

1 Introduced by Board of County Commissioners:  
2

3 **RESOLUTION 2016- 251**

4 A RESOLUTION APPROVING THE ABANDONMENT OF THE  
5 CORDOVA PALMS DEVELOPMENT OF REGIONAL IMPACT  
6 (DRI) PREVIOUSLY APPROVED PURSUANT TO RESOLUTION  
7 2010-175 IN ACCORDANCE WITH CHAPTER 380, FLORIDA  
8 STATUTES AND THE APPLICABLE PROVISIONS OF THE  
9 FLORIDA ADMINISTRATIVE CODE (FAC); FOR  
10 TRANSMITTAL OF ABANDONMENT TO THE STATE OF  
11 FLORIDA'S DEPARTMENT OF ECONOMIC OPPORTUNITY  
12 (FDEO); AND PROVIDING AN EFFECTIVE DATE.  
13

14 **WHEREAS**, the Cordova Palms DRI was approved pursuant to  
15 Resolution 2010-175 on August 19, 2010 (the "Development Order"); and

16 **WHEREAS**, the Cordova Palms DRI is approximately 381.8 acres of  
17 certain real property as more particularly described in **Exhibit 1** and  
18 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
19 and incorporated herein by this reference ("Subject Property"); and

20 **WHEREAS**, pursuant to Section 380.06(26) of the Florida Statutes,  
21 DRI Modification Application Number 2015000006 requesting to abandon  
22 the Cordova Palms DRI has been filed by Steven Diebenow, Esquire on  
23 behalf of Flagler Cordova Palms, LLC, the owner ("Owner"); and

24 **WHEREAS**, pursuant to Rule 73C-40.0251(5)(a), FAC the Cordova  
25 Palms DRI is eligible for abandonment because the "approved DRI which  
26 is proposed after abandonment [will] be below 100 percent (100%) of any  
27 applicable guidelines and standards identified in Section 380.0651,  
28 Florida Statutes, or Chapter 28-24, FAC,"; and

29 **WHEREAS**, the FDEO confirmed Cordova Palms DRI eligibility of  
30 abandonment on March 18, 2016 pursuant to DEO Project File Number: ADA-  
31 04-2006-030; and

1           **WHEREAS**, in accordance with Section 380.04 of the Florida  
2 Statutes, no development has taken place pursuant to the Development  
3 Order; and

4           **WHEREAS**, in accordance with Section 380.0651 of the Florida  
5 Statutes and Rule 28-24, FAC, a total of 150,000 square feet of  
6 commercial (retail/service) (37.5% of the 400,000 square foot standard  
7 in Section 380.0651 Florida Statutes) and 750 single family homes (75%  
8 of the 1,000 dwelling unit standard in Section 380.0651, Florida  
9 Statutes), including a conversion table for multi-family residential  
10 units, is proposed for development after abandonment; and

11           **WHEREAS**, no permit applications have been filed nor have any  
12 permits been issued; and

13           **WHEREAS**, no tracts of land have been sold to separate entities or  
14 developers; and

15           **WHEREAS**, a copy of the Signatory Certification, certifying  
16 concurrence with abandonment of the Cordova Palms DRI was provided by  
17 the Owner; and

18           **WHEREAS**, Cordova Palms DRI originally contemplated 900,000 square  
19 feet of commercial (retail/service) and 100,000 square feet of office  
20 and 750 multi-family residential uses. After marketing the Subject  
21 Property since approval in 2010, it is clear that the market will not  
22 sustain this level of proposed development. As a result, the Owner has  
23 determined to reduce the size of the development to 150,000 square feet  
24 of commercial (retail/service) and 750 single family homes (including a  
25 conversion table for multi-family residential uses); and

26           **WHEREAS**, the proposed abandonment will not jeopardize, and will  
27 in fact facilitate, the development of SR 313 - the St. Augustine  
28 Bypass; and

1           **WHEREAS**, land swaps associated with the proposed abandonment  
2 will: 1) protect and ensure the future development of the Northeast  
3 Florida Regional Airport at St. Augustine and 2) enhance the Twelve  
4 Mile Swamp; and

