

RESOLUTION NO. 2021- 499

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2021- 499.

AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR ST. AUGUSTINE CENTRE, A DEVELOPMENT OF REGIONAL IMPACT, UNDER CHAPTER 380, FLORIDA STATUTES, AUTHORIZING DEVELOPMENT OF APPROXIMATELY 315 ACRES IN EAST CENTRAL ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS INCLUDING TRANSPORTATION IMPACTS; PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; INCORPORATING CHANGES TO ALLOW FOR MIXED-USE DEVELOPMENT ON A PROPERTY LOCATED IN AREA A, AS IDENTIFIED ON THE MASTER DEVELOPMENT PLAN, MAP H; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the St. Augustine Centre Development of Regional Impact (“DRI”) is a mixed-use development located on approximately 315 acres located near St. Augustine in St. Johns County, Florida; and

WHEREAS, the St. Augustine Centre DRI was first approved by St. Johns County Resolution 97-77, and has been amended by Resolutions 2000-81, 2002-20, 2003-74, 2003-151, 2004-155, 2006-96, 2014-304 and 2021-175; and

WHEREAS, LVP St. Augustine Outlets, LLC (“LVP” or “Applicant”), has filed an application to modify the St. Augustine Centre DRI Development Order and the Master Development Plan (Map H) to allow for a mixed-use development on property owned by LVP commonly known as the St. Augustine Outlets (the “LVP Property”) that may include retail/commercial, office and multi-family residential units, using the transportation trips currently allocated to the LVP Property; and

WHEREAS, LVP plans to demolish all or a portion of the existing outlet mall located on the LVP Property and replace it with the proposed mixed-use development; and

WHEREAS, LVP owns the LVP Property, which is subject to the St. Augustine Centre DRI Development Order, and has the authority to seek amendments to the Development Order for the LVP Property; and

WHEREAS, the authorized agent for the Applicant is Ellen Avery-Smith, Rogers Towers, P.A., 100 Whetstone Place, Suite 200, St. Augustine, Florida 32086; and

WHEREAS, the proposed DRI amendments for the LVP Property do not require an amendment to the St. Johns County Comprehensive Plan; and

WHEREAS, to simplify subsequent review of the DRI Development Order, this DRI Development Order is being amended and restated to incorporate all prior amendments to the General Conditions and Special Conditions of the DRI Development Order since its original approval in 1997, together with the proposed amendments to the Development Order.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED by the Board of County Commissioners of St. Johns County, Florida, the St. Augustine Centre DRI is hereby amended and restated with the following findings of fact and conclusions of law, and is subject to the following terms and conditions.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The proposed DRI, as amended, is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05, Florida Statutes.
2. The proposed DRI, as amended, is consistent with the State Comprehensive Plan.
3. The proposed DRI, as amended, is consistent with and does not unreasonably interfere with the achievement of the objectives of the 1989 adopted State Land Development Plan.
4. The proposed DRI, as amended, is consistent with the adopted St. Johns County local comprehensive plan and local land development regulations.
5. The proposed amendment has been reviewed under section 380.06(7), Florida Statutes (2020).

GENERAL CONDITIONS

1. The DRI shall be developed in accordance with the information, plans and commitments contained in (1) the St. Augustine Centre DRI ADA, (2) the ADA sufficiency information response dated January 14, 1997, and (3) all other information submitted by the Applicant as part of the proposed DRI modification application prior to adoption of this Development Order, all of which are incorporated by reference except to the extent they would conflict with the conditions of this Development Order. The Development Order shall prevail over any other conflicting provisions, plans and commitments.
2. Except as allowed or limited through the use of the Conversion Tables as explained below, the DRI shall consist of no more than 868,407 gross square feet of retail service use (including 567,007 gross square feet of outlet retail use, as may be converted to other uses hereunder); 2,600 movie theater seats; 146 hotel rooms; 817 multi-family residential units; 300,000 square feet of light industrial uses; 70 single-family detached dwelling units (by conversion of other approved uses using the Conversion Tables attached as Exhibit 5); and 87 acres of open space. Development shall be located as shown on the Master Development Plan, Map H, attached as Exhibit 2. The Developer may increase certain land uses and simultaneously decrease other land uses approved as part of Phases 1, 2 and 3A without filing a Notice of Proposed Change or other modification of this Development Order, provided that such changes are consistent with the Conversion Tables attached as Exhibit 5. At the time of election of a land use conversion under the Conversion Table, the Developer shall notify the County, the Florida Department of Economic Opportunity (“DEO”) and the Northeast Florida Regional Council (“NEFRC”) of the election. So long as the conversion is consistent with the criteria contained in Exhibit 5 and no change is made to the Master Development Plan (Map H), no additional DRI approvals shall be required for the conversion. The Developer shall also provide the County, DEO

and NEFRC with cumulative land use totals and remaining allowable quantities in the next biennial report, together with copies of any prior notices of conversions.

