

ST. JOHNS COUNTY
RESOLUTION NUMBER 2006- 10

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE TWIN CREEKS DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON AUGUST 9, 2005, UNDER RESOLUTION 2005-208; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Anthony S. Robbins, AICP, the authorized representative of Falcon South Jacksonville Properties, LLC, has submitted a Notice of Proposed Change (NOPC) to the Twin Creeks Development of Regional Impact (DRI) by letter dated October 14, 2005, pursuant to the Development Order Special Condition 27 to remove thirteen (13) acres from the DRI boundary in order to accommodate the affordable housing site; and Special Condition 13(a) with regard to type of wildlife crossings as shown on Map H-2.

WHEREAS, the Developer submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06 (19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held January 10th, 2006, after required notice.

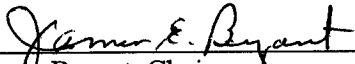
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
 - a. The requested changes to not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the development rights or increase in impacts from those approved Twin Creeks DRI Development Order.
 - b. The changes requested in the NOPC area consistent with the Land Development Code of St. Johns County, as amended.
 - c. The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2015.
2. Pursuant to the Twin Creeks DRI Development Order Special Condition 27, thirteen (13) acres designated Mixed Use, are hereby removed to provide for workforce housing, as described in Exhibit A, Legal Description.
3. The Twin Creeks DRI Development Order Special Condition 13(a) requires wildlife crossings in the general locations and designs indicated on Map H-2 attached hereto as Exhibit B.

4. Except as modified by this Resolution, the existing Twin Creeks DRI Development Order shall remain in full force and effect.
5. A certified copy of this resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida Regional Council.
6. This Resolution shall take effect upon its adoption.

PASSED AND APPROVD BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 10TH DAY OF JANUARY 2006.

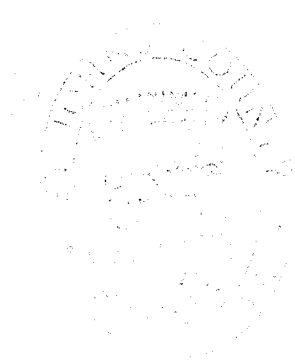
BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA


James Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 1-12-06

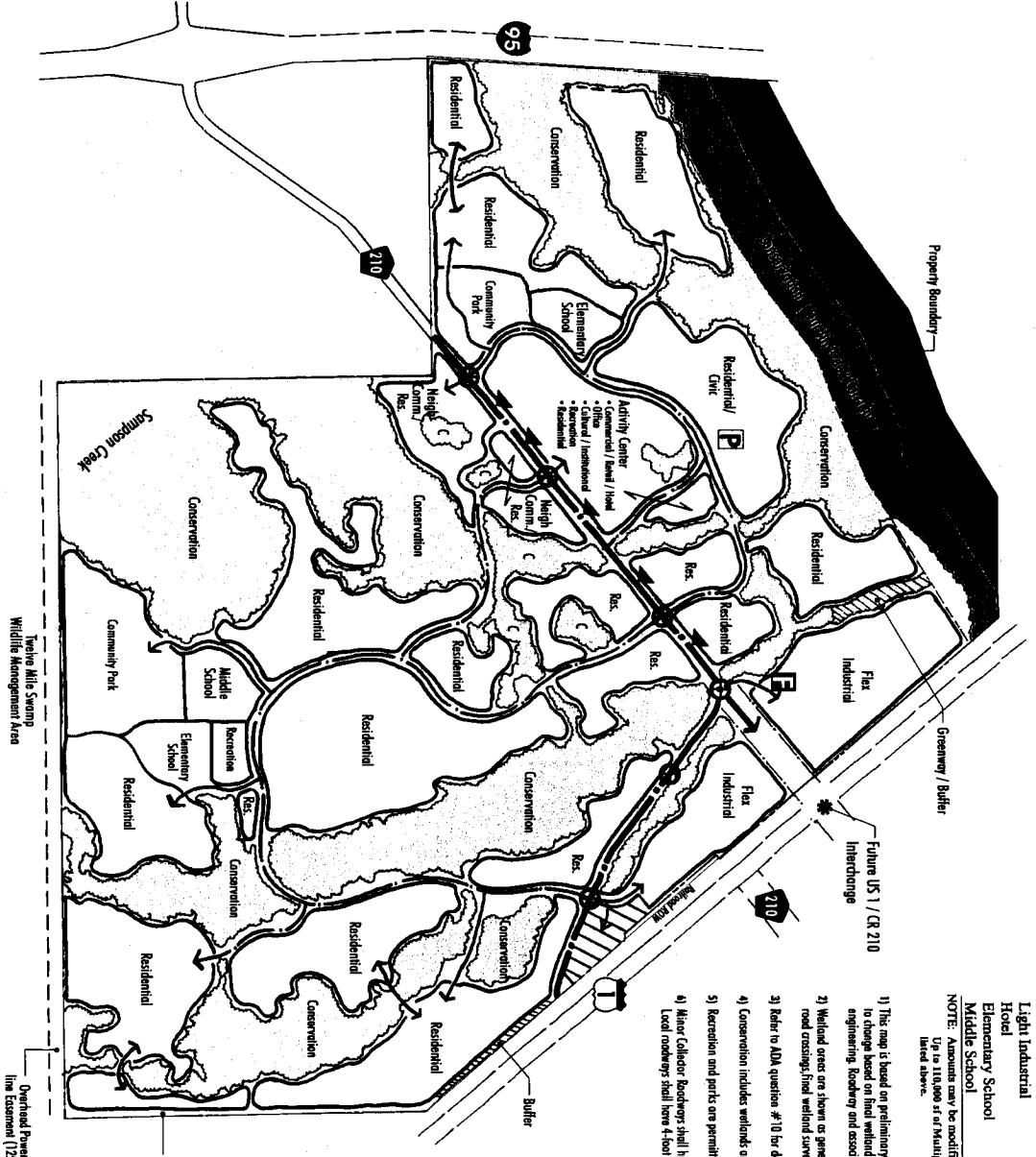


Land Use Summary

Single Family Residential	2,000 du
Multi-Family Residential	3,000 du
Retail	600,000 sf
Office	300,000 sf
Light Industrial	2,000,000 sf
Hotel	175 rm
Elementary School	2
Middle School	1

NOTE: Amounts may be modified in accordance with Land Use Conversion matrix. Up to 10% of all Multiple Story Towers may be converted from land uses listed above.

