#### ST. JOHNS COUNTY RESOLUTION NO. 2006- <u>24</u>0

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE JULINGTON CREEK PLANTATION DEVELOPMENT OF REGIONAL IMPACT RESTATED DEVELOPMENT ORDER, RESOLUTION NO. 1993-159, AS AMENDED; FINDING THE MODIFICATION DOES NOT CONSTITUE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of St. Johns County ("Board") is the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes; and

WHEREAS, on September 28, 1993, the Board adopted Resolution No. 93-159, which amended and restated Resolution No. 82-37, which granted development approval for a development known as The Julington Creek Plantation Development of Regional Impact ("Project"); and

WHEREAS, the Julington Creek Plantation Community Development District (Applicant) submitted a Notification of Proposed Change ("NOPC") to the Project dated \_\_\_\_\_\_, requesting modification to the Development Order Master Plan Map H to add a parcel of land to allow for the construction of a new recreation area to serve the residents of the Julington Creek Plantation; and

For Parcel 92, a 25 foot average, with a minimum of 10 feet, undisturbed upland buffer shall be provided between developed areas and contiguous wetlands, consistent with LDC Section 4.01.06.B.1; and a 25 foot building setback shall be provided adjacent to the required upland buffer consistent with LDC Section 4.01.06.B.2.

WHEREAS, no change is requested to the Project's approved development rights or phasing; and

WHEREAS, the applicant provided clear and convincing evidence 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

WHEREAS, a copy of the NOPC was provided to the Northeast Florida Regional Council ("NEFRC") and Florida Department of Community Affairs ("DCA"), and they were afforded the opportunity to participate in the review of this proposed change; and

WHEREAS, the Board held a duly noticed public hearing on said NOPC on  $\frac{7-11}{2006}$ , as required by Section 380.06, Florida Statutes; and

WHEREAS, the Applicant, other units of Government, local agencies and interested citizens were afforded the opportunity to participate in the proceedings before the Board relating to the application; and

WHEREAS, on <u>7-//</u>, 2006, the Board determined that the proposed change does not constitute a substantial deviation and is otherwise approved.

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

#### SECTION 1. FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 1. The above recitals are true and correct, and are incorporated into this development order by this reference.
- 2. The NOPC and its supporting documentation were reviewed as required by Chapter 380, F.S., and the local land development regulations and are incorporated into this development order by this reference.
- 3. The Project as modified by this development order is consistent with the State Comprehensive Plan.
- 4. The Project as modified by this development order is consistent with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.
- 5. The Project as modified by this development order is consistent with the recommendations of the NEFRC.
- 6. The NOPC and other submissions provide clear and convincing evidence that the requested modification does not constitute a substantial deviation to the project.
- 7. All legal requirements of notice required by section 380.06, F.S., as well as other local procedural requirements, for issuance of this Development Order have been met or occurred.
- 8. The project is not located in an area of critical state concern.

#### SECTION 2. MASTER DEVELOPMENT PLAN

The Julington Creek Plantation DRI Development Order Master Development Plan (Map H) attached to Resolution 93-159 as Exhibit "A" and incorporated therein by reference is amended as shown on Revised Exhibit "A" attached to this development order and incorporated herein by this reference.

### SECTION 3. OTHER

- Except as modified by this resolution, the existing Julington Creek Plantation DRI Development Order shall remain in full force and effect.
- 2. Notice of the adoption of this development order shall be recorded by the Applicant, within 30 days after its effective date, in accordance with Sections 380.06(15)(f), F.S., with the Clerk of the Circuit Court of St. Johns County, Florida. The notice shall specify that this development order runs with the land and is binding on the Applicant, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the St. Johns County Growth Management Services Planning Division within seven days of recordation.
- 3. This development order shall take effect as provided by law.
- 4. Within ten (10) days after adoption of this development order, the St. Johns County Growth Management Services Planning Division shall render copies of this development order with all attachments, certified as complete and accurate, by certified mail (return receipt requested) to the Applicant, NEFRC and DCA pursuant to the requirements of Rule 9J-2.025, Florida Administrative Code.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Dames & Bryant, CHAIR

ATTEST:

DEPUTY CLERK

APPROVED AS TO FORM:

COUNTY ATTORNEY

Adopted Regular Meeting 7-11-0 &

May 24, 2006

Principals
Douglas C. Miller, P.E., CEO
N. Hugh Mathews, P.E., President
Joseph A. Tarver, Exec., V.P.
Juanitta Bader Clem, P.E., V.P.
Scott A. Wild, P.E., PSM, V.P.
Samuel R. Crissinger, CFO, V.P.
Robert A. Mizell, Jr., P.E., V.P.
Thomas N. Fallin, P.E., V.P.

Ms. Teresa Bishop, AICP Planning Director, St. Johns County Growth Management Services Division 4020 Lewis Speedway St. Augustine, Florida 32092 Mr. Mike McDaniel
Regional Review Administrator
Florida Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399

Mr. Ed Lehman Director, Planning & Development Northeast Florida Regional Council 6850 Belfort Oaks Place Jacksonville, Florida 32216

Dear Lady and Gentlemen:

Enclosed please find an application for a Notice of Proposed Change (NOPC) to the Development Order for the Julington Creek Plantation Development of Regional Impact (DRI). The Julington Creek Plantation Community Development District seeks to add a ±26.86 acre parcel (Parcel 92) to the existing Julington Creek Plantation DRI. This Parcel 92, in conjunction with Parcel 50 which was previously designated for recreational use, will be used for the construction of new recreation facilities to serve the residents of Julington Creek Plantation. There is no change to the development or phasing previously approved for the Julington Creek DRI. The St. Johns County staff has determined that there is no need for a comprehensive plan amendment since the existing land use designation of Rural Silviculture (R/S) allows for active and passive recreational uses.

