

RESOLUTION NO.89- 227

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
FOR A PORTION OF COUNTRY CLUB
AT SAWGRASS LOCATED WITHIN THE PARCEL OF LAND ZONED PUD
PURSUANT TO ORDINANCE 73-8

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

SECTION 1., Pursuant to a request for approval made by Douglas/Franklin Properties, Inc. in accordance with Section 8-3 of the St. Johns County Zoning Ordinance, and subsequent review and approval by the St. Johns County Planning and Zoning Agency, the Final Development Plan attached hereto as Exhibit A is hereby approved in reliance upon, and in accordance with, the representations and statements made in the written submission statement attached hereto as Exhibit B and the sections of the Declaration of Covenants, Easements and Restrictions for Sawgrass Country Club as set forth in Exhibit C.

All building code, zoning ordinance, and other land use and development regulations of St. Johns County as may be amended from time to time shall be applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or ^{PUD} PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

PASSED AND ADOPTED this 10 day of October, 1989.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Craig A. Maguire
Vice Chairman

ATTEST:

By: Rosemary Jones
Deputy Clerk

EXHIBIT B to the Resolution

FINAL DEVELOPMENT PLAN
FOR
SAWGRASS CORNERS OFFICE COMPLEX
LOCATED WITHIN A PART OF THE
PUD 73-8 NAMED
COUNTRY CLUB AT SAWGRASS

Douglas/Franklin Properties, Inc.
As General Partner for Sawgrass
Corners, Ltd. I & II

Submitted October 9, 1989

Douglas/Franklin Properties, Inc. as General Partner for Sawgrass Corners, Ltd. I & II hereby submits, for approval by the St. Johns County Planning and Zoning Board and the St. Johns County Board of County Commissioners, the final development plan (the "Final Development Plan") for a portion of the commercial development area within the Country Club at Sawgrass (the "Property"). The Final Development Plan consists of a map identified as Exhibit A to the Resolution, this text identified as Exhibit B to the Resolution, copies of the applicable Sawgrass Country Club (the "Declaration") identified as Exhibit C. The Property is located wholly within that parcel of land zoned Planned Unit 73-8 Development (PUD) pursuant to Ordinance and known as Country Club at Sawgrass. The area encompassed by this Final Development Plan is located at the Northeast corner of the intersection of Ponce De Leon Boulevard (A-1-A) and Sawgrass Drive West and is within the area of the PUD identified as "Commercial" which may be developed for uses allowed under the "CG" zoning district regulations. The improvements to be constructed pursuant to this Final Development Plan include a bank building and office building in two phases of approximately 8000± S.F. and 18,800± (2 floors) S.F. respectively (26,800 total). Pursuant to Section 5-8-1(j) of the St. Johns County Zoning Ordinance these uses are permissible within the area designated "Commercial" under the PUD.

Nothing contained in the Declaration shall be interpreted to limit or restrict in any way the regulatory powers of St. Johns County (including its powers to review and approve plats and replats under Section 177.071 of the Florida Statutes). Those sections of the Declaration which are specifically referenced herein are incorporated by reference in the Final Development Plan, shall be made a part of the Final Development Plan and shall not be amended without approval of the Board of County Commissioners of St. Johns County.

8-4-1 Density of Development

This section applies only to residential structures. The proposed Final Development Plan includes only commercial structures.

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

The building set backs will be as shown on the Final Development Plan map. The bank building will be one-story and will be less than 35 feet in height. The office building will be a two story structure with a maximum height of 45 feet with the understanding that if it is under the 35' height requirement, sprinkling will not be required per the code. In addition, Article IV of the Declaration requires that all building plans and specifications be submitted to and approved by the "Developer" prior to construction. This will insure architectural compatibility of the improvements with the surrounding development. The temporary bank facility will be removed within one year.

8-4-4 Project Size

The PUD consists of more than twenty acres.

8-4-5 Support Legal Documents for Open Space

This section does not apply because there are no open space areas designated within the area encompassed by this Final Development Plan.