3. The DRI shall consist of three (3) phases, as set forth in Exhibit 3 attached hereto. Physical development (as defined in Section 380.04, Florida Statutes) of the DRI shall commence within two (2) years of the effective date of this Development Order. However, this time period shall be tolled during the period of any appeal pursuant to Section 380.07, Florida Statutes, or if the Applicant has not yet received necessary permits allowing commencement of development for any reason beyond the Applicant's control. The projected buildout for all development is August 22, 2031. The DRI termination and DRI Development Order expiration dates also are established as August 22, 2031. Any extensions of the DRI buildout, termination or expiration dates shall be governed by the provisions of Section 380.06(7), Florida Statutes. (2020) and other applicable statutes.

4. The Development Order shall take effect upon its rendition. With respect to this Resolution No. 2021-~~499~~, nothing herein shall adversely affect the rights of Highland Pointe, LLC, a Florida limited liability company, as master developer of the St. Augustine Centre DRI (the "Master Developer") to complete development of property it owns within the DRI boundaries in accordance with this DRI Development Order, nor will any of the development rights associated with the LVP Property be deducted from any existing, unbuilt development rights held by the Master Developer within the DRI. Impacts from this Resolution No. 2021-__ shall in no way adversely affect in any material way the rights of other landowners within the DRI to develop or redevelop their properties in accordance herewith.

5. The County Administrator of St. Johns County, Florida, or his designee shall be the local official responsible for monitoring the development for compliance by the Applicant with this Development Order.

6. The St. Augustine Centre DRI, as approved in this Development Order, shall not be subject to downzoning or reduction of approved land uses before August 22, 2031, unless the Applicant consents to such change or St. Johns County demonstrates that substantial changes in the conditions underlying the approval of this Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly established by St. Johns County to be essential to the public health, safety and welfare.

7. The Applicant must meet minimum concurrency requirements under the County's Concurrency Management Ordinance, Ordinance 95-15, and related County Comprehensive Plan conditions, as they may be amended from time to time, prior to approval of any Planned Unit Development final development plan for any development authorized under this Development Order.

8. Reserved.

9. Notice of the adoption of this Development Order or any subsequent amendment to it shall be recorded by the Applicant in accordance with Sections 28.222 and 380.06(15)(f), Florida Statutes (1995), with the Clerk of the Circuit Court of St. Johns County, Florida.

Recordation of this notice shall not constitute or provide actual or constructive notice of a lien, cloud or encumbrance of the DRI Property. The conditions of this Development Order shall run with the land and bind the successors and assigns of the Applicant on the DRI Property. Any contract or agreement for sale of those interests by the Applicant for all or any part of the property subject to this Development Order shall contain a legend substantially in the following form clearly printed or stamped thereon:

THE PROPERTY DESCRIBED HEREIN IS PART OF THE ST. AUGUSTINE CENTRE DEVELOPMENT OF REGIONAL IMPACT AND IS SUBJECT TO A DEVELOPMENT ORDER, NOTICE OF WHICH IS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, WHICH IMPOSES CONDITIONS, RESTRICTIONS AND LIMITATIONS UPON THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY WHICH ARE BINDING UPON EACH SUCCESSOR AND ASSIGN OF ST. AUGUSTINE ASSOCIATES. THE DEVELOPMENT ORDER DOES NOT CONSTITUTE A LIEN, CLOUD OR ENCUMBRANCE OF REAL PROPERTY OR CONSTITUTE ACTUAL OR CONSTRUCTIVE NOTICE OF SAME. A COPY OF THE DEVELOPMENT ORDER MAY BE REVIEWED AT THE OFFICE OF THE PLANNING, BUILDING AND ZONING DEPARTMENT, ST. JOHNS COUNTY, OR AT THE OFFICE OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY, STATE OF FLORIDA, TALLAHASSEE, FLORIDA.