In summary, the NOPC should be viewed as a non-substantial deviation consistent with Florida Statutes. Please let us know if you require any additional information.

Very truly yours,

ENGLAND-THIMS & MILLER, INC.

Donald R. Smith, AICP

Vice President Regulatory Planning

Donald R Smith

Cc: Susan Beaugrand/Wachovia Bank

Jonathan Johnson/Hopping, Green & Sams

Matthew S. Maggiore/ETM

DRS:lih

# JULINGTON CREEK PLANTATION DRI

# NOTICE OF PROPOSED CHANGE (NOPC)

# PREPARED FOR: Julington Creek Community Development District

Contact: Susan Beaugrand 14785-4 St. Augustine Road Jacksonville, Florida 32258

#### PREPARED BY:

ENGLAND-THIMS & MILLER, INC. 14775 St. Augustine Road Jacksonville, Florida 32258 PH 904-642-8990

Contact:
Donald R. Smith, AICP

## JULINGTON CREEK PLANTATION DRI

# NOTICE OF PROPOSED CHANGE (NOPC)

#### Table of Contents

# Transmittal Letter NOPC Form

#### Exhibits to NOPC:

A	Owners Authorization for Agent
В	Deed and Legal Description for Added Lands
C	Location Map
D	Aerial Map
E	Environmental Assessment
F	Existing Map H
G	Proposed Map H
H	Substantial Deviation Chart
I	Consistency with Comprehensive Plan
T	Proposed Resolution

## NOPC FORM

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
904/488-4925

# 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.

I, Susan Beaugrand, the undersigned owner/authorized representative of Julington Creek Plantation Community Development District (JCPCDD), 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 Julington Creek Plantation DRI 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 St. Johns County (local government), to the Northeast Florida Regional Council, and to the Bureau of Local Planning, Department of Community Affairs.

zuan Beaupard	5/19/00
(Signature)	Date

#### 2. APPLICANT:

Julington Creek Plantation Community Development District (JCPCDD) Susan Beaugrand

14785-4 St. Augustine Road Jacksonville, Florida 32258

Phone: (904) 489-3717 Fax: (904) 489-5975

#### 3. **AUTHORIZED AGENT:**

An Owner's Authorization form is included as Exhibit A to this NOPC application.

England-Thims & Miller, Inc. 14775 St. Augustine Road Jacksonville, Florida 32258

Phone: 904-642-8990 Fax: 904-646-9485 Hopping Green & Sams, P.A. 123 South Calhoun Street Tallahassee, Florida 32314 Phone: 850-222-7500

Fax: 850-224-8551

#### 4. **LOCATION:**

St. Johns County - Sections 27, 28, 33, 34 and 49, Township 4 South, Range 27 East.

The existing Julington Creek Plantation Development of Regional Impact ("DRI") consists of approximately 4,150 acres. The parcel to be added (Parcel 92) consists of ±26.86 acres and is located adjacent to Parcel 50 which was approved for recreational use by NOPC Resolution 2006-37. A legal description of the Added Lands are provided as Exhibit B, a Location Map is provided as Exhibit C, and an Aerial Map as Exhibit D.

#### 5. **PROPOSED CHANGES:**

## A. INTRODUCTION; PURPOSE OF MODIFICATION

The JCPCDD plans to construct a new recreation center to serve the residents of Julington Creek Plantation. The new recreation center will be located on Parcels 50 and 92, a parcel adjacent to Parcel 50. Parcel 50 was approved for recreational use by NOPC Resolution 2006-37. The purpose of this NOPC is to add Parcel 92 to the Julington Creek Plantation DRI, to form an expanded recreation area. No changes to previously approved development rights or phasing are requested by this NOPC. The lands designated RA on the Master Development Plan allow both resource-based recreation and active recreation components. Facilities may be developed as a private club or as a public facility and may include but are not limited to: tennis courts, swimming pool(s),

gazebos, boardwalks, multi-purpose courts, basketball courts, hiking trails, biking trails, skateboard park, multi-purpose fields, soccer fields, and associated parking. Restroom facilities and other ancillary facilities including 'pro' shops, offices, accessory snack bars and services will be allowed. Sites may be lighted in compliance with Section 5.03.06.H.6 of the St. Johns County Land Development Code. The center is going to be developed by the JCPCDD through the use of tax assessments paid for by the property owners with the CDD.

#### **B. SPECIFICS OF PROPOSED CHANGES**

(1) The only change to the Julington Creek DRI is the addition of Parcel 92 to allow for construction of recreational facilities to serve the residents of Julington Creek Plantation.

Pursuant to 380.06(19)(e)3. any addition of land to a DRI not previously reviewed shall be presumed to create a substantial deviation and this presumption may be rebutted by clear and convincing evidence. The only change to the Julington Creek Plantation DRI is the addition of Parcel 92 to the DRI to allow for construction of recreational facilities to serve the residents of Julington Creek Plantation. There is no increase to the number of dwelling units or office or commercial development within the DRI. (re: 380.06 (19) (b)6., 9.,10. F.S.) The purpose of the addition of Parcel 92 is to allow for an expanded recreation area to provide recreational facilities which are sorely lacking in that area of the County. The use of Parcel 92 for recreational facilities is consistent with the current land use designation. Based upon these facts, there is clear and convincing evidence that this change will not create the likelihood of additional regional impacts and therefore, this change does not constitute a substantial deviation. [Section 380.06 (19)(e)(3).]