8-4-6 Access

The Final Development Plan contains no single-family dwelling units, therefore this Section is not applicable. Nevertheless, adequate access to each building is provided by the driveways depicted on the Final Development Plan map.

8-4-7 Privacy

The Property is located wholly within that portion of the PUD designated for commercial use. Therefore no fences or other such barriers will be necessary to insure privacy of dwelling units. Nevertheless Article VII of the Declaration requiring architectural review and Section G of Article II of the Declaration concerning maintenance of landscaping will provide necessary visual and acoustical privacy.

8-4-8 Community Facilities

- a. None of the utility facilities serving the Property are proposed for dedication to St. Johns County; therefore the provisions of subparagraph "a" are inapplicable.
- b. All requirements for off-street parking and loading set forth in Article 9 of the St. Johns County Zoning Ordinance are addressed specifically below:

9-1-1 Drainage

The drainage plan for the Property so as to prevent damage to abutting parcels and public streets and alleys is graphically depicted on the map included in this Final Development Plan. All off-street parking and loading areas will be surfaced with erosion-resistant material in accordance with county specifications.

9-1-2 Separation from Walkway and Street

The off-street Parking Area will be separated from pedestrian walkways by protective curb stops.

9-1-3 Entrances and Exits

The location and design of the entrances and/or exits to Sawgrass Drive West shall be constructed in accordance with County specifications. The entrance/exit on A-1-A will be constructed in accordance with Florida Department of Transportation Standards.

9-1-4 Interior Drives

As shown on the Final Development Plan map, all interior drives on the Property will contain 90° angled parking stalls (minimum size = 9' x 20') and will be 24 feet in width with two-way traffic.

9-1-5 Marking of Parking Spaces

As shown on the Final Development Plan, all parking spaces will be marked by painted lines or curbs.

9-1-6 Lighting

Lighting within the Property will meet or exceed minimum lumens of 100 watt high pressure sodium fixture lights affixed 16 feet above the roadway and 300 feet on center. During night hours of operation of either building, lighting in the vicinity of that building and adjacent parking areas will be supplied to ensure adequate visibility and for security purposes.

9-1-7 Screening

Screening for off-street parking which is closer than 40 feet to residential lots will be provided by a compact permanent shrubbery with a minimum height of six feet.

9-2 Location

The required off-street parking and loading facilities will be located upon the same parcel of land they are intended to serve.

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

The buildings contain approximately 26,800 square feet is presently intended for use as banking and business offices. Under Section 9-3-1(0) of the St. Johns County Zoning Ordinance which requires one space for each 500 square feet of gross floor space and one space for each two occupants or employees approximately 104 parking spaces would be required assuming approximately 100 employees or occupants. As shown on the Final Development Plan map, a total of 118 spaces will be provided, two of which shall be designated as loading spaces.

9-4-1 Off-Street Loading Requirements

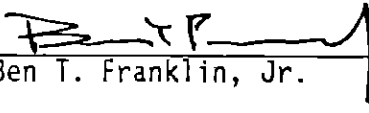
As required by Section 9-9-1(a) & (b), one loading space will be provided for each building as shown on the Final Development Plan map.

- c. The Final Development Plan map illustrates the anticipated traffic flow pattern. Sufficient space has been allowed to permit access for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal. Locations of the fire hydrants serving the Property are also depicted on the Final Development Plan map.
- d. All utilities serving the Property including telephone, power, cable television, and sewer and water lines will be installed underground. Also shown on the Final Development Plan map are the location and design of the storm sewer facilities serving the Property and the grading and general elevation of the site facilitating proper drainage of storm waters and preventing erosion and the formation of dust.
- e. As there are no streets within the Property, Section 8-4-8(e) does not apply to this Final Development Plan.

NOTE: Two signs are proposed for construction as shown on the Final Development Plan. They are proposed to be 6' x 15' monument type (i.e. low profile) signs with uplighting used for illumination.