10. Reserved.

SPECIAL CONDITIONS

Vegetation and Wildlife

1. The Applicant will construct a maximum of three (3) nesting boxes for the Southeastern American Kestrel at a location acceptable to the Florida Game and Fresh Water Fish Commission ("FGFWFC") staff.¹ The Applicant shall construct such nest boxes, assure their annual maintenance, and report on their status annually as part of the DRI annual report, or shall perform such other kestrel management prescriptions as agreed to by the FGFWFC and the Applicant. Installation of kestrel nest boxes or implementation of alternative compensatory actions shall be accomplished no later than 12 months from the effective date of the Development Order. Annual maintenance of installed nest boxes shall occur during January and include removal of any nesting materials, and rehabilitation or replacement of each nest box, as needed.

Wetlands

2. Surface water and groundwater shall be monitored in accordance with any applicable federal, state, regional or local environmental permits for the project. Monitoring data prepared in accordance with such permits shall be summarized in the DRI biennial report, and if requested, supplied with full information by the Applicant to the NEFRC, DEO or St. Johns County.

¹ Now the Florida Fish and Wildlife Conservation Commission.

3. Proposed activities within the DRI will not adversely affect the hydroperiod of any wetlands within the DRI. No development activities, as defined in Section 380.04, Florida Statutes, except for activities permitted by the appropriate environmental permitting agencies, shall be allowed in any of the wetland areas within the DRI. Wetland impacts will be mitigated through the regulatory permitting process of the St. Johns River Water Management District and the U.S. Army Corps of Engineers.

Water Supply

4. If any wells are discovered on-site during the development process, they shall be reported immediately to the St. Johns River Water Management District (“SJRWMD”), NEFRC and the St. Johns County Growth Management Services Department. An inventory of water wells shall be conducted, mapped, and delivered to the SJRWMD prior to site clearing or construction. Any wells discovered on-site and any wells documented in the ADA which are to be abandoned shall be properly plugged and abandoned by a SJRWMD licensed water contractor and registered driller in accordance with applicable SJRWMD rules for such activities (Rule 40C-3.531, Florida Administrative Code (1997) (“FAC”).

5. Stormwater, alternative surface water sources and treated wastewater, as available, shall be used as the primary sources of non-potable water for irrigation purposes and other non-potable uses. Existing water wells shall be used only in emergencies as a secondary source.

Soils

6. The following construction standards shall be required for fugitive dust and soil erosion suppression:

- a. Any barren land resulting from development activities, including all stockpiles of topsoil, stormwater berms or dikes, and material stockpiles be moistened and/or treated with resinous adhesives.
- b. Contractors will utilize the best operating practices in conjunction with any burning resulting from land clearing, which may include the temporary use of air curtain incinerators.

7. Sedimentation of wetlands shall be prevented through development of an erosion and sediment control plan as part of the stormwater permit for the project. In addition, the Applicant shall provide quarterly reports to the Florida Department of Environmental Protection (“FDEP”), Jacksonville office, during project construction on turbidity measurements at one sampling station located where surface waters exit the site.

Transportation

Note — Sections 8-10, 12, and 15-17 not input from Resolution 97-77 in that they were later superseded.

8. [last amended in Res. 2000-81] For the purposes of the transportation conditions, Phase 1 is separated into subphases (IA and 1B). The Transportation Subphase IA consists of

314,772 square feet of outlet retail service (or its external trip equivalent as approved by the DEO, FDOT, NEFRC and St. Johns County (hereinafter “traffic reviewing agencies”).) Transportation Subphase 1B contains the balance of Phase 1 development as set forth on Exhibit 3.

9. [last amended in Res. 2000-81] The Applicant has provided the following traffic improvements in conjunction with Transportation Subphase 1A: (1) West S.R. 16 and I-95 ramps, additional southbound left turn and/or right turn lanes on ramp; (2) S.R. 16 and project entrance, improvements as required and approved by Florida Department of Transportation (“FDOT”); (3) east S.R. 16 and I-95 ramps, northbound exit ramp, additional turn lanes as required and approved by FDOT. The Applicant shall also signalize the intersection and add a southbound left turn lane at S.R. 16 at Inman Road as needed for Transportation Subphases 1A and 1B of the DRI in the manner set forth in the specific conditions following this paragraph.