- 1) This map is based on preliminary information. Parcel configuration and circulation are subject to change based on final wetland and other surveys, permitting and final site planning and engineering. Roadway and associated wetland impacts are not depicted on this map.
- 2) Wetland areas are shown as generalized areas and are subject to final design, road crossings, final wetland surveys and permitting.
- 3) Refer to ADA question #10 for description of uses.
- 4) Conservation includes wetlands and upland.
- 5) Recreation and parks are permitted in all residential parcels.
- 6) Minor Collector Roadways shall have (min.) 5-foot wide sidewalks on both sides of the road. Local roadways shall have 4-foot wide sidewalks on at least one side of the road.



TWIN CREEKS

Development of Regional Impact
Notice of Proposed Change Exhibit A

Map H Conceptual Master Plan

LEGEND

- Local Roadway
- Minor Collector Roadway
- ⊕ Full Access
- ▶ Right Turn Access or Directional Access
- F Fire Station Site
- P Sandhill Habitat Preservation (1 Acre)
- ▨ Workforce Housing Site (13 Acres Outside DRI Boundary)



Prosser Hallock
PLANNERS & ENGINEERS



December 3, 2005
103093.06

NOPC Exhibit C: Revised Twin Creeks DRI Legal Description
(Revised December 2, 2005)

RECEIVED
DEC 14 2005

Subject Property South of C.R. 210

A portion of Sections 9, 10, 11, and 14, together with all of Section 15, all lying in Township 5 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows: For a Point of Beginning, commence at the corner common to Sections 15, 16, 21, and 22 of said Township and Range; thence North 01°06'17" West, along the Westerly line of said Section 15, a distance of 2,655.18 feet to an angle in said Westerly line; thence North 00°50'08" West, continuing along said Westerly line, 2,702.59 feet to the Northwest corner of said Section 15; thence South 89°12'49" West, along the Southerly line of said Section 9, a distance of 496.47 feet to its intersection with the Southerly right-of-way line of County Road 210, a 150 foot right-of-way per St. Johns County Right-of-Way Map, dated August 15, 2002; thence along said Southerly line the following six (6) courses: (1) thence North 51°03'28" East, 6,410.43 feet to the point of curvature of a curve concave Southerly, having a radius of 243.31 feet; (2) thence Northeasterly, along the arc of said curve, through a central angle of 75°41'49", an arc distance of 321.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 88°54'23" East, 298.58 feet; (3) thence South 53°14'43" East, 2,494.87 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1,029.93 feet; (4) thence Southeasterly, along the arc of said curve, through a central angle of 15°27'40", an arc distance of 277.92 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 60°58'33" East, 277.08 feet; (5) thence South 68°42'23" East, 1,737.76 feet to the point of curvature of a curve concave Northerly, having a radius of 393.31 feet; (6) thence Northeasterly, along the arc of said curve, through a central angle of 57°26'31", an arc distance of 394.31 feet to its intersection with the Westerly right-of-way line of a Florida East Coast Railroad right-of-way, a variable width right-of-way per Florida East Coast Railway Company Right-of-Way Track Map, dated December 31, 1927, said arc being subtended by a chord bearing and distance of North 82°34'22" East, 378.01 feet; thence South 41°00'02" East, departing said Southerly right-of-way line and along said Westerly right-of-way line, 2,283.78 feet to a point lying on the Southerly line of said Section 11; thence North 89°28'59" East, continuing along said Westerly right-of-way line and along said Southerly line, 36.95 feet; thence South 41°02'31" East, departing said Southerly line and along said Westerly right-of-way line, 253.73 feet to its intersection with the Easterly line of said Section 14; thence South 01°04'11" East, departing said Westerly right-of-way line and along said Easterly line, 5,180.32 feet to the Southeasterly corner of said Section 14; thence South 89°33'57" West, along the Southerly line of said Section 14, a distance of 5,363.20 feet to the Southwest corner of said Section 14, said point also being the Southeast corner of said Section 15, thence South 89°33'51" West, along the Southerly line of said Section 15, a distance of 5,368.24 feet to the Point of Beginning. Containing 1,857.26 acres, more or less.

Subject Property North of C.R. 210

A portion of Sections 2, 3, 4, 9, 10, 11, and 16, together with a portion of Section 46, the Joseph Peavett Grant, all lying in Township 5 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows: For a Point of Reference, commence at the corner common to said Sections 9, 10, 16 and Section 15 of said Township and Range, thence South 89°12'49" West, along the Southerly line of said Section 9, a distance of 739.26 feet to its intersection with the Northerly right-of-way line of County Road No. 210, a 150 foot right-of-way per St. Johns County Right-of-Way Map dated August 15, 2002, said point also being the Point of Beginning.

From said Point of Beginning, thence South 89°12'49" West, departing said Northerly right-of-way line and continuing along said Southerly line of Section 9, a distance of 1,953.73 feet; thence South 89°55'22" West continuing along said Southerly line 1,349.80 feet to its intersection with the Easterly line of Government Lot 7 of said Section 16; thence South 01°18'02" West, departing said Southerly line and along said Easterly line, 12.69 feet; thence South 89°00'03" West, departing said Easterly line, 589.15 feet to a point lying on the Easterly limited access right-of-way line of Interstate Highway No. 95 (State Road No. 9), a 300 foot right-of-way per Florida Department of Transportation Right-of-Way Map Section No. 78080-2408 and Section No. 78080-2440, said point also lying on a curve; thence Northeasterly, along said Easterly limited access right-of-way line and along the arc of a curve concave Easterly, having a radius of 11,309.16 feet, through a central angle of 02°02'10", an arc distance of 401.88 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 02°58'05" East, 401.86 feet; thence North 03°59'10" East, 3,620 feet, more or less, to a point of intersection with the centerline of Durbin Creek, said point bearing South 03°59'10" West, 590 feet, more or less, from an angle point in said Easterly limited access right-of-way line, said point serving as Reference Point "A" for the purposes of this property description and bearing North 03°59'10" East, 4,208.87 feet from last said point of tangency, departing said Easterly limited access right-of-way line and along the meanderings of said centerline of Durbin Creek, 5,880 feet, more or less, to its intersection with

Map Showing

A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:

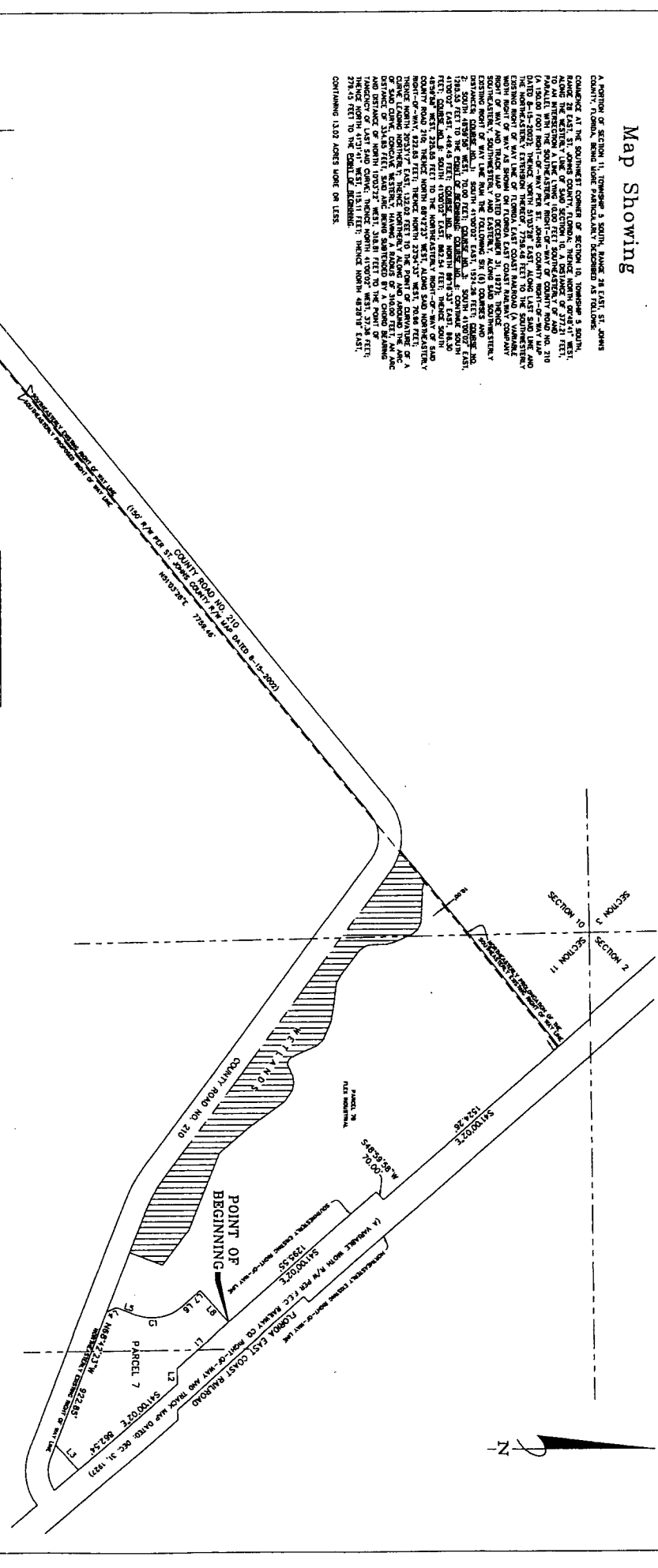
BEING THE EAST 1/4 OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:

TO AN INTERSECTION A LINE 100.00 FEET SOUTHWESTERLY OF AND PARALLEL TO THE WESTERLY LINE OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:

TO AN INTERSECTION A LINE 100.00 FEET SOUTHWESTERLY OF AND PARALLEL TO THE WESTERLY LINE OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:

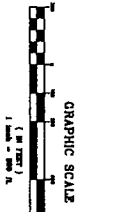
TO AN INTERSECTION A LINE 100.00 FEET SOUTHWESTERLY OF AND PARALLEL TO THE WESTERLY LINE OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:

TO AN INTERSECTION A LINE 100.00 FEET SOUTHWESTERLY OF AND PARALLEL TO THE WESTERLY LINE OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 28 EAST, ST. JAMES COUNTY, FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:



LINE	LENGTH	BEARINGS
1	100.00	S 00° 00' 00" W
2	100.00	S 00° 00' 00" W
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9	100.00	S 00° 00' 00" W
10	100.00	S 00° 00' 00" W
11	100.00	S 00° 00' 00" W
12	100.00	S 00° 00' 00" W
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LINE	LENGTH	BEARINGS
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14	100.00	S 00° 00' 00" W
15	100.00	S 00° 00' 00" W
16	100.00	S 00° 00' 00" W



- GENERAL NOTES**
1. BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY LINE OF SECTION 10, AS NORTH 00° 00' 00" WEST FOR THE STATE OF FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:
 2. THE MAP OF SURVEY HAS BEEN PREPARED BY THE ENGINEER OF A TITLE COMPANY, AND THE ENGINEER HAS BEEN LICENSED BY THE STATE OF FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:
 3. THE DRAWING HAS BEEN PREPARED BY THE ENGINEER OF A TITLE COMPANY, AND THE ENGINEER HAS BEEN LICENSED BY THE STATE OF FLORIDA, BEING MORE PARTICULARLY DECEASED AS FOLLOWS:
 4. THE DISTANCES SHOWN ON THIS DRAWING ARE BASED ON THE ORIGINAL SURVEY, AND THE GRAPHIC SCALE IS SHOWN.
 5. CROSS REFERENCES: R.R. ANALYS BOUNDARY # 1188-28C & CANT. MAP FILE # 88-25.

- LEGEND**
- 1 = NORTH
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 - 4 = WEST
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PARCEL 7 (PROSSER WORK FORCE HOUSING IN FLEX INDUSTRIAL)

NOPC Exhibit C: Revised Twin Creeks DRI Legal Description

(Revised December 2, 2005)

the Southerly line of the Northwest one-quarter of the Southwest one-quarter of said Section 3, said line also being a Southerly line of those lands described and recorded in Official Records Book 60, page 689, of the Public Records of said county; thence North 89°30'48" East, along last said Southerly line, 510 feet, more or less, to the Southeasterly corner of the Northwest one-quarter of the Southwest one-quarter of said Section 3, said Southeasterly corner bearing North 68°19'26" East, 6,016.57 feet from said Reference Point "A"; thence North 00°18'06" West, along the Easterly line of said lands of Official Records Book 50, page 689, a distance of 240 feet, more or less, to its intersection with said centerline of Durbin Creek; thence Northeasterly, departing said Easterly line and along the meanderings of said centerline, 2,180 feet, more or less, to its intersection with a Southerly line of said lands of Official Records Book 60, page 689; thence North 89°29'16" East, along said Southerly line, 360 feet, more or less, to a point of intersection with the Westerly right-of-way line of a Florida East Coast Railroad right-of-way, a variable width right-of-way per Florida East Coast Railway Company Right-of-Way and Track Map, dated December 31, 1927, said point bearing North 57°49'04" East, 2,613.07 feet from said Southeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 3; thence along said Westerly right-of-way line the following seven (7) courses: course one, thence South 41°00'02" East, 3,556.42 feet to a point lying on the Southerly line of said Section 2; course two, thence North 89°24'41" East, along said Southerly line, 26.27 feet; course three, thence South 41°00'02" East, departing said Southerly line, 1,807.93 feet; course four, thence South 48°39'58" West, 70.00 feet; course five, thence South 41°00'02" East, 1,745.00 feet; course six, thence North 89°16'33" East, 98.30 feet; course seven, thence South 41°00'02" East, 1,073.11 feet to an intersection with said Northerly right-of-way line of County Road No. 210, said point also lying on a curve concave Northerly, having a radius of 243.31 feet; thence along said Northerly right-of-way line the following six (6) courses: course one, thence Southwesterly, along the arc of said curve, through a central angle of 54°26'06", an arc distance of 231.16 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 84°04'34" West, 222.57 feet; course two, thence North 68°42'23" West, 1,737.76 feet to the point of a curve concave Northeasterly, having a radius of 879.93 feet; course three, thence Northwesterly, along the arc of said curve, through a central angle of 15°27'40", an arc distance of 237.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 60°58'33" West, 236.73 feet; course four, thence North 53°14'43" West, 2,494.87 feet to the point of curvature of a curve concave Southerly, having a radius of 393.31 feet; course five, thence Southwesterly, along the arc of said curve, through a central angle of 75°41'49", an arc distance of 519.63 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 88°54'23" West, 482.65 feet; course six, thence South 51°03'28" West, 6,601.35 feet to an intersection with the Southerly line of Section 9 and the Point of Beginning. The above described lands being subject to any submerged sovereign lands of the State of Florida associated with Durbin and Sampson Creeks. Containing 1,193 acres, more or less.