SAWGRASS CORNERS, LTD. I & II

By:


Ben T. Franklin, Jr.

Draft #5
DGS/6-29-88

EXHIBIT C
TO DECLARATION OF
COVENANTS, EASEMENTS AND RESTRICTIONS

ARCHITECTURAL AND CONSTRUCTION CRITERIA

I. DEFINITIONS. For purposes of these rules and regulations, the following terms shall be defined as set forth below:

Tenant: any person(s) or entity leasing or subleasing space within a building located in Sawgrass.

Ground Lessee: any person(s) or entity leasing or subleasing land located in Sawgrass.

Owner: any person(s) or entity owning a parcel of land located within Sawgrass other than the Developer.

Developer: Arvida/JMB Partners, its successors and assigns.

Occupant: Tenants, Ground Lessees, and Owners shall collectively be referred to as Occupants.

Leased Premises: Any leasable building area leased by a Tenant.

Premises: Leased Premises and any occupiable space located on the Property.

Property: The real property owned by Owner described on Exhibit A attached to the foregoing Declaration.

II. ARCHITECTURAL CRITERIA

A. Building Type. No building shall be erected, altered, placed or permitted to remain on the Property, except facilities permitted under the PUD and otherwise in compliance with the use restrictions set forth in the foregoing Declaration, not to exceed three (3) stories in height. Unless approved by the Developer as to use, location and architectural design, no trash receptacle enclosure, warehouse or storage room may be constructed separate and apart from the commercial facilities nor can any such structure(s) be constructed prior to construction of the improvements on the Property.

B. Layout. No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the layout for the building and the location of any service areas or loading docks is approved by the Developer. It is the purpose of this approval to assure that no trees are unnecessarily disturbed and that the building and other improvements are placed on the Premises in their most advantageous position.

C. Exterior Color Plan. The Developer shall have final approval of all exterior color plans and each Owner or Ground Lessee must submit to the Developer prior to initial construction and development upon any parcel a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The Developer shall consider the extent to which the color plan is consistent with the other buildings in Sawgrass and the extent to which the color plan conforms with the natural color scheme of and for Sawgrass.

D. Elevations. All building elevations shall conform to the master grading plan and elevations established for Sawgrass by Developer's engineers which shall be available for inspection of all Occupants at Developer's administrative offices.

E. Building Quality. The Developer shall have final approval of all exterior building materials. Exposed concrete block shall not be permitted on the exterior of any building or detached structure unless prior approval is obtained from the Developer. The Developer shall discourage the use of imitation materials for facades and encourage the use of materials such as brick, stone, wood, and stucco, or a combination of the foregoing. Prior to commencement of construction and as part of final plan approval, each Owner or Ground Lessee shall submit exterior building material samples which shall be subject to Developer's approval. No flat roofs are allowed except to place mechanical equipment. Roofs are to be at least 6/12 pitch and are to be constructed of either wood shakes or standing seam metal (dark brown).

F. Setbacks and Plot Coverage. Minimum setbacks from the boundaries of the Property will be as follows:

Setback From	Setback From Entry Road Boundary	Setback From Parcel 1 Boundary	Setback From Willow Pond Boundary
A-1-A Boundary			
15'	25'	-0-	30'

G. Landscaping. A basic landscaping plan for each parcel will be submitted to and approved by the Developer prior to initial construction and development therein. A 15-foot (15') landscaped strip within the setback area and not in addition thereto (consisting of shrubbery or combination of shrubbery and lawn, with trees permitted in either case) shall be provided on each site adjacent to any and all streets abutting the site, except at the location of driveways. Where an on-site parking area is provided against the facade of a building on the site or the prolongation of such facade, the owner of the site shall plant and maintain between the parking area and the building a five-foot (5') landscaped strip. Also, the owner of each site shall landscape (with grass and/or low shrubbery) the area between all site property lines adjacent to a street or streets and the street curb, excluding, however, any area used as a driveway. Further, the Owner of each site shall install and maintain an underground sprinkler system for the purpose of watering all shrubbery and lawn areas, and area between property lines and the street, lakes, golf course, etc. and shall use the sprinklers as necessary for such watering. All landscaped areas and lawns, including but not limited to those required under this paragraph, shall be maintained in good condition by the Owner of the site. Included in the drawings and specifications to be submitted to Developer must be a landscape plan sealed by a registered landscape architect showing all proposed landscaping. A ten-foot (10') landscaped area within the setback area and not in addition thereto will be required on all property lines that are adjacent to other parcels. Landscape treatments of lakes and golf course areas will be of such a nature as to blend into the existing trees, shrubs, and grass. Landscaping will be required to the edge of the water or golf course regardless of location of property line. All landscaping treatments must also meet the requirements of St. Johns County.