10. [last amended in Res. 2000-81] In conjunction with Transportation Subphase 1A, the Applicant has provided required improvements to the eastern I-95 and S.R. 16 northbound exit ramp in a manner acceptable to FDOT.

11. [from Res. 97-77 and restated without modifications in Res. 2000-81] No certificates of occupancy for any portion of the DRI shall be issued unless adequate additional lanes (i.e., left turn and/or right turn lanes to prevent queues of existing vehicles from impacting the mainline of I-95) on the I-95/S.R. 16 southbound exit ramp are constructed and operational, and the Applicant hereby commits to fund such improvements. These additional lanes shall be of a sufficient length to separate right turning movements from left turning movements.

12. [last amended in Res. 2003-74] The Applicant also shall be responsible for the full cost of and cause or be responsible for the construction of any S.R. 16/Inman Road and S.R. 16 project entrance improvements required for Transportation Subphases 1A and 1B, as set forth above, and hereby commits to fund such improvements. No certificates of occupancy for any portion of the DRI shall be issued until the intersection improvements sufficient to accommodate Transportation [sic] Subphases 1A and 1B traffic are operational. No certificates of occupancy shall be issued for development within a residential or industrial parcel adjacent to Inman Road (as shown on the Exhibit 2 Master Development Plan) until the completion of construction of access from such parcel to Inman Road. Two or more of those parcels may share an access facility to Inman Road as shown on Exhibit 2. The S.R. 16/Inman Road signalization and southbound left turn lane at S.R. 16 at Inman Road required under Special Condition 9 above shall be installed and constructed when warranted by the FDOT.²

13. [from Res. 97-77 and restated without modifications in Res. 2000-81] If approved by FDOT, the entrance on S.R. 16 should be a directional right-in/or right-out-only, eliminating the need for a traffic signal and/or median opening at this location, or shall adhere to other access provisions that may be permitted by the FDOT under a FDOT access management permit. The Applicant shall work with FDOT in developing an access plan for the project to determine median closures and permitted access points. No vertical development shall occur until the project has received all applicable access management/driveway permits from FDOT.

² See also Resolution 2013-99, providing for funding of intersection improvements to Inman Rd and S.R. 16, recognized as satisfying this condition.

14. [from Res. 97-77 and restated without modifications in Res. 2000-81] The Applicant shall also be responsible for the cost of all other site-related improvements (including, but not limited to, channelization, signalization and turn lanes), including Inman Road access improvements.

15. The additional traffic improvements set forth in Exhibit 4 hereto and in this paragraph are presently projected to be required for Phase 3A. Phase 3A shall consist of the additional development of no more than: 1) 242,400 gross square feet of retail use, including a maximum of 75,000 gross square feet of outlet retail use; 2) 146 hotel rooms; 3) 345 multi-family dwelling units, as such uses may be increased and decreased through a conversion of such uses pursuant to Exhibit 5 and Section 2; and 300,000 gross square feet of light industrial use. The Applicant must satisfy the requirements of this paragraph to adequately and fully mitigate the traffic impacts of Phase 3A of the project.

a. [Previously satisfied] The Applicant shall be required to conduct an additional comprehensive traffic study of the I-95/S.R. 16 interchange to assess operational conditions prior to issuance of any building permits for Phase 3A. The ramp analysis study shall be based on a methodology approved by FDOT, which may require different peak period analyses, and shall (1) provide written concurrence of the NEFRPC, St. Johns County, FDOT and DEO as to the adequacy of the study and the resulting recommendations and (2) assess any need for an Interchange Modification Report. If FDOT determines that additional improvements to the I-95/S.R. 16 ramp system are necessary because of development proposed in Phase 3A of the project, no building permits shall be issued for Phase 3A until the improvements are completed, under construction, or included in the first three years of the FDOT Five-Year Work Program.

b. Deleted by Resolution 2021-175.

