

May 08, 2001

RESOLUTION NUMBER 2001-93

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

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

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

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

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

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

WHEREAS, the Applicant has duly provided complete copies of the NOPC to the Florida Department of Community Affairs, Northeast Florida Regional Planning Council, St. Johns County and the City of Jacksonville; and

WHEREAS, the proposed NOPC does not require an amendment to the County's Comprehensive Plan; and

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

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

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

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

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

Development in St. Johns County will be phased as follows:

<u>Land Use</u>	<u>Phase I</u> (2000-2010)	<u>Phase II</u> (2011-2015)
Retail (Commercial)	240,000 s.f.	134,084 s.f.
Office	22,830 s.f.	22,000 s.f.

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

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

3. **SPECIAL CONDITIONS** are amended as follows:

a. Paragraph 24 of the Special Conditions is deleted in its entirety and the following substituted therefor:

Transportation

24. **Racetrack Road**

(1) No later than thirty months from the effective date of the Development Order, Developer shall commence construction, or cause construction to commence, or pay to St. Johns County the full cost as agreed to by the County, of the four-laning of Racetrack

Road from U.S. 1 (including all necessary at-grade intersection improvements at the U.S. 1/Racetrack Road intersection), to the East Spine Road entrance into the single family development between parcels 41 and 42 as depicted on the Master Plan. The Applicant shall reserve sufficient right of way along the entirety of the project along Racetrack Road to expand the present 66 feet of right of way to 133 feet (contributing 67 feet or one half of the right of way needed to total 200 feet), and within 90 days of such a request by St. Johns County, the Developer shall convey to St. Johns County such right of way to accommodate improvements adjacent to the entire southern boundary of the project. Such right of way is estimated to be 20 acres. Developer agrees to convey up to an additional one acre if roadway right of way measurements require such acreage for the road improvement. Provided, however, if the county has not acquired the additional one half of the right of way needed to match the Bartram conveyance at the time as the right of way is needed to complete the widening of the Racetrack Road segments required by this DRI, then Developer shall donate such additional right of way up to 67 feet as is necessary to construct the widening projects set forth in this DRI. In the event that Developer donates such additional right of way for Racetrack Road, the value of the additional donated right of way shall be credited against the \$7,961,998 required for the construction of Phase II of this development, such value to be established by filing a Notice of Proposed Change to the DRI. In addition, the Developer shall receive a credit against county transportation impact fees for the value of the additional donated right of way pursuant to the impact fee ordinance.

(2) No later than the earlier of (i) the date of connection of Bartram Park Blvd. to Racetrack Rd. or (ii) the connection of the proposed State Road 9B Extension to the St. Johns County roadway system, Developer shall four-lane Racetrack Road, including the Durbin

Creek bridge and the bridge over I-95 from Russell Sampson Road to the East Spine Road (Second Racetrack Road Improvement), cause the construction or pay to St. Johns County the full cost of such construction, as determined by St. Johns County. Construction of Phase II development rights in St. Johns County shall not commence until the Developer has commenced construction of the Second Racetrack Road Improvement and the total cost of construction of that improvement is guaranteed by a bond. Bartram Park Blvd. shall not be open and operational to Racetrack Road until the Applicant has constructed, caused to be constructed or paid the full cost, as determined by St. Johns County, for the four-laning of this segment of Racetrack Road. Provided however,