A map showing the affected parcels is included as Exhibit C.

No other changes to the existing DRI development order are proposed in this NOPC.

#### 6. SUBSTANTIAL DEVIATION DETERMINATION CHART

The substantial deviation determination chart is attached as Exhibit H.

### 7. MODIFICATIONS TO APPROVED DEVELOPMENT ORDER

This NOPC is the eleventh requested modification to the approved Development Order, with the most recent change being completed last year with the approval of Resolution 2006-37.

# 8. LANDS PURCHASED OR OPTIONED WITHIN 1/4 MILE OF ORIGINAL DRI

The Julington Creek Plantation CDD has purchased Parcel 92 which is being added to the DRI by this NOPC.

# 9. PERCENTAGE OF PROPOSED CHANGE UNDER PARAGRAPH 380.06(19)(B), FLORIDA STATUTES

The proposed change is less than 40 percent (cumulatively with other previous changes) of any criteria listed in paragraph 380.06(19)(b), and F.S. 380.06(10)(e)2 .F.S.

Do you believe this notification of change propo Subparagraph 380.06(19)(e)2., F.S.	ses a	change	which	meets	the	criteria	of
Yes		No		X			

#### 10. **BUILD OUT DATE/PHASING**

There are no changes to the build out date or phasing date.

## 11. LOCAL GOVERNMENT COMPREHENSIVE PLAN

No comprehensive plan change is required. Please see Exhibit I.

#### 12. AMENDED MASTER DEVELOPMENT PLAN

The Master Development Plan (Map H) has been amended to include the Recreation Parcel and a copy is included as Exhibit G to this NOPC application. The original Master Development Plan (Map H) has been included as Exhibit F to the NOPC.

# 13. PRECISE LANGUAGE PROPOSED FOR AMENDED DEVELOPMENT ORDER

The proposed resolution is included as Exhibit J to the NOPC.

# EXHIBIT A OWNERS AUTHORIZATION FOR AGENT



## Owner's Authorization for Agent

England-Thims & Miller, Inc. is hereby authorized TO ACT ON BEHALF OF <u>Julington Creek Community Development District</u>, the owner(s) 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:

Permit of other action parsua	it to the
Rezoning/Mo Zoning Variat Appeal Concurrency	
BY: Susan Beaus Signature of Owner Susan Beaus Print Name	ugrace) Chairman: Julington Creek Community bevelopment pand District
Print Name  904 - 489 - 371  Telephone Number	7
	State of Florida County of St. Johns Doval
	Signed and sworn before me on this April 18 day of, 2006
	By Susan Beaugrand
Wishingt 6, 20, 25.	Identification verified: known to
× * * * * * * * * * * * * * * * * * * *	Oath sworn: Yes No
Actory Public Valley	Notary Signature
	My Commission expires: 12/4/09

#### OWNER'S AUTHORIZATION FOR AGENT

HOPPING GREEN & SAMS, P.A., is hereby authorized TO ACT ON BEHALF of **JULINGTON CREEK PLANTATION COMMUNITY DEVELOPMENT DISTRICT**, 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:

X	Rezoning/Modification		Special Use Permit
	Zoning Variance		Non-Zoning Variance
	Appeal		Overlay District Review
	Concurrency	×	Other- Incremental MDP Map
<del>_</del>	,		
JULINGTON	CREEK PLANTATION CO	NMMC	NITY DEVELOPMENT DISTRICT
BY:	lusan Beaugus)		
Susar	n Beaugrand, Chairperson		
Print Name			
(904)	489-3717		
Telephone N	lumber		
. Стор			
STATE OF FLORID	DA .		
COUNTY OF Do	1 Va /		
AAAE by Cugan Ro	ict, who is personally know	innator	Creek Plantation Community or who has produced identification
and who has taken		( i	3 7
Kathryn C. Batemar My Commission DD	185850		
Expires February 20	<sup>0, 2007</sup> My Commission My Commission		
	wy Commission	INUITIL	

# EXHIBIT B DEED AND LEGAL DESCRIPTION FOR ADDED LANDS

PREPARED BY:
TRACY K. ARTHUR, ESQ.
RAYONIER INC.
P.O. BOX 723

P.O. BOX 723 FERNANDINA BEACH, FL 32034

RETURN TO:

THOMAS JENKS, ESQ, PAPPAS METCALF JENKS & MILLER 245 RIVERSIDE AVENUE, SUITE 400 JACKSONVILLE, FL 32202 Public Records of St. Johns County, FL Clerk # 2006007891, O.R. 2634 PG 1827-1830 02/01/2006 at 10:13 AM, REC. \$17.00 SUR. \$18.50 Doc. D \$2820.30

#### SPECIAL WARRANTY DEED

(Florida Property)

THIS SPECIAL WARRANTY DEED, made this 30 day of January, 2006, from TERRAPOINTE LLC, a Delaware limited liability company (formerly known as Rayland, LLC prior to a name change and merger with Rayonier Forest Properties, LLC, a Delaware limited liability company, effective May 27, 2005), duly authorized to do business in Florida, whose address is 1901 Island Walkway, Fernandina Beach, Florida 32034 (the "Grantor"), to JULINGTON CREEK PLANTATION COMMUNITY DEVELOPMENT DISTRICT, whose address is 210 North University Drive, Suite 702, Coral Springs, FL 33071 (the "Grantee") (the words "Grantor" and "Grantee" to include any respective heirs, successors and assigns where the context requires or permits).