LESS AND EXCEPT a portion of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: Commence at the southwest corner of Section 10, Township 5 South, Range 28 East, St. Johns County, Florida; thence North 00°48'41" West, along the westerly line of said Section 10, 377.21 feet, to an intersection a line lying 10.00 feet southeasterly of and parallel with the southeasterly right-of-way of County Road No. 210 (a 150.00 foot right-of-way per St. Johns County Right-of-Way Map dated 8-15-2002); thence North 51°03'28" East, along last said line and the northeasterly extension thereof, 7,759.46 feet to the southwesterly existing right-of-way line of Florida East Coast Railroad (a variable width right-of-way as shown on Florida East Coast Railway Company Right-of-Way and Track Map dated December 31, 1927); thence southeasterly, southwesterly and easterly, along said southwesterly existing right-of-way line run of the following six (6) courses and distances: Course No. 1: South 41°00'02" East, 1,524.26 feet; Course No. 2: South 48°59'58" West, 70.00 feet; Course No. 3: South 41°00'02" East, 1,295.55 feet to the Point of Beginning; Course No. 4: South 41°00'02" East, 449.45 feet; Course No. 5: North 89°16'33" East, 98.30 feet; Course No. 6: South 41°00'02" East, 862.54 feet; thence South 48°59'58" West, 225.55 feet to the northeasterly right-of-way of said County Road 210; thence North 68°42'23" West, along said northeasterly right-of-way, 922.85 feet; thence North 23°54'33" West, 70.96 feet; thence North 20°53'17" East, 132.02 feet to the point of curvature of a curve leading northerly; thence northerly along and around the arc of said curve, concave westerly, having a radius of 310.00 feet, an arc distance of 334.85 feet, said arc being subtended by a chord bearing and distance of North 10°03'22" West, 318.81 feet to a point of tangency of last said curve; thence North 41°00'02" West, 37.36 feet; thence North 41°31'41" West, 115.11 feet; thence North 48°28'19" East, 279.45 feet to the Point of Beginning. Containing 13.02 acres, more or less.

RECEIVED

DEC 14 2005









ST. JOHNS COUNTY
PLANNING DEPARTMENT

TWIN CREEKS

Development of Regional Impact
 Notice of Proposed Change Exhibit D

Map H-2 Proposed Conservation Corridor System

LEGEND

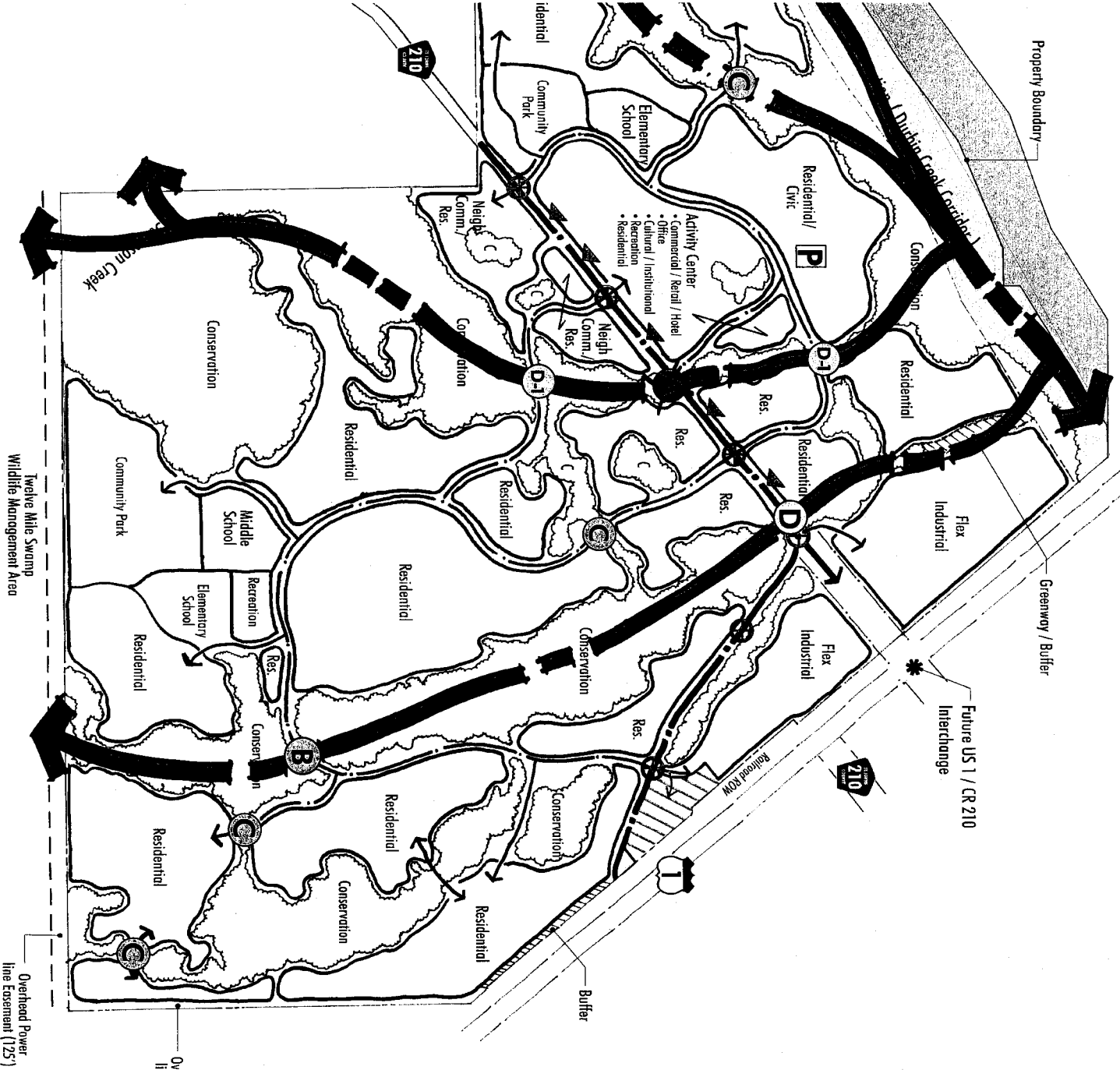
-  Wildlife Corridor
-  6' x 16' Culvert Crossing
-  6' x 6' Large Mammal Crossing
-  At-Grade Crossing
-  3' x 3' Small Mammal Crossing
-  3' x 6' Small Mammal Crossing
-  Sandhill Habitat Preservation (1 Acre)
-  Workforce Housing Site (13 Acres Outside DRI Boundary)