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

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

Additional Transportation Contribution

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

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

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

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Mary B. Schinke
Chair

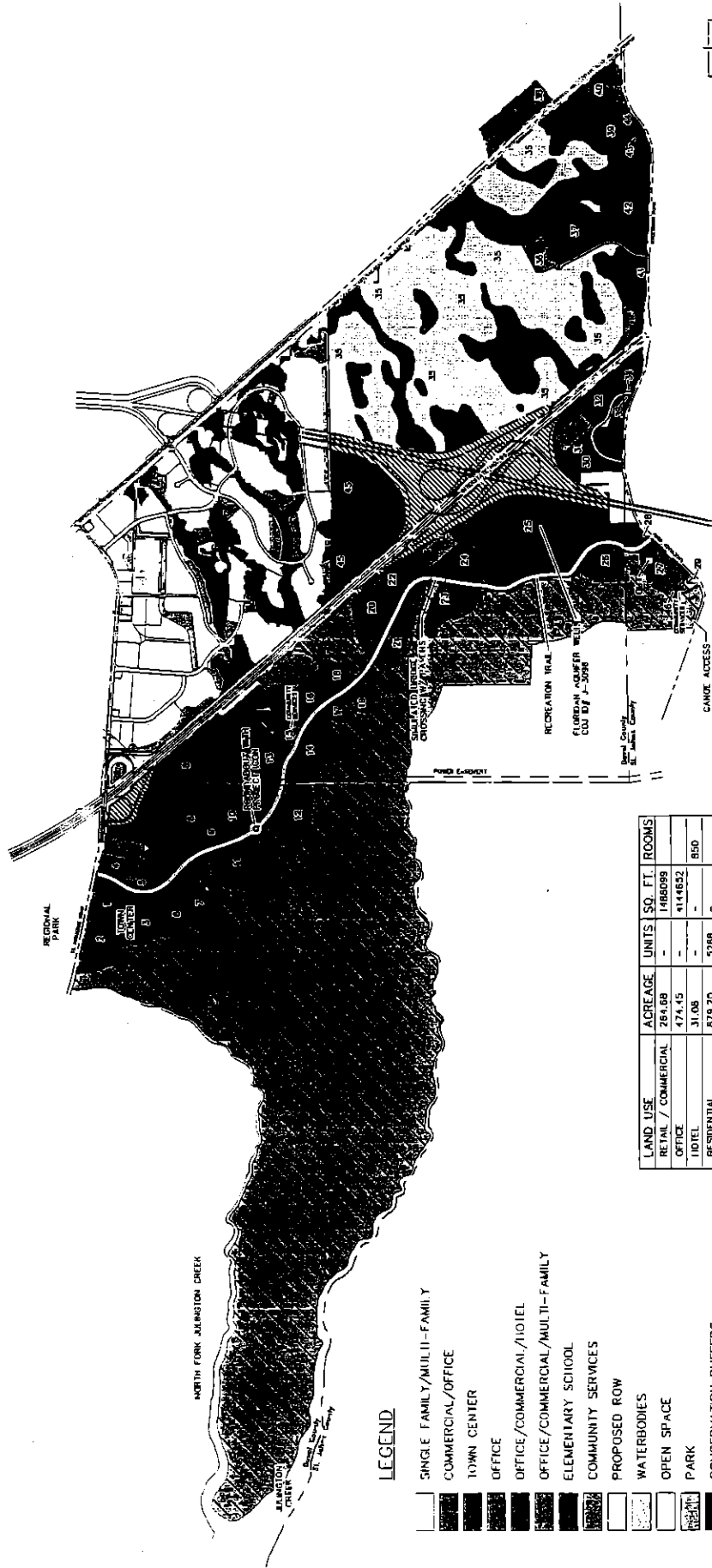
ATTEST: Cheryl Strickland

By: Juanne King
Deputy Clerk

Adopted Regular meeting May 8, 2001

Effective: May 8, 2001

BARTRAM PARK



LEGEND

- [Pattern] SINGLE FAMILY/MULTI-FAMILY
- [Pattern] COMMERCIAL/OFFICE
- [Pattern] TOWN CENTER
- [Pattern] OFFICE
- [Pattern] OFFICE/COMMERCIAL/HOTEL
- [Pattern] OFFICE/COMMERCIAL/MULTI-FAMILY
- [Pattern] ELEMENTARY SCHOOL
- [Pattern] COMMUNITY SERVICES
- [Pattern] PROPOSED ROW
- [Pattern] WATERBODIES
- [Pattern] OPEN SPACE
- [Pattern] PARK
- [Pattern] CONSERVATION BUFFERS
- [Pattern] CONSERVATION
- [Pattern] INTERCHANGES (RESERVATION AS REQUESTED)
- [Pattern] PUBLIC LANDS (SHOWN FOR INFORMATION ONLY. NOT INCLUDED IN DTI)