#### WITNESSETH:

THAT THE GRANTOR, for and in consideration of the sum of Ten and no/100 Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that land and improvements thereon located in St. Johns County, Florida as more particularly described at EXHIBIT A, attached hereto and by reference made a part hereof (the "Property").

TAX PARCEL ID # 009680-0000

THIS CONVEYANCE IS SUBJECT TO: Ad valorem property taxes accruing subsequent to December 31, 2005, cemeteries, easements, encroachments, servitudes, covenants, restrictions, zoning ordinances, rights-of-way, outstanding mineral interests, riparian rights, the rights of the public or any governmental entity in and to any portion of the land lying below the ordinary mean high water line of any body of water, and all matters of record or apparent from a survey or inspection of the Property.

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

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

AND THE GRANTOR hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; that the Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through and under the Grantor for claims arising during the period of time of Grantor's ownership of the Property, but against none other.

PROVIDED HOWEVER, by acceptance of this deed, Grantee covenants and agrees for itself, its heirs, successors and assigns, that the land conveyed hereby shall not be used for the purpose of a mobile home park nor shall any mobile, modular, or manufactured homes, recreational vehicles (permanent or non-permanent), house trailers, panelized and pre-cut homes, (other than temporary sales and construction trailers) be placed on any of the Property conveyed hereby, said covenant shall expire upon the tenth (10th) anniversary of the date of this document being recorded in the public records of St. Johns County County, Florida. If Grantee or its heirs, successors and assigns shall violate the covenant, Grantor or its successors and assigns shall have the right to seek injunctive relief to prevent any violation thereof and shall be entitled to recover its costs of enforcement, including reasonable attorney fees, whether or not suit be brought to enforce a violation.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on the day and year first above written.

Signed and sealed in the presence of:

KATHRYN P. TErvilliger (Print)

Kathlee Baker (Print)

TERRAPOINTE LLC

James M. Stackpoole

Its: Vice President

Attest:\_\_\_\_/

Its: Assistant Secretary

STATE OF FLORIDA COUNTY OF NASSAU

THE FOREGOING INSTRUMENT was acknowledged before me this 25<sup>th</sup> day of January 2006, by James M. Stackpoole, as Vice President and Tracy K. Arthur, Assistant Secretary, respectively, of TERRAPOINTE LLC, a Delaware limited liability company, and who are personally known to me.

KATHA PINTO
Comm# D0340879
Expires 7/25/2008
Bonded thru (800)432-4254
Fionda Notary Asen., Inc.

Print Name: Kathia Pinto Notary Public, State of Florida My Commission Expires:

Commission No.:

#### EXHIBIT A

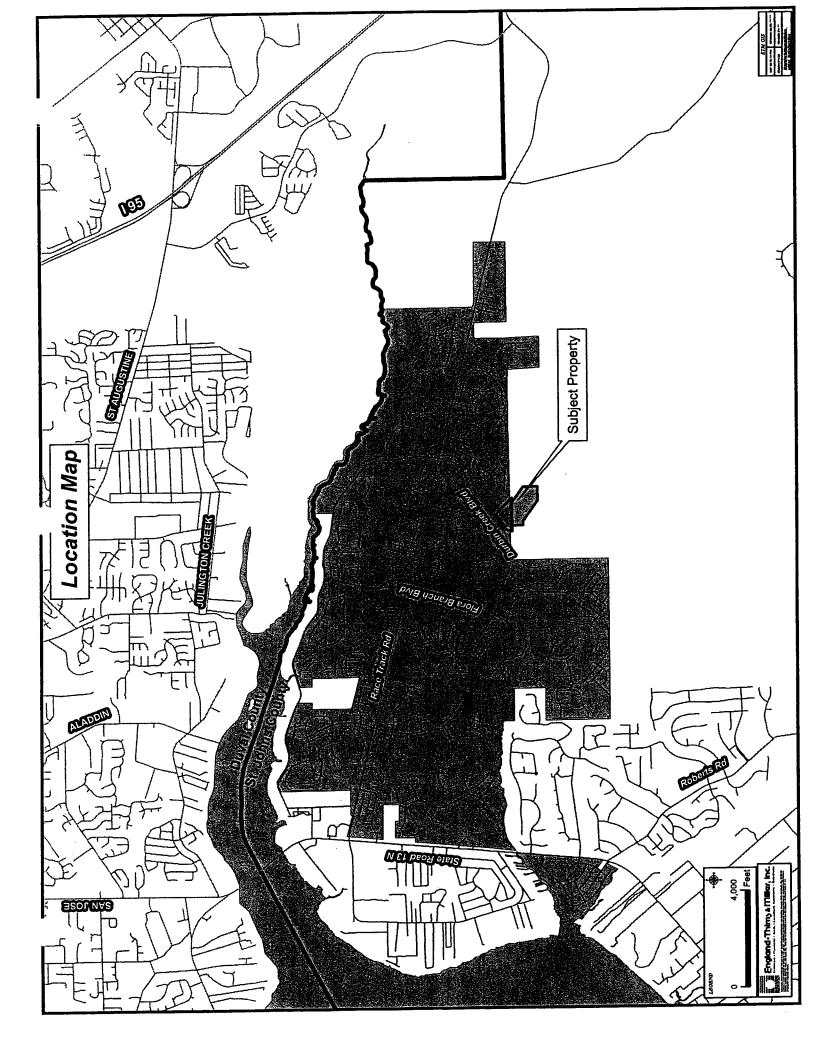
A PARCEL OF LAND, BEING A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, AND RUN THENCE NORTH 89°13'35" EAST, ALONG THE NORTH LINE OF SAID SECTION 3, (ALSO BEING THE SOUTH LINE OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 27 EAST), A DISTANCE OF 1,500.000 FEET, TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN THA T QUIT CLAIM DEED BETWEEN RAYONIER TIMBERLANDS OPERATING COMPANY, L.P. TO ABERDEEN DEVELOPMENT, L.L.C., RECORDED IN OFFICIAL RECORDS BOOK 2036, PAGE 1221 OF THE CURRENT PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA, AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH 89°13'35" EAST, ALONG AFORESAID NORTH LINE OF SAID SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, (ALSO BEING THE SOUTH LINE OF SAID SECTION 34, TOWNSHIP 4 SOUTH, RANGE 27 EAST), A DISTANCE OF 955.32 FEET, TO A POINT; RUN THENCE SOUTH 54°12'47" EAST, A DISTANCE OF 777.71 FEET, TO A POINT; RUN THENCE SOUTH 89°13'35" WEST, A DISTANCE OF 595.49 FEET, TO A POINT; RUN THENCE NORTH 54°08'17" WEST, A DISTANCE OF 1,023.03 FEET, TO A POINT; RUN THENCE SOUTH 89°10'40" WEST, A DISTANCE OF 163.26 FEET, TO A POINT ON THE AFORESAID EAST LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2036, PAGE 1221 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA; RUN THENCE NORTH 00°49'20" WEST, ALONG THE AFORESAID EAST LINE OF LAST SAID LANDS, A DISTANCE OF 443.68 FEET, TO THE AFORESAID NORTH LINE OF SAID SECTION 3, AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED, CONTAINS 1,170,088 SQUARE FEET OR 26.86 ACRES, MORE OR LESS, IN AREA.