16. Deleted by Resolution 2004-155.

17. Deleted by Resolution 2004-155.

18. In addition, the Applicant, its heirs, assignees and executors, shall team with other developers in this corridor and participate in a Transportation Management Organization (“TMO”) and a Long Range Transportation Concurrency Management System (“LRTCMS”) as formally adopted by St. Johns County, NEFRPC, DEO and FDOT. In order to meet this condition, the Applicant may become a member of the existing TMO for the Saint Johns DRI, which was formed pursuant to the Development Order for the Saint Johns DRI. The purpose of the TMO is to reduce traffic impacts, especially those from those employed at the project, particularly as such traffic may impact I-95 between S.R. 210 and S.R. 16 by employing a variety of Transportation Demand Management strategies. The strategies employed by the TMO shall include, but not be limited to a mix of such innovative planning and implementing actions as securing staggered work hour agreements among various employers located within the project and along the corridor; promoting van pooling and ridesharing for employees and transit on-site and coordinating such efforts with other major employers in the corridor; participating in the transportation provision for the transportation disadvantaged; etc. In addition, the long-range transportation management

strategies shall involve the determination of alternative parallel facilities to divert local traffic from I-95, including on a pro-rata basis by traffic impact analysis, the funding through special impact fees, tax increment financing or other means as identified including combinations thereof, prior to any issuance of a certificate of occupancy. The TMO shall be established or the Applicant shall participate in an existing TMO no later than occupancy of Phase 1 of the project. All efforts to promote the transportation demand management strategies shall be documented in the DRI biennial report.

Affordable Housing

19. Prior to the issuance of any building permits for each of Phases 2 and 3A, the Applicant, using a methodology agreed upon by the DEO, NEFRC and St. Johns County and consistent with Rule 9J-2.048, F.A.C. (1997), shall provide the DEO, NEFRC and St. Johns County an analysis determining:

- a. Adequate housing demand for each salary income range category within the very low, low and moderate income households as a result of the pertinent development phase cumulatively with an unmet demand from prior phases that was deemed insignificant under the above rule; and
- b. Adequate housing supply for each corresponding salary income range category within the very low, low and moderate income households located within reasonable proximity of the DRI.

If the reviewing agencies determine from the study that there is a significant adequate housing impact pursuant to the above rule, then no building permits shall be issued until mitigation measures consistent with Rule 9J-2.048, F.A.C. (1997), are adopted by an amendment to the development order. At its option, the Applicant may provide an analysis addressing both Phases 2 and 3A to determine any needed mitigation for both phases and provide needed mitigation for both phases prior to the issuance of any building permits for Phase 2. [Condition Satisfied] Notwithstanding anything in this Section to the contrary, the required affordable housing shall not be constructed on the LVP Property located within Area A, as depicted on Exhibit 2, Map H.

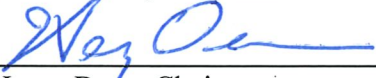
Impact Fees

20. This Resolution shall not prevent the County from requiring the payment of impact fees and/or other fees for development or construction within the area described in this resolution when such impact fees and/or other fees are also charged for similar activities within the other incorporated areas of the County. Since the County has enacted an impact fee ordinance that is applicable on a County-wide basis, it shall comply with Section 380.06(16), Florida Statutes (1996), and give credit to the Applicant for all applicable contributions of land, funds or public facilities made on behalf of the Applicant to the extent such contributions are toward an impact fee or exaction for the same need. As provided by Section 380.06(16) Florida Statutes, this subsection does not apply to internal, on-site facilities as are necessary to provide safe and adequate services to the development except for off-site facilities required by this Development Order. The Applicant may assign any impact fee credits provided for under this Development Order to any

successor owner or developer within the St. Augustine Centre DRI for use against any applicable impact fee obligation for the same purpose related to construction within the DRI.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 16th DAY OF November, 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: 
Henry Dean, Chair



Attest: Brandon J. Patty, Clerk of the Circuit Court and Comptroller

By: 
Deputy Clerk

Rendition Date: NOV 18 2021

EXHIBITS

Exhibit 1, Legal Description for DRI (from Resolution 97-77)

Exhibit 2, Development Plan (Map H)(revised May 2021)

Exhibit 3, Phasing Schedule — (revised May 2021)

Exhibit 4, Intentionally Deleted.