LAND USE	ACREAGE	UNITS	SQ. FT.	ROOMS
RETAIL / COMMERCIAL	284.89	-	1466099	-
OFFICE	474.45	-	4144652	-
HOTEL	31.06	-	-	850
RESIDENTIAL	879.20	5288	-	-
SUBTOTAL 1	1649.41	5288	5632751	850
COMMUNITY FACILITIES	25.91	-	-	-
INFRASTRUCTURE	318.33	-	-	-
DEP. SPACE	779.22	-	-	-
SUBTOTAL 2	1121.46	-	-	-
TOTAL	2772.87	5288	5632751	850



CGM ASSOCIATES
 5000 E. 1st Avenue, Suite 1000, Fort Lauderdale, FL 33304
 Phone: (954) 338-1100
 Fax: (954) 338-1101
 Website: www.cgm.com
 1988 LAND ASSOCIATES, INC.

MAP H - DEVELOPMENT PLAN EXHIBIT A

Res. 2001-93

THE ST. AUGUSTINE RECORD

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

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

NOTICE OF PROPOSED CHANGE

in the matter of **DEVELOPMENT REGIONAL IMPACT**
BARTRAM PARK PLANNED UNIT DEVELOPMENT

in the Court, was published in said newspaper in the issues of
APRIL 21, 2001

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

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

by *Linda Y Murray* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # CG641614 EXPIRES
August 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

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

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County will consider a Notice of Proposed Change to the previously approved Bartram Park DRI (Development of Regional Impact) Development Order, Resolution Number 2000-139, and a Major Modification to the Bartram Park Planned Unit Development (PUD), Ordinance Number 2001-03.

The Public Hearing by the Board of County Commissioners will be held on Tuesday, May 08, 2001, at 1:30 p.m. to consider and take action on a Resolution of the County of St. Johns, State of Florida, modifying the Bartram Park DRI Development Order as previously approved by Resolution Number 2000-139, and on an Ordinance approving the Major Modification to the Bartram Park Planned Unit Development (PUD), as previously approved by Ordinance Number 2001-03, finding the modifications are consistent with 2015 St. Johns County Comprehensive Plan, Ordinance 2000-34, as amended; and consistent with the St. Johns County Land Development Code, Ordinance 99-51, as amended; finding that the modifications do not constitute a substantial deviation; and providing for effective dates.

Said hearings will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida. The Bartram Park DRI is located as generally depicted on the attached General Location Map, Exhibit A. A complete legal description is available for review and reproduction in the St. Johns County Planning Division, located in the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida.

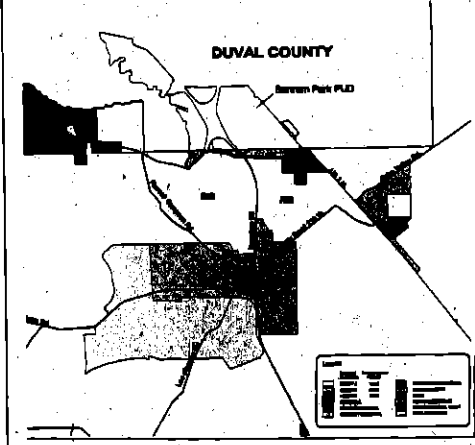
The proposed changes seek to modify certain general provisions and transportation provisions of the DRI Development Order and to amend the project phasing and schedule of development as contained within the previously approved Bartram Park DRI Development Order and Planned Unit Development Ordinance. Such changes shall combine Phase I and Phase II into a single phase (new Phase I), which shall end in 2010. Phase II shall maintain a completion date of 2015. The proposed change shall accelerate the schedule of development within the St. Johns County portion of the Bartram Park DRI and PUD, with no development other than transportation improvements, occurring in St. Johns County prior to 2005.

The Bartram Park DRI Notice of Proposed Change and the Major Modification to the Bartram Park Planned Unit Development files are available for review by the public in the Planning Division located at the St. Johns County Administration Complex, 4020 Lewis Speedway (County Road 16-A and US 1 North), St. Augustine, Florida, and may be examined by interested parties prior to said public hearing, and all interested parties shall be granted an opportunity to be heard at said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact David Halseid, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.



Bartram Park
Planned Unit Development
BOARD OF COUNTY COMMISSIONERS
MARY F. KOHNKE, CHAIR
ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, CLERK
L 888-1 Apr 21, 2001