5           **WHEREAS**, all development to date (none) is in compliance with all  
6 applicable local regulations; and

7           **WHEREAS**, any material adverse impacts for the future development  
8 on any existing resources or existing or planned facilities and the  
9 mitigation of these impacts have been addressed by the Owner; and

10           **WHEREAS**, a list of each of the conditions from Development Order  
11 to protect or mitigate the project's impact to resources or facilities  
12 was included with an explanation and documentation that each condition  
13 was adhered to by the Owner; and

14           **WHEREAS**, the Development Order General Conditions 2, 3, 4  
15 (regarding Phasing), 15 and Specific Conditions 17-23 and 26-29 are  
16 being addressed in the context of the proposed Comprehensive Plan  
17 and/or rezoning to Planned Unit Development; and

18           **WHEREAS**, a binding letter (Form DEO-BCP-BLID-1) is not required  
19 because the proposed development is below 80% of the applicable multi-  
20 use threshold in Rule 28-24.032(1), FAC; and

21           **WHEREAS**, the County Growth Management Department has reviewed the  
22 proposed application to abandon the Cordova Palms DRI and having  
23 reviewed and considered all submitted information, has prepared a  
24 written report and rendered an advisory recommendation to the Saint  
25 Johns County Board of County Commissioners ("County Commission") with  
26 respect to the proposed abandonment; and

27           **WHEREAS**, The Board of County Commissioners of St. Johns County  
28 held a publicly noticed hearing pursuant to applicable state and local

1 law to determine the request for abandonment pursuant to Section  
2 380.06, *Florida Statutes*, and Rule 73-40.0251; and

3 **WHEREAS**, the County Commission held a public hearing on this  
4 proposed abandonment of the Cordova Palms DRI with public notice having  
5 been provided, pursuant to Section 380.06, *Florida Statutes*, and Land  
6 Development Code section 9.06.04, and having considered the Owner's  
7 application, all written and oral comments received during the public  
8 hearing, the recommendations of the County Growth Management  
9 Department, and desires to approve the proposed abandonment and notify  
10 the FDEO of its action; now, therefore

11 **BE IT RESOLVED** by the Saint Johns County Board of County  
12 Commissioners:

13 **Section 1. Incorporation of Recitals.** The above WHEREAS  
14 clauses are adopted as findings and incorporated in this order.

15 **Section 2. Purpose and Intent.** The Board hereby approves the  
16 abandonment of the Cordova Palms DRI pursuant to DRI Modification  
17 Application Number 2015000006 and DEO Project File Number: ADA-04-2006-  
18 030. Impacts of proposed development shall be mitigated pursuant to  
19 applicable federal, state, and local laws and regulations. Developer  
20 shall request and receive a rescission or amendment to all permits or  
21 other approvals which authorize development beyond that which is  
22 authorized under this Abandonment Order.

23 **Section 3. Subject Property Location and Description.** The  
24 approximately 381.8 acres of land as more particularly described in  
25 **Exhibit 1** and graphically depicted in **Exhibit 2**, both of which are  
26 **attached hereto** and incorporated herein by this reference are the  
27 subject of the abandonment.

28 **Section 4. Owner and Applicant Description.** The Subject  
29 Property is owned by Flagler Cordova Palms, LLC. The applicant listed  
30 on the application is Steven Diebenow, Esquire, with an address of 1

1 Independent Drive, Suite 1200, Jacksonville, FL 32202 and a telephone  
2 number of (904) 301-1269.

3 **Section 5. Abandoned DRI.** Notice of the Cordova Palms DRI  
4 abandonment shall be provided directly to the FDEO, and all Saint Johns  
5 County maps and records will be revised accordingly.