Exhibit 5, Conversion Table (revised 2021)

Exhibit 1

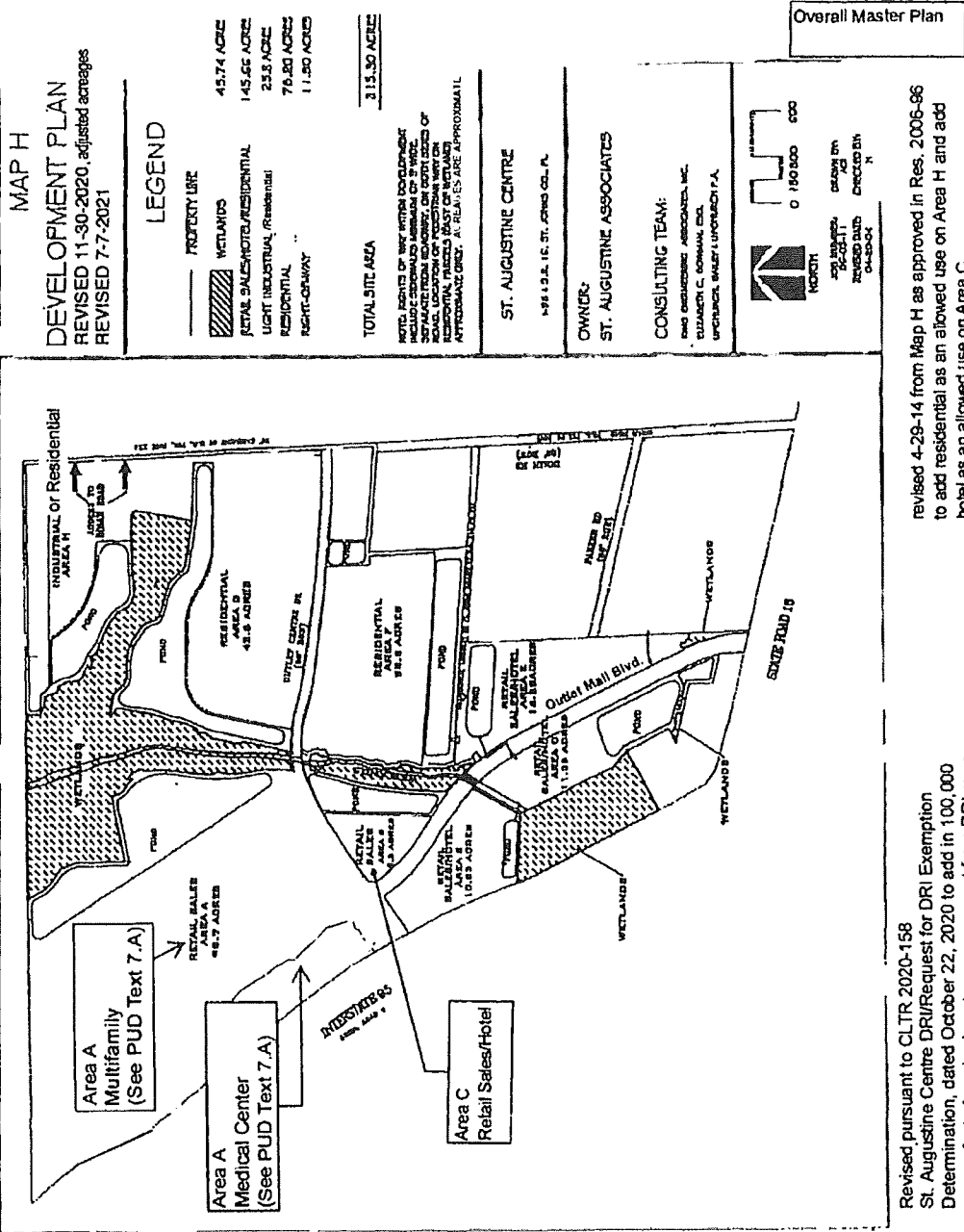
St. Augustine Centre Legal Description

A PART OF SECTIONS 5, 6, AND 8, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 89°15'19" EAST ALONG THE NORTHERLY LINE OF SAID SECTION 5, A DISTANCE OF 2702.33 FEET; THENCE SOUTH 02°34'25" EAST, A DISTANCE OF 2418.93 FEET; THENCE NORTH 86°20'55" WEST, A DISTANCE OF 724.27 FEET; THENCE SOUTH 02°34'25" EAST, A DISTANCE OF 660.00 FEET; THENCE SOUTH 86°20'55" EAST, A DISTANCE OF 663.92 FEET; THENCE SOUTH 02°34'25" EAST, A DISTANCE OF 50.30 FEET; THENCE NORTH 86°20'55" WEST, A DISTANCE OF 1319.59 FEET; THENCE SOUTH 02°11'41" EAST ALONG A LINE TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), A DISTANCE OF 1942.09 FEET; THENCE NORTH 77°03'50" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 153.99 FEET; THENCE NORTH 01°39'41" WEST LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 175.00 FEET; THENCE NORTH 77°07'17" WEST, A DISTANCE OF 199.99 FEET; THENCE NORTH 01°39'41" WEST, A DISTANCE OF 166.93 FEET; THENCE NORTH 75°57'41" WEST, A DISTANCE OF 396.19 FEET, THENCE NORTH 62°14'03" EAST, A DISTANCE OF 105.57 FEET; THENCE NORTH 27°45'57" WEST, A DISTANCE OF 308.00 FEET; THENCE SOUTH 62°13'29" WEST ALONG A LINE TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 95, STATE ROAD NO. 9 (A RIGHT-OF-WAY OF VARYING WIDTH), A DISTANCE OF 449.91 FEET; THENCE NORTH 27°42'53" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1004.03 FEET TO A POINT ON A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 5879.58 FEET; THENCE NORTHWESTERLY CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 1959.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 28°56'46" WEST AND A CHORD DISTANCE OF 1950.58 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 38°29'40" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1164.82 FEET; THENCE NORTH 23°29'40" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 502.28 FEET; THENCE NORTH 38°29'40" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 411.52 FEET TO A POINT LYING ON THE NORTHERLY LINE OF AFORESAID SECTION 6; THENCE NORTH 89°22'17" EAST LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID NORTHERLY LINE OF SECTION 6, A DISTANCE OF 2240.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 315.29 ACRES MORE OR LESS.