H. Removal of Trees. In reviewing building plans, the Developer shall take into account the natural landscaping of the site, such as trees, shrubs and palmettos, and encourage the Owner or Ground Lessee to incorporate them in his landscaping plan. As a result, a tree survey will be required which clearly indicates which trees will be removed and which trees will be retained. No trees of eight (8) inches in diameter or larger at one (1) foot above natural grade shall be cut or removed without

approval of Developer, which approval may be given when such removal is necessary for the construction of a building or other improvement.

I. Utility Connections. Building connections for all utilities, including, but not limited to, water, electricity, telephone and television shall be run underground from the proper connecting points to the building structure in such a manner to be acceptable to the governing utility authority.

J. Drainage Plan. Subject to the requirements of paragraph 1 of the foregoing Declaration of Covenants, Easements and Restrictions, all improvements shall be constructed to conform to the master drainage plan established for Sawgrass by Developer's engineers which shall be available for inspection by all Occupants at Developer's administrative offices. All water is to be picked up within the owner's parcel and then transferred to the master drainage system. All drainage plans will be approved by the Developer and approval will consist of, but not be limited to:

- (1) Amount
- (2) Outfall point
- (3) Type of system
- (4) Maintenance.

K. Parking. All parking requirements will meet the requirements of St. Johns County zoning and building codes and will be shown on Owner's final development plan. Excessive number of driveways will not be allowed and the flow of traffic must be handled within the Owner's parking area. All parking areas are to be buffered from streets, adjacent building, golf course, and lakes. Some center island landscaping will be required in any parking lot over 20 spaces which is in addition to perimeter buffering.

L. Screening of Roof Objects. Standfans, skylights, air conditioning units, cooling towers, elevator penthouses, vents and other structure or equipment which rises above the roof line shall be architecturally compatible or effectively shielded from view by architecturally sound methods which shall be shown on the plans and specifications submitted to the Developer and subject to approval by the Developer.

III. SIGNAGE CRITERIA. Developer shall have the right of approval of all signs on the Premises, and shall have the absolute right to reject, or to require modification of, any sign which in the sole discretion of Developer fails to meet the following criteria:

A. MATERIALS.

- (i) All signs must be of wood construction using either clear cedar, cypress, or redwood. The use of tile, glass, or painted inserts may be considered for approval when integrated with wood construction.
- (ii) The wood stock must have a thickness of one and one-half inches (milled dimension). Total thickness of any sign may not exceed five (5) inches.
- (iii) Kiln dried material is recommended to reduce checking.

B. PRODUCTION METHOD.

- (i) All signs must be either sand-blasted, routed, or carved.

- (ii) The characters may be raised or recessed.
- (iii) Corners may be rounded or squared.
- (iv) Reasonable latitude will be allowed for the shape of any sign.

C. CHARACTERS, LETTERING, LOGOS.

- (i) The text of any sign may include only the name of any business on the Premises, and will be limited by the terms of the License Agreement between Developer and Owner.
- (ii) The use of logos may be allowed in some cases.
- (iii) The size of the letters and characters will be constrained by the length of copy in relation to the maximum allowable dimensions of the sign panel.
- (iv) Letter style and size is not restricted, but is subject to Developer's approval.