6 **Section 6. Recordation of Notice.** Notice of the Abandonment  
7 shall be recorded by the developer with the clerk of the circuit court.  
8

9 **Section 5. Effective Date.** This resolution shall become  
10 effective upon signature by the Chairman.  
11

12 PASSED AND ADOPTED THIS 16<sup>th</sup> DAY OF August, 2016

13 BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA  
14

15 BY: 

16 Jeb S. Smith, Chair  
17

18 ATTEST:

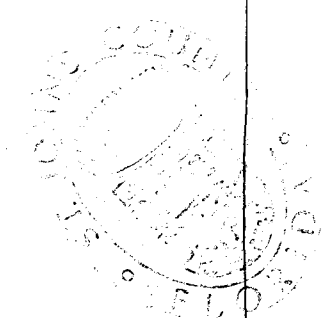
19 Hunter S. Conrad, Clerk of Court  
20

21 BY: 

22 Deputy Clerk  
23

24 Effective Date: 8/18/16  
25

**RENDITION DATE** 8/18/16



## Exhibit 1

### DRI Property

All of fractional Section 10, all of Government Lots 1, 2 and 3, and a portion of Government Lots 5 and 7, Section 15, together with a portion of the Pablo Sabate Grant, Section 50, all lying in Township 6 South, Range 29 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 3012, page 1645 of the Public Records of said county, being more particularly described as follows:

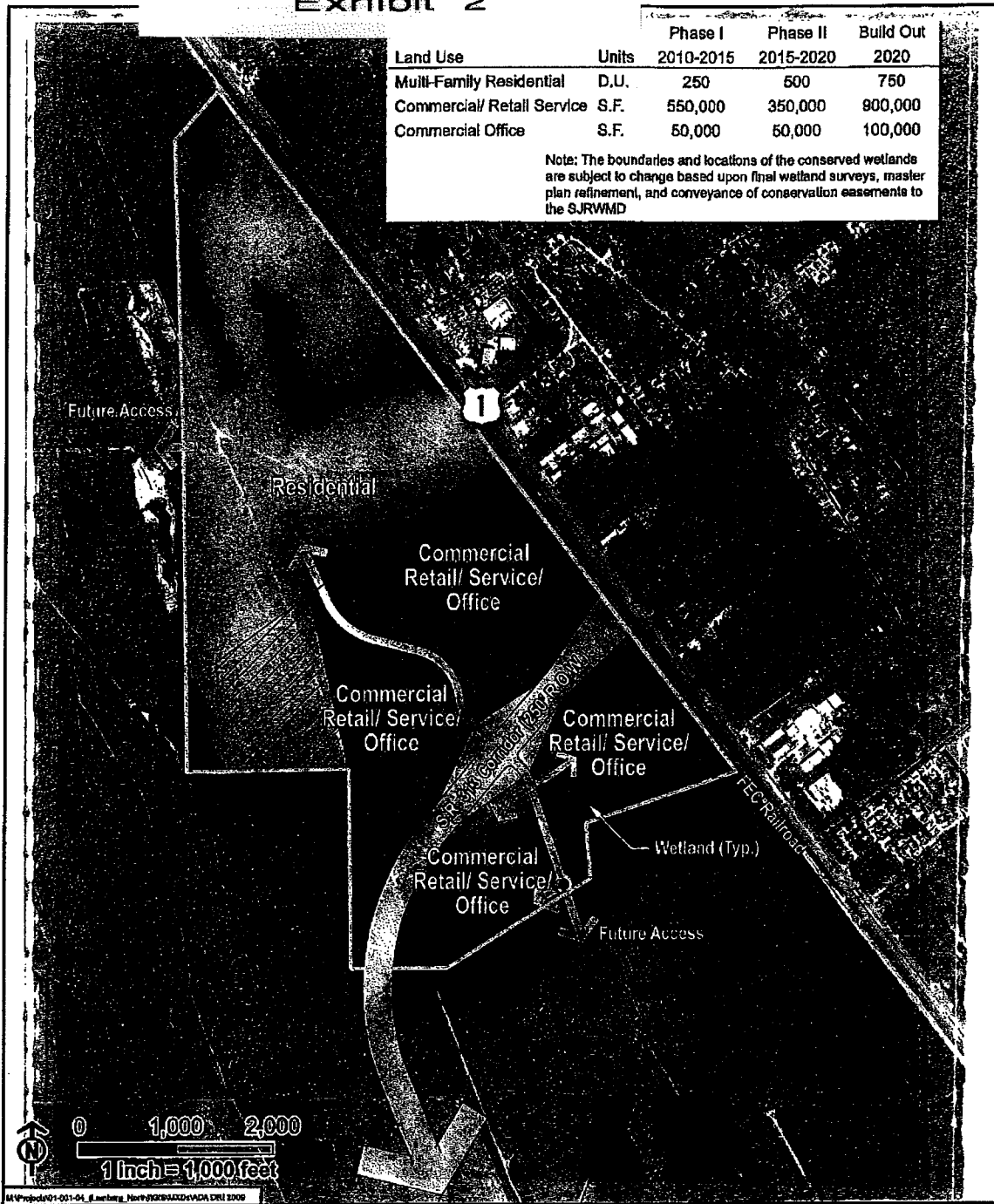
For a Point of Beginning, commence at the Southwest corner of said Section 10, thence North  $01^{\circ}59'46''$  West, along the Westerly line of said Section 10, said line being the Easterly line of those lands described and recorded in Official Records Book 1549, page 996 and Official Records Book 769, page 379 of said Public Records, a distance of 2509.17 feet; thence North  $41^{\circ}53'21''$  East, departing said Westerly line, 538.62 feet to a point lying on the Southwesterly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established; thence South  $37^{\circ}52'52''$  East, along said Southwesterly right of way line, 7066.83 feet; thence South  $71^{\circ}29'36''$  West, departing said Southwesterly right of way line, 1312.47 feet; thence South  $04^{\circ}55'38''$  East, 457.41 feet; thence South  $59^{\circ}08'21''$  West, 494.22 feet; thence South  $58^{\circ}21'45''$  West, 904.03 feet; thence South  $89^{\circ}51'18''$  West, 805.99 feet to a point lying on the Easterly line of those lands described and recorded in Official Record Book 1905, page 268 of said Public Records; thence North  $00^{\circ}53'35''$  West, along said Easterly line, 1630.18 feet to the Northeasterly corner of said Official Record Book 1905, page 268; thence South  $89^{\circ}13'09''$  West, along the Northerly line of said Official Record Book 1905, page 268, a distance of 1339.65 feet to a point lying on the Easterly line of Section 16, said Township and Range; thence North  $00^{\circ}53'21''$  West, along said Easterly line of Section 16, continuing along said Northerly line of Official Record Book 1905, page 268, and said Easterly line of Official Records Book 1549, Page 996, a distance of 2659.81 feet to the Point of Beginning.