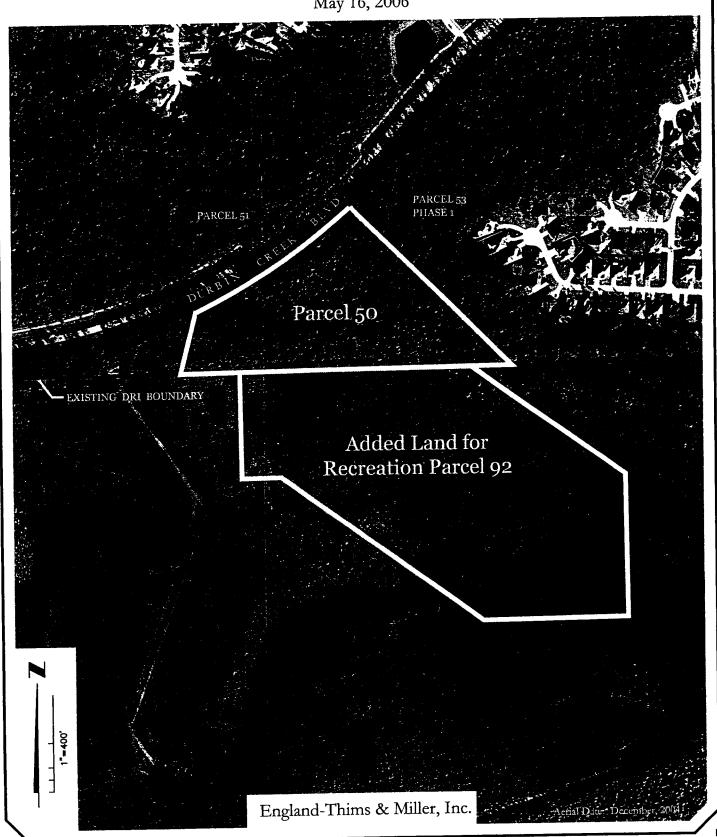
## EXHIBIT C LOCATION MAP



#### EXHIBIT D AERIAL MAP

# JULINGTON CREEK PLANTATION DRI Notice of Proposed Change Aerial

May 16, 2006



# EXHIBIT E ENVIRONMENTAL ASSESSMENT

#### ENVIRONMENTAL SERVICES, INC. 7220 FINANCIAL WAY, SUITE 100 JACKSONVILLE. FLORIDA 32256 904-470-2200 • FAX 904-470-2112

www.esinc.cc

16 May 2006

Ms. Jan Brewer St. Johns County Planning Department 4020 Lewis Speedway St. Augustine, Florida 32095

Julington Creek Plantation CDD Recreation Parcel RE: St. Johns County, Florida

Dear Ms. Brewer:

Environmental Services, Inc. (ESI) has spent several days on the above-referenced property delineating the extent of the on-site wetlands. During our site review we also examined the property for any Significant Natural Communities regulated by St. Johns County and for the presence of species listed as endangered, threatened or species of special concern with the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS).