Exhibit 2

MAP H/Master Development Plan



revised 4-29-14 from Map H as approved in Res. 2006-86 to add residential as an allowed use on Area H and add hotel as an allowed use on Area C

Revised pursuant to CLTR 2020-158 St. Augustine Centre DRI/Request for DRI Exemption Determination, dated October 22, 2020 to add in 100,000 square feet of medical center uses, exempt from DRI review pursuant to Section 380.0651(2)(a), Florida Statutes

Exhibit 3

Phasing Schedule

Use	Phase 1 1997-2003		Phase 2 ³ 2004-2005		Phase 3A 2005-2031		Total	
	(12/31/03 end date)		(12/31/05 end date)		(8/22/2031 end date)			
	Gross Sq. Ft.	Units	Gross Sq. Ft.	Units/Rooms	Gross Sq. Ft.	Units/Rooms	Gross Sq. Ft.	Units
Retail Service	0		211,235		316,758		527,993	
Including Retail Outlet	0		77,235		49,858		127,093	
Hotel	--		--	--	N/A	234		234
Residential	N/A	250	N/A	222	N/A	695	N/A	1,167
Industrial	--		--		300,000	N/A	300,000	N/A
Movie Theater			(Retail Outlet Includes)	2,600 seats			(Retail Outlet Includes)	2,600 seats

This Phasing Schedule is subject to allowed conversions of development rights that comprise part of Phases 1, 2 and 3A using the Conversion Table attached as Exhibit 5. Hospital uses are exempt from DRI review and are not subject to limitation under this Phasing Schedule.

This Phasing Schedule incorporates a 2017 conversion of 25,142 square feet of Outlet Retail to 88 Hotel Rooms recognized in DRI LUE 2017-03 and SMADJ 2017-63.

This Phasing Schedule incorporates a 2021 conversion of 414,772 square feet of Outlet Retail to 99,500 square feet of Retail Service and 350 multi-family units recognized in DRI MOD 2021-04.

³ Any unused Phase 2 development rights may be used in Phase 3A.

Exhibit 4
Intentionally Deleted

Exhibit 5
Conversion Table St. Augustine Centre DRI - Phases 1, 2 and 3A

LAND USE EXCHANGE TABLE

Conversion Rates

	TO	Trip Generation Rate	Outlet Mall* SF	Commercial SF	Hotel Rooms	Multifamily DUs	Single Family DUs
F	Outlet Mall* SF	0.790	1.0000	0.3884	0.0035	0.0022	0.00073
R	COMMERCIAL SF	2.034	2.5747	1.0000	0.0090	0.0056	0.0019
O	Hotel Rooms	0.226	286.0759	111.1111	1.0000	0.6260	0.2076
M	Multi-Family DUs	0.361	N/A	N/A	N/A	1.0000	0.3315
	Single-Family DUs	1.089	N/A	N/A	N/A	N/A	1.0000