Containing 381.76 acres, more or less.

# Exhibit 2

Land Use	Units	Phase I	Phase II	Build Out
		2010-2015	2015-2020	2020
Multi-Family Residential	D.U.	250	500	750
Commercial/ Retail Service	S.F.	550,000	350,000	900,000
Commercial Office	S.F.	50,000	50,000	100,000

Note: The boundaries and locations of the conserved wetlands are subject to change based upon final wetland surveys, master plan refinement, and conveyance of conservation easements to the SJRWMD



MAP Project 01-001-04, Lumburg, North Carolina DRI 2008

## Gordova Palms

Application for City Council Approval

Map #1  
**MASTER DEVELOPMENT PLAN**

Legend	Consultant Team	
Commercial Retail/ Services/ Office*	England, Thims, & Miller, Inc. Planning, Engineering Traffic	   <small>EXHIBITS • PLANS • SPECIFICATIONS • CONTRACTS • SURVEYING • ENVIRONMENTAL SERVICES</small>
Residential*	Pappas Metcalf Jenks & Miller, P.A. Legal	
Residential* - Rental Units Only	Flahkind and Associates Economics	
Major Right-of-Way	Robert M. Angus and Associates Surveying	
Conserved Wetlands	Environmental Services, Inc. Environmental	
* Includes Parks and Open Space.		