Given the current use of the property, no Significant Natural Communities occur onsite. The uplands on the property comprise pine plantation, with a canopy of slash pine (Pinus elliottii) and understory and groundcover of saw palmetto (Serenoa repens), bitter gallberry (Îlex glabra), and bracken fern (Pteridium aquilinum). Wetlands on-site include predominantly wet pine plantation, with smaller areas of mixed forested wetland. The mixed forested wetland comprises such species as slash pine, cypress (Taxodium sp.), and red maple (Acer rubrum), with a groundcover of Virginia chainfern (Woodwardia virginica), yellow-eyed grass (Xyris sp.), and cinnamon fern (Osmunda cinnamomea).

Based on our field review of the property, no Significant Natural Communities (as defined by St. Johns County) occur on the site. In addition, no evidence of threatened or endangered species or species of special concern was observed on the property.

I trust that this information satisfies the requirements of Section 4.01.07 and 4.01.08 of the Land Development Code. Please call me with any questions or if you need additional information.

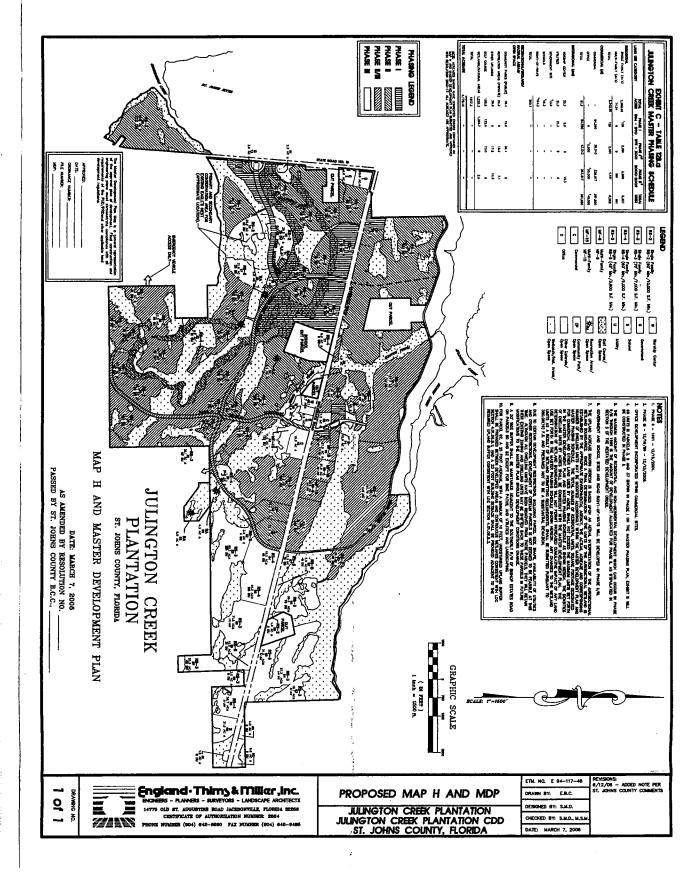
Sincerely yours,

ENVIRONMENTAL SERVICES, INC.

