposed Change will also be available for public review at the Bartram Park Development Office, 1801 County Road 13, St. Augustine, Florida.

All interested persons are encouraged to attend the public hearing to express their views on the proposed changes.

**BARTRAM PARK PLANNED UNIT DEVELOPMENT**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 22ND day of **MAY** 2001

by [Signature]  
who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

(Signature of Notary Public)  
Zoe Ann Moss