Prosser Hallock
 PLANNERS & ENGINEERS



December 5, 2005
 103093.06



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Blvd. Tallahassee, Florida 32399
850/488-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, Anthony S. Robbins, the undersigned authorized representative of Falcon South Jacksonville Properties, LLC, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Twin Creeks development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the St. Johns County, to the Northeast Florida Regional Council (formerly the Northeast Florida Regional Planning Council), and to the Bureau of Local Planning, Department of Community Affairs.

Date

10/10/05

Signature

Anthony S. Robbins

2. Applicant (name, address, phone).

Falcon South Jacksonville Properties, LLC
7602 Marblehead Lane
Parkland, Florida 33067
954.346.9700
954.753.0351 (Fax)

RECEIVED

OCT 14 2005

PLANNING DEPARTMENT

3. Authorized Agent (name, address, phone).

Mr. Anthony S. Robbins, AICP
Prosser Hallock, Inc.
13901 Sutton Park Drive South, Suite 200
Jacksonville, Florida 32224-0229
904.739.3655

Mr. George M. McClure, Esquire
Rogers Towers, P.A.
170 Malaga Street, Suite A
St. Augustine, Florida 32084
904.824.0879

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

St. Johns County
Township 5S, Range 28 East, Section 10
(1) Adherence to Special Condition 27 to remove thirteen (13) acres from the DRI for use as a workforce housing site by St. Johns County and (2) revision to wildlife crossing plan.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

Change No. 1: The Board of County Commissioners approved the Twin Creeks DRI Development Order (Resolution No. 2005-208) August 9, 2005. Special Condition 27 mandates that no later than October 15, 2005 the Applicant apply for a Notice of Proposed Change (NOPC) to remove 13 acres from the DRI. There shall be no changes to the plan of development, phasing, commencement date, build-out date, development order conditions, or to any representations contained in the Development Order as a result of this NOPC.

Change No. 2: Development Order Special Condition 13(a) and Exhibit 2 (Map H-2) identify the Applicant's responsibility for funding the construction of several wildlife crossings within the DRI property. Recent engineering for the loop road south of C.R. 210 revealed problems with constructing the northernmost B-type 6' x 6' small mammal crossing at the location identified on Map H-2. Specifically, a culvert crossing at this location will require a tremendous amount of fill material and result in a road profile that extends substantially higher into the air impairing safety of the roadway design. The Applicant proposes to change that particular crossing from a B-type to a C-type (at grade crossing) and, to compensate, amend both C-type crossings north and south of the A-type 6' x 16' culvert crossing from at-grade crossings to 3' x 6' small mammal crossings. This change (attached hereto as "Exhibit D") will not result in any decrease in the total number of wildlife crossings and shall result in an overall increase in the number of culvert crossings. This change will foster a safer travel route for larger wildlife from Durbin Creek under C.R. 210 on through to Sampson Creek and the Twelve Mile Swamp Wildlife Management Area.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

The Substantial Deviation Determination Chart for all land use types approved in the Twin Creeks DRI is as follows:

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Industrial	Building (gross square feet)	2,000,000	2,000,000	None
Hotel/Motel	# Rental units	175	175	None
Office	Building (gross square feet)	300,000	300,000	None
Residential	# Dwelling units	5,000	5,000	None
Wholesale, retail, service	Floor space (gross square feet)	600,000	600,000	None

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

08/09/05: Resolution 2005-208 (Original Development Order)

There has been no change in local government jurisdiction for any portion of the development since the last development order was issued.

8. Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.

There are no lands purchased or optioned within ¼ mile of the DRI site since approval of the Development Order, Resolution No. 2005-208.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES _____

NO X

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

The proposed change is not included in the criteria listed in §380.06(19)(b), F.S.

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

The proposed change does not result in a change to the Twin Creeks build-out date or any phasing date.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No, the proposed change is consistent with the St. Johns County 2015 Comprehensive Plan.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

The proposed NOPC removes thirteen (13) acres from the easternmost portion of the DRI site and the modified Map H reflecting same is included herewith as "Exhibit A."

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;**

Special Condition 27 of the DO shall be deemed satisfied.

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;**

The legal description of the thirteen (13) acres to be removed from the Twin Creeks DRI is included herewith as "Exhibit B." An updated legal description of the property reflecting the removal of the thirteen (13) acres is attached as "Exhibit C."

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;**

Not applicable.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;**

Not applicable.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and**

Not necessary as the date contained in General Condition 6 of the Development Order shall remain in effect.

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.**

None are proposed as part of this NOPC request.

Owner's Authorization for Agent

Anthony S. Robbins, AICP, representing **Prosser Hallock, Inc.**, and **George M. McClure, Esq.** And **Susan S. Bloodworth, Esq.**, representing **Rogers Towers, P.A.** are hereby authorized TO ACT ON BEHALF OF **South Jacksonville Properties, LLC**, the owner of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

Notice of Proposed Change to DRI

BY: _____

Signature of Owner

Arthur Falcone
Print Name

561.961.1000
Telephone Number

State of Florida
County of Palm Beach

Signed and sworn before me on this 10 day of November, 2005.

By Arthur FALCONE

Identification verified: personally known

Oath sworn: _____ Yes No

Jill A. Blwa
Notary Signature

My Commission expires: _____

JILL A. BLWA
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD190362
EXPIRES 05/14/2007
BONDED THRU 1-888-NOTARY1

THIS DOCUMENT PREPARED BY:
M. LYNN PAPPAS, ESQ.