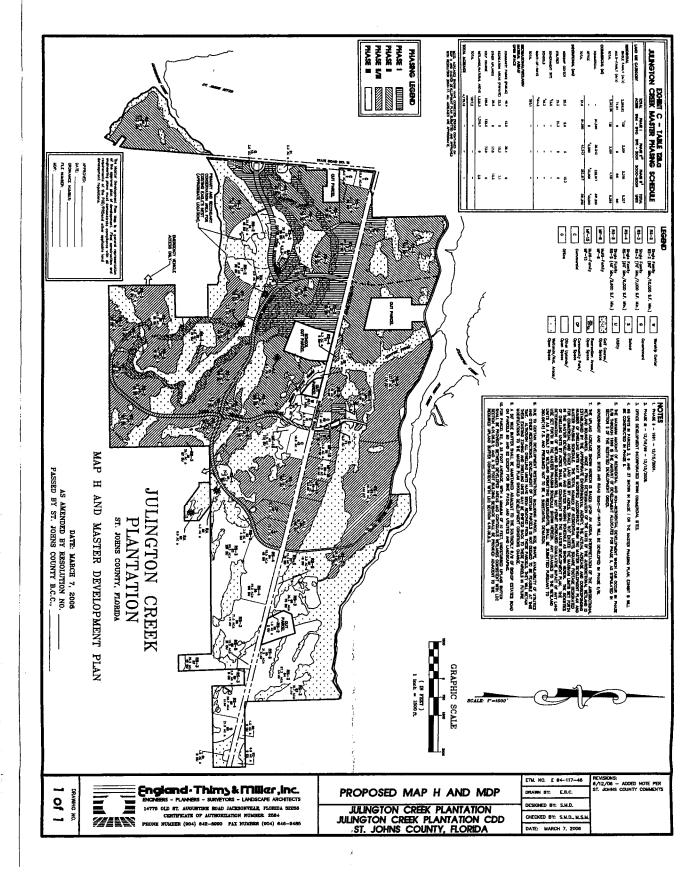
Senior Scientist

AMH/rir/EJ03120.00/wildlife let.doc S:pf051606f

## EXHIBIT F EXISTING MAP H



# EXHIBIT G PROPOSED MAP H



# EXHIBIT H SUBSTANTIAL DEVIATION CHART

# SUBSTANTIAL DEVIATION DETERMINATION CHART

o.	ATE 3																													
PREVIOUS D.O.	CHANGE & DATE OF CHANGE	N.A.	V 12	N.A.	N.A.	N.A.	N.A.	1	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	,	N.A.	N.A.		AZ	A Z	14:44.	N.A.	N.A.	N.A.	N.A.	N.A.	;
	ORIGINAL PLAN	4 7	.4.7.	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.		< 2	N.A.	.Y.Y.	N.A.	N.A.	N.A.	N.A.	N.A.	
	PROPOSED PLAN	<b>∀</b> 1⁄2	IN.A.	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.		4 14	N.A.	N.A.	N.A.	N.A.	N.A.	Z.A.	N.A.	
	CHANGE CATEGORY		# Parking spaces	# Spectators	# Seats	Site locational changes	Acreage, including drainage,	ROW, easements, etc.	External vehicle trips	D.O. conditions	ADA representations	Runway (length)	Runway (strength)	Terminal (gross square feet)	# Parking spaces	# Gates	Apron Area (gross square	feet)	Site locational changes	Airport acreage, including	drainage, ROW, easements,	etc.	# External vehicle trips	D.O. conditions	ADA representations	# Beds	# Parking spaces	Building (gross square feet)	Site locational changes	CONTRACTOR CONTRACTOR CONTRACTOR
	TYPE OF LAND USE		Attraction/Recreation									Aimorts	Carodina													Homitale	riospitais			-

4 14	N.A.	N.A.	N.A.	N.A.	N.A.	<b>▼</b> Z	N. A.	N.A.	N.A.	4 1.0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.		. ,	N.A.	N.A.	N.A.	N.A.	N.A.	,	N.A.	N.A.	N.A.	N.A.	N.A.	
	N.A.	N.A.	N.A.	N.A.	V N	N. A.	IN.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.			N.A.	N.A.	N.A.	N.A.	61 acres		600,000 sq.ft.	2,430	2,460	N.A.	N.A.	
	N.A.	N.A.	N.A.	N.A.	V 1/	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.			N.A.	N.A.	N.A.	N.A.	31 acres		300,000 sq.ft.	1,215	1,230	N.A.	N.A.	
ROW, easements, etc.		D.O. Conditions	ADA representations	Acreage, including drainage,	ROW, easements, etc.	# Parking spaces	Building (gross square feet)	# Employees	Chemical storage (barrels	and pounds)	Site locational changes	# External vehicle trips	D. O. conditions	ADA representations	Acreage mined (year)	Water withdrawal (gal/day)	Size of mine (acres),	including drainage, ROW,	easements, etc.	Site locational changes	# External vehicle trips	D. O. conditions	ADA representations	Acreage, including drainage,	ROW, easements, etc.	Building (gross square feet)	# Parking spaces	# Fmplovees	Site locational changes	# External vehicle trips	The state of the s
				Industrial											Mining Operations	Service Similar								Office							

	ADA sessessatotions	A Z	N.A.	N.A.
	ADA representations	A 14.	<b>▼</b> 12	Y.Y.
Petroleum/Chemical	Storage capacity (barrels	N.A.		
Storage	and/or pounds	< 14	4 7	N.A.
	Distance to navigable waters	N.A.	N.A.	
	(feet)		V 14	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
	Site locational changes	N.A.	N.A.	N . A
	Facility acreage, including	N.A.	N.A.	IN:A:
	drainage, ROW, easements,			
	etc.		4 14	47
	# External vehicle trips	N.A.	N.A.	N. A
	D. O. Conditions	N.A.	N.A.	N.A.
	ADA representations	N.A.	N.A.	N.A.
D. d. (Marines)	# Boats wet storage	N.A.	N.A.	N.A.
POTIS (Mainias)	# Doots day storage	Z.A.	Z.A.	N.A.
	# Doals, ul y stolago	V 14	A Z	N.A.
	Dredge and fill (cu. Yds.)	LY.A.	V IV	Y.A.
	Petroleum storage (gals.)	N.A.	17.7r.	V IV
	Site locational changes	N.A.	N.A.	1N.A.
	Port acreage, including	N.A.	N.A.	N.A.
	drainage, ROW, easements,			
	etc.			4 14
	# Fytemal vehicle trips	N.A.	N.A.	N.A.
	# DAICHIM VOINCE WIFE	4 Z	N.A.	N.A.
	D. O. conditions	A N	N.A.	N.A.
	ADA representations	170	160 acres	Reso 2002-103 added
Open space (all natural	Acreage	100 acres	100 001	lands and reduced
and vegetated non-				maximum height of
impervious surfaces)				structures - 6/4/02
	-	N N	N.A.	N.A.
	Site locations changes		Colf Course	N. A. N.
	Type of open space	Golf Course	OOII COMISC	A Z
	D.O. conditions	N.A.	14.75.	V IV
	ADA representations	N.A.	N.A.	1.A.
Preservation, buffer or	Acreage	773 acres	346 acres	Reso, 98-220 created enhanced wetland
snecial protection areas				Cinianoca wegang
Special protocuer				

preservation (cont.)				buffers - 12/10/98
Includes wetlands,				
upland bullets, etc.	City location changes	N.A.	N.A.	N.A.
	Site ite at the standard	4 7	N.A.	N.A.
	Development site proposed	V 1V	47	N.A.
	D.O. conditions	IV.A.	A 14	<b>▼</b> 7
	ADA representations	N.A.	N.A.	N. Ch.
Residential - Includes	#Dwelling units	2,774.	2,642	No Change
paths, recreation, etc.			ME 9. CE	Mixture
	Type of dwelling units	MIF //4	INIT & SE	V 1/4
	# of lots	SF 2,000	N.A.	IN:A:
	Acreage, including drainage,	1,674 acres	092	V 1V
	ROW, easements, etc.			IN.A.
	Site locational changes	N.A.	N.A.	N.A.
	# External vehicle trips	N.A.	N.A.	N.A.
Wholecale Refail	Acreage, including drainage,	45 acres	31 acres	N.A.
Cerrice	ROW, easements, etc.			
201,100	Floor space (gross square	300,000	300,000	N.A.
	feet)			¥ 1.4
	# Parking spaces	1,500	1,500	N.A.
	# Employees	750	750	N.A.
	# Lingio shows	47	N.A.	N.A.
	Site location changes	A. T. A.	₹ Z	N.A.
	# External vehicle trips	N.A.	.X.7:VI	< 12
	D.O. conditions	N.A.	N.A.	N.A.
	ADA representations	N.A.	N.A.	IN.A.