D. COLORS.

- (i) Any reasonable color scheme will be considered.
- (ii) Specific colors may be required at the sole discretion of Developer.
- (iii) Owner will identify all colors using standard PMS numbers as contained in the Pantone Matching System Formula Guide.

E. NUMBER AND SIZE OF SIGNS.

- (i) The number of signs permitted on the Premises shall be subject to Developer approval.
- (ii) If the Owner elects to install a soffit sign, its size must be the maximum size allowable for soffit signs. A soffit sign may be accompanied by a wall sign, which cannot exceed the minimum size criteria.
- (iii) Secondary entrances into an business on the Premises may have a wall sign, the size of which will be subject to Developer approval.
- (iv) The size of all signs shall be subject to Developer approval and will be dependent upon the number of signs and type of signage on the Property.

F. OTHER RESTRICTIONS.

- (i) Flashing, oscillating, and moving signs are not permitted.
- (ii) Formed plastic, or injection-molded signs are not permitted.
- (iii) Exposed raceways, transformers, ballast boxes, cross overs, conduit or sign cabinets, etc. are not permitted.
- (iv) Visible sign company names are not permitted.
- (v) Decals and lettering on show window glass, door glass, or any part of the storefront are not

permitted, without the explicit written consent of Developer.

- (vi) Temporary signs, posters, notices, announcements, are not permitted.
- (vii) Lighting of any sign is not permitted, including illuminated or backlit signs.
- (viii) Owner directional signs are not permitted.

G. CODE REQUIREMENTS.

It is the Owner's responsibility to insure that all signs and their installations meet all code restrictions set forth by the governmental bodies having jurisdiction.

H. APPROVAL PROCESS.

- (i) All sign designs must be submitted to Developer, to the attention of Edd Siler, P.O. Box 600, Ponte Vedra Beach, Florida 32082, prior to placement on the Premises.
- (iii) The submission package must contain the following:
 - (a) Three (3) copies of the proposed design, illustrating all appropriate elevations.
 - (b) PMS designation of each color and the appropriate element of the sign to which the various colors are to be applied.
 - (c) A location map of the store elevations to which each sign is to be installed.
 - (d) Specification of the size of the characters and the dimensions of the signs, including logotypes.
 - (e) Specification of the production method and the materials to be used.
 - (f) Any other pertinent information that may help Developer evaluate the design and installation.
- (iii) When final approval is granted, the plans will be stamped "Approved" and returned to Owner or his designated representative. Two (2) sets of the stamped plans will be retained by Developer, and the third set returned to Owner.
- (iv) It is suggested that any questions be directed to Developer prior to completion of working drawings, and that a set of preliminary drawings be submitted for review prior to completion of working drawings.
- (v) Developer, upon request, can provide the names of local sign manufacturers to assist Owner.

IV. COMPLIANCE

A. Developer Approvals. The Developer's approval or disapproval as required in the foregoing Architectural and Construction Criteria shall be delivered in writing to the

parcel Owner or Ground Lessee submitting same, together with a copy of the approved plans and specifications or sign plans signed by the Owner or Ground Lessee. In the event the Developer fails to approve or disapprove plans and specifications or sign plans within thirty (30) days of submission thereto, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related criteria shall be deemed to have been fully complied with. Approval by Developer shall not be arbitrarily withheld but disapproval may be based upon purely aesthetic grounds which, in the reasonable discretion of Developer, may seem sufficient.

B. Waiver of Architectural Planning Criteria. The Architectural and Construction Criteria set forth herein are intended as guidelines to which adherence shall be required by each Owner and Ground Lessee in Sawgrass; provided, however, that Developer shall have the express authority to waive any requirement set forth herein if, in its opinion, it deems such waiver in the best interests of the Sawgrass community and the deviation requested is compatible with the character of Sawgrass. A waiver shall be evidenced by an instrument signed and executed by the Developer.

C. Tenant Compliance. Owner shall be responsible for insuring that any Tenants of the Premises comply with the Architectural and Construction Criteria set forth herein.

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