AFTER RECORDING, RETURN TO:
OLEENNA THOMPSON, LEGAL ASSISTANT
PAPPAS METCALF JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE
SUITE 400
JACKSONVILLE, FL 32202

TRUSTEES DEED

THIS TRUSTEES DEED made as of the 30 day of April, 2004, by ROBERT H. PAUL, III, as Trustee, CHERYL S. CUMMER, as Trustee, and HOWARD W. HARRISON, JR., as Trustee, whose addresses are P. O. Box 17499, Jacksonville, Florida 32245, 21 Fairfield St., Unit #4, Boston, MA 02116, and P.O. Box 10, Sedgewick, ME 04676, respectively, hereinafter called "Grantor" to SOUTH JACKSONVILLE PROPERTIES, LLC, a Florida limited liability company, whose address is 9540 San Jose Boulevard, Jacksonville, Florida 32257, hereinafter called "Grantee".

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its legal representatives and assigns, all that certain real property situate in St. Johns County, Florida, as described on Exhibit "A" attached hereto.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

This conveyance is subject to those matters set forth in Exhibit "B" attached hereto and none other. The Property is not the homestead of Grantor.

And Grantor hereby covenants with Grantee that, except as set forth above, at the time of the delivery of this deed, the property was free from all encumbrances made by Grantor; and that Grantor will warrant and defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Cory DeVore
Name Printed: Cory DeVore

Judy DeLisle
Name Printed: Judy DeLisle

By: Robert H. Paul, III
Robert H. Paul, III, as Trustee

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 19 day of April, 2004, by Robert H. Paul, III, as Trustee.

Janice L. Potts
(Print Name) Janice L. Potts
NOTARY PUBLIC Commission # DD294262
State of Florida Expires April 1, 2008
Commission # _____
My Commission Expires:
Personally known
or Produced I.D. _____
[check one of the above]
Type of Identification Produced _____

Audrey R. Anderson
Name Printed: Audrey R. Anderson

By: Cheryl S. Cummer
Cheryl S. Cummer, as Trustee

Eileen Corbett
Name Printed: Eileen Corbett

STATE OF Massachusetts
COUNTY OF Suffolk

The foregoing instrument was acknowledged before me this 22nd day of April, 2004, by Cheryl S. Cummer, as Trustee.

Robert N. Karelitz
(Print Name Robert N. Karelitz)
NOTARY PUBLIC
State of _____ at Large
Commission # _____
My Commission Expires: _____
Personally known _____
or Produced I.D.
[check one of the above]
Type of Identification Produced
Divers license

ROBERT N. KARELITZ
My Commission Expires Nov. 12, 2010

Nancy B. Hastings
Name Printed: NANCY B. HASTINGS

By: Howard W. Harrison, Jr.
Howard W. Harrison, Jr., as Trustee

Margorie E. Gray
Name Printed: MARGORIE E. GRAY

STATE OF Maine
COUNTY OF Hancock

The foregoing instrument was acknowledged before me this 20th day of April, 2004, by Howard W. Harrison, Jr., as Trustee.

Jane G. Atherton
(Print Name _____)
NOTARY PUBLIC
State of Maine at Large
Commission # _____ JANE G. ATHERTON, Notary Public
My Commission Expires July 16, 2008
Personally known _____
or Produced I.D. _____
[check one of the above]
Type of Identification Produced _____

EXHIBIT "A"

(Legal Description)

{00099862.DCC.}
South Jacksonville Properties, LLC

EXHIBIT A

Parcel "B-1"

A portion of Sections 2, 3, 4, 9, 10, 11 and 16, together with a portion of Section 46 of the Joseph Peavett Grant, all lying in Township 5 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows:

For a Point of Reference, commence at the corner common to said Sections 9, 10, 16 and Section 15 of said township and range, thence South $89^{\circ}12'49''$ West, along the Southerly line of said Section 9, a distance of 739.26 feet to its intersection with the Northerly right of way line of County Road No. 210, a 150 foot right of way per St. Johns County Right of Way Map dated August 15, 2002, said point also being the Point of Beginning.

From said Point of Beginning, thence South $89^{\circ}12'49''$ West, departing said Northerly right of way line and continuing along said Southerly line of Section 9, a distance of 1953.73 feet; thence South $89^{\circ}55'22''$ West, continuing along said Southerly line, 1349.80 feet to its intersection with the Easterly line of Government Lot 7 of said Section 16; thence South $01^{\circ}18'02''$ West, departing said Southerly line and along said Easterly line, 12.69 feet; thence South $89^{\circ}00'03''$ West, departing said Easterly line, 589.15 feet to a point lying on the Easterly limited access right of way line of Interstate Highway No. 95 (State Road No. 9), a 300 foot limited access right of way per Florida Department of Transportation Right of Way Map Section No. 78080-2408 and Section No. 78080-2440, said point also lying on a curve concave Easterly, having a radius of 11309.16 feet; thence Northeasterly, along said Easterly limited access right of way line and along the arc of said curve through a central angle of $02^{\circ}02'10''$, an arc distance of 401.88 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $02^{\circ}58'05''$ East, 401.86 feet; thence North $03^{\circ}59'10''$ East, continuing along said Easterly limited access right of way line, 3621.67 feet to a point; thence North $63^{\circ}02'45''$ East, departing said Easterly limited access right of way line, 2200.27 feet; thence North $54^{\circ}52'27''$ East, 2182.16 feet; thence North $68^{\circ}14'55''$ East, 1486.00 feet to an intersection with the Southerly line of the Northwest one-quarter of the Southwest one-quarter of said Section 3, said line also being a Southerly line of those lands described and recorded in Official Records Book 60, page 689, of the Public Records of said county; thence North $89^{\circ}30'48''$ East, along last said Southerly line, 505.72 feet to the Southeasterly corner of the Northwest one-quarter of the Southwest one-quarter of said Section 3; thence North $00^{\circ}18'06''$ West, along the Easterly line of said lands of Official Records Book 60, page 689, a distance of 238.10 feet; thence North $58^{\circ}10'03''$ East, departing said Easterly line, 2181.20 feet to its intersection with a Southerly line of said lands of Official Records Book 60, page 689; thence North $89^{\circ}29'16''$ East, along said Southerly line, 359.72 feet to a point of intersection with the Westerly right of way line of the Florida East Coast Railroad right of way, a variable width right of way per Florida East Coast Railway Company Right of Way and Track Map, dated December 31, 1927; thence Southerly and Easterly along said Westerly right of way line the following seven courses: course one, South $41^{\circ}00'02''$ East, 3556.42 feet to a point lying on the Southerly line of said Section 2; course two, North $89^{\circ}24'41''$ East, along said Southerly