# EXHIBIT I CONSISTENCY WITH COMPREHENSIVE PLAN

# CONSISTENCY WITH COMPREHENSIVE PLAN POLICIES

Parcel 92 has a land use designation of Rural Silviculture (R/S), which allows for Cultural/Institutional which may include private clubs, parks and recreation facilities with or without lighted fields and courts. Please see attached excerpts from the St. Johns County Land Development Code. The proposed uses on Parcel 92 include active and passive recreation. Teresa Bishop, Planning Director for St. Johns County and Lindsay Haga, Chief Planner/DRI Planner, have determined that a land use amendment is not required for this parcel in order to develop for recreational uses, which are ancillary to the residential development of Julington Creek Plantation.

corrals, stables, greenhouses, milking parlors and dairies, feedlots, silos, and other substantially similar facilities and Structures whether for the primary Use or accessory to agricultural activity. Also included is treated Wastewater land application disposal. Agricultural Uses may also include, farm worker housing, and residences for the farm owner, operator, or caretaker, where those Uses are directly associated with the principal Agricultural Use of the land. Bed and Breakfast establishments limited to a maximum of ten (10) rental units, Primitive Campgrounds, Retreats limited to a maximum of ten (10) rental units and not exceeding an overnight occupancy of twenty (20) persons, Private Clubs, dude ranch, riding academy, hunting camps, game preserves, wildlife preserves, outdoor events, outdoor arenas and outdoor firing ranges, and aircraft landing fields shall be permitted.

#### C. Cultural/Institutional Uses

- 1. Cultural/Institutional Uses provide a personal service in the form of education, culture, fine arts displays and exhibits, and similar activities. Uses in this category are predominantly day-time activities. However, due to the nature of the Cultural/Institutional Use, traffic, parking, use of land coverage may be increased for special events. Users and employees may vary due to the nature of Cultural/Institutional Uses. Institutional Uses may be public or private.
- 2. Typical Cultural/Institutional Uses in this category are libraries, galleries, and museums; schools with conventional academic curriculum; child care, adult day care, or child nurseries; Community Centers; churches and synagogues; Private Clubs; parks and recreation facilities with or without lighted fields and courts. Specifically not included in this category are theaters and auditoriums or other similar places of assembly; colleges and universities are listed under Regional Culture and Entertainment Facilities.

## D. Neighborhood Business and Commercial Uses

- Land Use activities in this category are those which serve the surrounding neighborhood or a small group of neighborhoods. Uses typically require direct access to collectors, and operate primarily in daytime or early evening hours. Development may generally include one-story and low-rise Buildings outside of activity centers. This category does not include large-scale discount supercenters or big box retailers.
- 2. Typical Uses in this category include commercial indoor recreation, archery facilities, entertainment, retail, hospitality, and general business, such as retail goods stores; financial institutions with or without drive-through facilities; funeral homes and mortuaries; neighborhood Convenience Stores without gas pumps; grocery stores; specialty food stores; billiards and pool parlors, spas, gyms, and health clubs; commercial, vocational, business or trade schools; churches; Bed and Breakfast establishments limited to a maximum of (10) rental units; service businesses such as blueprint, printing, catering, travel agencies, mail and package services and laundries; veterinary offices without outside boarding facilities and enclosed within a sound proof building; personal services such as beauty shops, barbers, or photography studios; Adult Care Centers, Child Care Centers, Nursing Homes; psychics in accordance with St. Johns County

# Objective A.1.11 Provision of Efficient, Compact Development

The County shall encourage an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development.

#### **Policies**

- A.1.11.1 The land use designations, as depicted on the Future Land Use Map, shall permit the following land uses:
  - (a) Agricultural-Intensive and Rural / Silviculture shall mean those lands designated on the Future Land Use Map which are primarily intended for agriculture, silviculture, and other uses typical of rural areas. Permitted uses shall include the following as defined and controlled by the County land development regulations:
    - Agricultural;
    - Cultural / Institutional;
    - Mining and Extraction;
    - Outdoor/Passive;
    - Neighborhood Public Service;
    - Solid Waste and Correctional Facilities;
    - Public elementary, middle schools and high schools, if located within two (2)
      miles of an existing Residential or Mixed Use District land use designation on
      the Future Land Use Map, or any new public school which is replacing an
      existing school serving the rural areas of the County;
    - Residential uses, as permitted and regulated through the County's Land Development Regulations (LDRs), including Planned Rural Developments (PRD) as specified in the LDRs and as specified in policy A.1.6.2.;
    - Other uses ancillary to, or supportive of, agricultural or silviculture uses or
      activities, and single family residential structures which are utilized by the
      owners of the agricultural or silviculture lands (or family members of such
      owners) as their primary residence;