Minimums and Maximums

Code-Land Use	Trip Rates	Units	Approved Development Before Conversion	Conversion Minimum	Conversion Maximum
823 – Outlet Mall*	0.790	Per 1,000 SF	567,007	127,093	497,414
820 - Commercial/Retail	2.034	Per 1,000 SF	301,400	178,737	527,993
310 – Hotel Rooms	0.226	Per Room	146	144	398
220/230 - Multi-family	0.361	Per DU	817	647	1,167
210.- Single-Family	1.089	Per DU	0	0	70
Residential (Single-Family and Multi-Family)			817	647	1,167

*Includes Movie Theater

Sources:

Approved Phase 3A Trip Generation Table included in the St. Augustine Centre DRI 2004 NOPC Analysis.

Table 2 of Land Use Exchange Table Technical Memorandum

Table 3 of Land Use Exchange Table Technical Memorandum

EXAMPLE: How many Hotel Rooms can be built instead of 10,000 SF of Outlet Mall
from Outlet Mall *to* Hotel Rooms: $10,000 \times 0.0035 = 35$ Hotel Rooms
Check: 10,000 SF of Outlet Mall = $10,000/1,000 \times 0.790 = 7.9$ PM peak hour trips
35 Hotel Rooms = $35 \times 0.226 = 7.9$ PM peak hour trips.

EXAMPLE: How many Multi-Family Units can be built instead of 10,000 SF of Outlet Mall
from Outlet Mall *to* Multi-Family Units: $10,000 \times 0.022 = 22$ Multi-Family Units
Check: 22 Multi-Family Units = $22 \times 0.361 = 7.9$ peak hour trips

Restrictions and Notes on Use of these Tables:

1. Residential uses cannot be converted to non-residential uses.
2. Use of the conversion table shall be limited to prevent additional school impacts as follows: no more than 20.4 students can be generated from the remaining undeveloped residential units as of May 15, 2014 (170 multi-family units), using a student generation rate of 0.27 students per single-family unit and 0.12 per multi-family unit. If student generation from the remaining undeveloped residential units is exceeded using the above student generation rates, the Applicant will be required to meet school concurrency through a Planned Unit Development modification application or other mechanism acceptable to the County and School District for the applicable property.
3. The additional 350 multi-family units proposed for the land owned by LVP St. Augustine Outlets, LLC ("LVP") within Area A will generate 126 p.m. peak hour trips, which is equal to the traffic generation from 159,494 square feet of outlet retail owned by LVP. The additional 99,500 square feet of general retail space proposed for land owned by LVP within Area A will generate 202 p.m. peak hour trips, which is equal to the traffic generation from 255,278 square feet of outlet retail space. Thus, there is no net increase in traffic impacts created by the land use exchange for the LVP Property proposed in Resolution No. 2021-__.

Conversions made as of March 1, 2021: 25,142 sf of Outlet Retail to 88 hotel rooms in September 2017, recognized by DRI LUE 2017-03 and SMADJ 2017-63. This conversion should be taken into account when reviewing the remaining, available development rights.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ROGERS,TOWERS
1301 RIVERPLACE BLVD, STE 1500

JACKSONVILLE, FL 32207

ACCT: 15669
AD# 0003377518-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RIHT who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Classified in the matter of **DRIMOD 2021-04** was published in said newspaper in the issue dated **09/15/2021**.

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

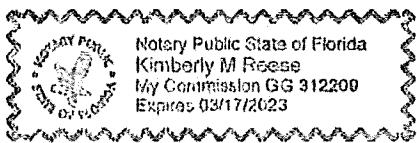
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of **SEP 15 2021**

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

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED CHANGE TO THE St Augustine Centre

NOTICE IS HEREBY GIVEN that on 10/7/2021 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 11/16/2021 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida, to consider a request to amend the St. Augustine Centre DRI to allow the redevelopment of the outlet retail portion of Area A with a mixed-use project containing a maximum of 99,500 square feet of retail/commercial space and 350 multi-family residential units.

The St Augustine Centre DRI is located St Augustine Centre DRI. See attached map generally depicting the location (Exhibit A). A complete description is available in the St. Johns County Planning and Zoning Office.

Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding any or all of the proposed change. Board of County Commissioner Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The proposed change is known as File Number DRI MOD-202100004 and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR JEREMIAH R. BLOCKER, CHAIR
File Number: DRI MOD-2021-04
Project Name: St Augustine Centre