line, 26.27 feet; course three, South $41^{\circ}00'02''$ East, departing said Southerly line, 1807.93 feet; course four, South $48^{\circ}59'58''$ West, 70.00 feet; course five, South $41^{\circ}00'02''$ East, 1745.00 feet; course six, North $89^{\circ}16'33''$ East, 98.30 feet; course seven, South $41^{\circ}00'02''$ East, 1073.11 feet to an intersection with said Northerly right of way line of County Road No. 210, said point also lying on a curve concave Northerly, having a radius of 243.31 feet; thence along said Northerly right of way line the following six courses: course one, Southwesterly, along the arc of said curve, through a central angle of $54^{\circ}26'06''$, an arc distance of 231.16 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $84^{\circ}04'34''$ West, 222.57 feet; course two, North $68^{\circ}42'23''$ West, 1737.76 feet to the point of curvature of a curve concave Northeasterly, having a radius of 879.93 feet; course three, Northwesterly, along the arc of said curve, through a central angle of $15^{\circ}27'40''$, an arc distance of 237.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $60^{\circ}58'33''$ West, 236.73 feet; course four, North $53^{\circ}14'43''$ West, 2494.87 feet to the point of curvature of a curve concave Southerly, having a radius of 393.31 feet; course five, Southwesterly, along the arc of said curve, through a central angle of $75^{\circ}41'49''$, an arc distance of 519.63 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $88^{\circ}54'23''$ West, 482.65 feet; course six, South $51^{\circ}03'28''$ West, 6601.35 feet to an intersection with said Southerly line of Section 9 and the Point of Beginning.

Parcel "C"

A portion of Sections 9, 10, 11, and 14, together with all of Section 15, all lying in Township 5 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows:

For a Point of Beginning, commence at the corner common to Sections 15, 16, 21, and 22 of said Township and Range; thence North $01^{\circ}06'17''$ West, along the Westerly line of said Section 15, a distance of 2655.18 feet to an angle point in said Westerly line; thence North $00^{\circ}50'08''$ West, continuing along said Westerly line, 2702.59 feet to the Northwest corner of said Section 15; thence South $89^{\circ}12'49''$ West, along the Southerly line of said Section 9, a distance of 496.47 feet to its intersection with the Southerly right of way line of County Road No. 210, a 150 foot right of way per St. Johns County Right of Way Map, dated August 15, 2002; thence along said Southerly line the following six (6) courses: (1) thence North $51^{\circ}03'28''$ East, 6410.43 feet to the point of curvature of a curve concave Southerly, having a radius of 243.31 feet; (2) thence Northeasterly, along the arc of said curve, through a central angle of $75^{\circ}41'49''$, an arc distance of 321.45 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $88^{\circ}54'23''$ East, 298.58 feet; (3) thence South $53^{\circ}14'43''$ East, 2494.87 feet to the point of curvature of a curve concave Northeasterly, having a radius of 1029.93 feet; (4) thence Southeasterly, along the arc of said curve, through a central angle of $15^{\circ}27'40''$, an arc distance of 277.92 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $60^{\circ}58'33''$ East, 277.08 feet; (5) thence South $68^{\circ}42'23''$ East, 1737.76 feet to the point of curvature of a curve concave Northerly, having a radius of 393.31 feet; (6) thence Northeasterly, along the arc of said curve, through a central angle of $57^{\circ}26'31''$, an arc distance of 394.31 feet

to its intersection with the Westerly right of way line of a Florida East Coast Railroad right of way, a variable width right of way per Florida East Coast Railway Company Right of Way and Track Map, dated December 31, 1927, said arc being subtended by a chord bearing and distance of North 82°34' 22" East, 378.01 feet; thence South 41°00' 02" East, departing said Southerly right of way line and along said Westerly right of way line, 2283.78 feet to a point lying on the Southerly line of said Section 11; thence North 89°28' 59" East, continuing along said Westerly right of way line and along said Southerly line, 36.95 feet; thence South 41° 02' 31" East, departing said Southerly line and along said Westerly right of way line, 253.73 feet to its intersection with the Easterly line of said Section 14; thence South 01°04' 11" East, departing said Westerly right of way line and along said Easterly line, 5180.32 feet to the Southeasterly corner of said Section 14; thence South 89°33' 57" West, along the Southerly line of said Section 14, a distance of 5363.20 feet to the Southwest corner of said Section 14, said point also being the Southeast corner of said Section 15; thence South 89°33' 51" West, along the Southerly line of said Section 15, a distance of 5368.24 feet to the Point of Beginning.

Together with and as an appurtenance to Parcel C, a non-exclusive easement for drainage purposes over and across the following two described parcels of land, as created and described in the Mutual Cross Grants of Easement recorded in Official Records Book 776, page 897, as conveyed by the Quit Claim Deed recorded in Official Records Book 1457, page 343, all of the public records of St. Johns County Florida:

A part of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, more particularly described as follows: For a point of reference, commence at the Southeast corner of Government Lot 6, Section 16, Township 5 South, Range 28 East; thence South $89^{\circ}26'58''$ East along the South line of the North 1/2 of Section 16, a distance of 2689.06 feet to the Point of Beginning which is also the Northeast corner of the Southeast 1/4 of Section 16; thence with the South line of the North 1/2 of said Section 16, North $89^{\circ}26'58''$ West, a distance of 50.02 feet; thence North $00^{\circ}58'23''$ West along a line parallel with and lying 50 feet West of when measured at right angles to the Easterly line of said Section 16 a distance of 2736.95 feet; thence North $89^{\circ}12'13''$ East a distance of 50.00 feet; thence South $00^{\circ}58'23''$ East along the Easterly line of said Section 16, a distance of 2738.13 feet to the Point of Beginning.

AND

A part of Government Lot 5, Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, more particularly described as follows: For a point of reference, commence at the Southeast corner of said Section 16; thence North $02^{\circ}05'14''$ East along the Easterly line of said Section 16, a distance of 1329.40 feet to the Point of Beginning; thence South $89^{\circ}21'20''$ West a distance of 50.06 feet; thence North $02^{\circ}05'14''$ East along a line parallel with and lying 50 feet West of when measured at right angles to said Easterly line of Section 16 to its intersection with the Northerly line of the Southeast 1/4 of said Section 16, a distance of 1330.10 feet; thence South $89^{\circ}50'50''$ East along said Northerly line of the Southeast 1/4 a distance of 50.03 feet to the Northeast corner of said Southeast 1/4; thence South $02^{\circ}05'14''$ West along said Easterly line of Section 16 a distance of 1329.40 feet to the Point of Beginning.

EXHIBIT B

(Permitted Exceptions)

EXHIBIT "B"**PERMITTED EXCEPTIONS**

1. Those matters shown on the following surveys prepared by Robert M. Angus Associates, inc.: Survey of Parcel "B-1" bearing Order No. 03-275.02, dated April 20, 2004 and revised April 28, 2004; and Survey of Parcel "C" bearing Order No. 02-088.00, dated December 23, 2002 and revised May 19, 2003, April 2, 2004, April 22, 2004 and April 28, 2004.
2. Any claim that any portion of said lands are sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands and lands accreted to such lands.
3. Taxes and assessments for the year 2004 and subsequent years.
4. Mutual Cross Grants of Easement recorded in Official Records Book 776, Page 897, of the Public Records of St. Johns County, Florida.
5. Terms and conditions regarding the "Durbin Creek Corridor," as such term is defined in and as contained in that certain Trustees Deed recorded February 21, 2001 in Official Records Book 1568, Page 482, of the Public Records of St. Johns County, Florida.
6. Easement in favor of the City of Jacksonville Beach as acquired in that certain Order of Taking recorded in Official Records Book 580, Page 535 of the Public Records of St. Johns County, Florida.

CONTINUED FROM THE PREVIOUS PAGE

The Planning Division has routed this request to all appropriate reviewing departments. There are no outstanding comments related to this request.

REGIONAL REVIEW

The Northeast Florida Regional Council has reviewed this request and found that the proposed NOPC will not result in additional regional impacts and provides the proposed changes do not constitute a substantial deviation to the DRI.

STAFF RECOMMENDATION

Modifications are reviewed under two separate provisions: a) substantial deviations to the adopted development order and b) consistency with the local Comprehensive Plan and Land Development Code.

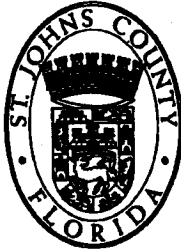
It is Staff's opinion that the requested NOPC is consistent with the 2015 Comprehensive Plan and Land Development Code. Further, staff finds the change(s) does not constitute a substantial deviation to the Development Order.

Therefore, Staff has no objections to approval of this NOPC.

The Planning and Zoning Agency will hear this item during the January 5, 2006 meeting. The recommendation will be provided to the Board during the staff presentation.

**PROPOSED FINDINGS OF FACT
TWIN CREEKS DRI
FILE NUMBER NOPC 2005-04**

APPROVES	DENIES
1) The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the number of development rights or increase in impacts from those approved in the original Twin Creeks DRI Development Order as amended prior to this change.	1) The requested changes constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because _____ _____.
2) The changes requested in the NOPC are consistent with the Land Development Code of St. Johns County, as amended.	2) The changes requested in the NOPC are not consistent with the Land Development Code of St. Johns County, as amended because _____ _____.
3) The changes requested in the NOPC are compatible with the surrounding area and the future development trends of the area.	3) The changes requested in the NOPC are not compatible with the surrounding area and the future development trends of the area because _____ _____.
4) The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2015.	4) The changes requested in the NOPC are not consistent with and do not further the objectives of the St. Johns County Comprehensive Plan 2015 because _____ _____.



PLANNING DIVISION STAFF REPORT
January 5, 2005 Public Hearing
Notice of Proposed Change to the
Twin Creeks DRI Development Order
NOPC 2005-04

To: Planning and Zoning Agency

From: Planning Division, Growth Management Services

Date: December 27, 2005

Subject: Notice of Proposed Change (NOPC) to the Twin Creeks DRI Development Order (NOPC 2005-04)

Applicant: Falcon South Jacksonville Properties, LLC
7602 Marblehead Lane
Parkland, Florida 33067

Agent: Anthony Robbins, AICP
Prosser Hallock, Inc.
13901 Sutton Park Drive South, Suite 200
Jacksonville, Florida 32224-0229

PROJECT DATA

Location: Twin Creeks DRI, St. Johns County, Township 5S, Range 28 East, Section 10 located east of I95, west US 1.

Future Land Use: Mixed Use (Md), Residential A, Residential B, Conservation

Requested Change: Request to revise the Twin Creeks DRI project in compliance with Special Condition 27 to remove thirteen (13) acres from the DRI for use as workforce housing and to revise Map H-2 Wildlife Crossing Plan.

Concurrency Status: Not applicable.

NARRATIVE SUMMARY

This is a Notice of Proposed Change (NOPC) to revise the DRI Development Order as follows:

Revise the Twin Creeks DRI project boundary, legal description to remove thirteen (13) acres from the site for use as workforce housing in compliance with Special Condition 27. The site is located in an area designated Mixed Use on the 2015 FLUM, east of US 1, west of 210.

Revise Map H-2 Wildlife Crossing Plan to re-categorize the type and location of some crossing points. The revisions do not reduce the total number of crossings.

PROJECT REVIEW

The Planning Division has routed this request to all appropriate reviewing departments. There are no outstanding comments related to the application.

In the case that the NOPC is approved by the Board of County Commissioners, all transportation, site engineering, drainage and infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements, including those provisions of the DRI Development Order. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

The Northeast Florida Regional Council has reviewed this request and found that the proposed NOPC does not constitute a substantial deviation to the DRI.

Staff has no objections to approval of this request.

SUGGESTED ACTION TO RECOMMEND APPROVAL OF THE NOPC

The Agency may consider a motion to recommend approval of the Notice of Proposed Change to the Twin Creeks DRI Development Order Resolution Number 2005-208 (File Number NOPC 2005-05) to the Board of County Commissioners, based on finding clear and convincing evidence and provided:

1. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the number of development rights or increase in impacts from those approved in the original Twin Creeks DRI Development Order as amended prior to this change.
2. The changes requested in the NOPC are consistent with the Land Development Code of St. Johns County, as amended.
3. The changes requested in the NOPC are compatible with the surrounding area and the future development trends of the area.
4. The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2015.

SUGGESTED ACTION TO RECOMMEND DENIAL OF THE NOPC

The Agency may consider a motion to recommend denial of the Notice of Proposed Change to the

World Commerce Center DRI Development Order Resolution Number 2005-208 (File Number NOPC 2005-04) to the Board of County Commissioners based on finding clear and convincing evidence and provided:

1. The requested changes constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because _____.
2. The changes requested in the NOPC are not consistent with the Land Development Code of St. Johns County, as amended because _____.
3. The changes requested in the NOPC are not compatible with the surrounding area and the future development trends of the area because _____.
4. The changes requested in the NOPC are not consistent with and do not further the objectives of the St. Johns County Comprehensive Plan 2015 because _____.